Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0413
Farthings Walk, Lindisfarne , Farthings Hill, Horsham, West Sussex, RH12 1WR,

DESCRIPTION:

Removal of Condition 7 of previously approved application HU/183/98 (Erection of 6 houses and single garages for farthings farm cottage and sunicot) Relating to the extension or alteration of the buildings / permitted development rights.

RELEVANT PLANNING HISTORY:

HU/183/98	Erection of 6 houses and single garages for farthings farm cottage and sunicot Site: Farthings Farm Farthings Hill Horsham	Application Permitted on 10.09.1998

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

Consultations:

Natural England: Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:

No Objection

Representations:

1 representation have been received in support of the application

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of

the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT:

Planning permission HU/183/98 granted consent for the erection of six houses and single garages for Farthings Farm Cottage and Sunicot, including the dwelling now known as Lindisfarne. Condition 7 of this consent removed permitted development rights, stating that the buildings shall not be extended or altered in any way unless planning permission is granted by the Local Planning Authority.

This application seeks the removal of Condition 7 under Section 73 of the Town and Country Planning Act 1990. The applicant contends that this condition is no longer reasonable or necessary, particularly in light of recent planning policy guidance, similar approved applications, and the overall context of the surrounding development.

Paragraph 58 of the National Planning Policy Framework (NPPF, 2024) states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. In addition, the Government's Planning Practice Guidance clarifies that blanket restrictions on permitted development rights are unlikely to meet the tests of necessity and reasonableness and should be applied only where justified by specific evidence.

This position is reflected in a recent decision by the Council to approve the removal of Condition 7 from the neighbouring property, Avoca House (application DC/24/1772). That assessment concluded that the layout of the property, the safeguards already built into the General Permitted Development Order (GPDO), and the relevant local policies — particularly HDPF Policy 33, which protects neighbouring amenity — provided sufficient control.

Lindisfarne is a detached two-storey dwelling set within a spacious plot. It is not overlooked to the rear, and the scale of any future alterations or extensions allowable under the GPDO would be limited by existing national restrictions, such as those concerning height, siting, and proximity to boundaries. As such, the potential impact on neighbouring amenity and visual character is considered to be minimal.

Furthermore, the applicant has cited a desire to install energy-efficient windows and doors of matching appearance, which would ordinarily be permitted under the GPDO. Preventing such minor alterations through the continued imposition of Condition 7 appears disproportionate and inconsistent with current national guidance.

Given the similarities between Lindisfarne and Avoca House, the restrictive nature of Condition 7, and the robust protections already in place under the GPDO and HDPF policies, it is considered that the condition is no longer necessary or reasonable. Its removal would not give rise to unacceptable impacts and would bring the site in line with national policy and local precedent.

Recommendation: Application Permitted

NOTE TO APPLICANT
The removal of Condition 7 of previously approved application HU/183/98 (Erection of 6 houses and single garages for farthings farm cottage and sunicot) relates only to 'Plot 2' (Lindisfarne) (as shown on plan S459/11 B, dated 17.12.1998).
POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/25/0413
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	24.03.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 12.05.2025

Authorising Officer sign/initial Tamara Dale Date: 19.05.2025