



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee (South)

**BY:** Head of Development

**DATE:** 16 April 2019

**DEVELOPMENT:** Retrospective application to regularise works underway to existing property including addition of new dormer window and reconfiguration of existing rooflights, re-cladding, internal layout and other material changes to property.

**SITE:** Mill House Brooklands Farm Countryman Lane Shipley Horsham West Sussex RH13 8PR

**WARD:** Billingshurst & Shipley

**APPLICATION:** DC/19/0260

**APPLICANT:** **Name:** Mr and Mrs Henderson **Address:** Mill House, Brooklands Farm, Countrymans Lane Shipley RH13 8PR

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation have been received within the consultation period with a view contrary to the recommendation.

**RECOMMENDATION:** To grant permission subject to conditions

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application is seeking retrospective permission for the construction of new dormer window and replacement rooflights on the northern roof-slope of the building and on the southern elevation an existing gabled dormer on the southwest side of the roof slope has been replaced with a hipped roof and cedar clad cheeks, whilst the existing dormer on the southeast side has been extended to create additional head room to the master en-suite bedroom. Also as part of the refurbishment works the external walls of the building will be clad in natural Cedar which will be allowed to weather to a natural silvered look. Miscellaneous works to the internal layout and other material changes are also part of the retrospective works to the property.

### **DESCRIPTION OF THE SITE**

- 1.2 The application site comprises a converted warehouse (SP/33/87 refers), which together with a complex of outbuildings to the west and south that have also been converted at later dates to residential units forms a residential complex.

- 1.3 The application site comprises a three storey dwellinghouse, albeit that the first and second floors are contained within the existing roof, together with a detached carport/store, which are located at the northern end of a private driveway, that is accessed from the north side of Countryman Lane, and also serves the converted complex of outbuildings associated with the original warehouse.
- 1.4 The site is located outside any defined built up area boundary and is therefore in a countryside location. A Public Right of Way (ROW1966) runs from the north side of Countrymans Lane along the shared driveway, where it passes the site north as well as turning west to run parallel with the northern boundary of the site. There are no other constraints on the site.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

#### **National Planning Policy Framework**

#### **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

### RELEVANT NEIGHBOURHOOD PLAN

Shipley designated May 2016 ongoing discussions with HDC to progress to plan Reg 14.

### PLANNING HISTORY AND RELEVANT APPLICATIONS

SP/7/82	Use of granary for residential purposes (From old Planning History)	Application Refused on 10.06.1982
SP/33/87	Conversion of building to dwelling (From old Planning History)	Application Permitted on 13.12.1988
SP/6/95	Conversion of outbuildings to stable Site: The Millhouse Brooklands Farm Shipley	Application Permitted on 31.03.1995
SP/1/98	Conversion of outbuildings into 1 dwelling Site: Fieldhead Brooklands Farm Shipley	Application Permitted on 04.03.1998
SP/34/99	Erection of porch and 2 dormers Site: The Millhouse Brooklands Farm Shipley	Application Permitted on 24.08.1999

### 3. OUTCOME OF CONSULTATIONS

- 3.1 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](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

- 3.2 **N/A**

#### OUTSIDE AGENCIES

- 3.3 **N/A**

#### PUBLIC CONSULTATIONS

- 3.4 Objections were received from the Properties adjacent to the site, Fieldhead (6 letters/emails), Mole End, Jendara, No47 Brighton Road and Palmers Barn Chilington Lane Horsham and the occupiers of 7 other properties outside the District. In total **17 letters/emails** of objection were received.

The objections can be summarised as follows:

- The property is out of keeping with the Countryside character
- The third level of development is out of proportion and inappropriate to the existing property.
- The windows in the third level of development would result in overlooking, loss of privacy, overbearing and detrimental to the amenities of occupiers of adjacent properties.
- Increased size of house is overdevelopment.
- No consultation with the neighbours undertaken with regard the proposals.
- Design

#### PARISH COUNCIL

- 3.5 Objects – agreeing with neighbour concerns – overdevelopment and would intrude on the privacy of neighbours

### 4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

### 5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

## 6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on:
- The character of the dwelling and the visual amenities of the area
  - The amenities of the occupiers of adjacent properties

### Policy Background

- 6.2 Policy 28 of the Horsham District Planning Framework (HDPF) states that; Outside the defined built up areas, house extensions, will be supported if the development can be accommodated appropriately within the curtilage and be in keeping with the scale and character of the existing dwelling, (the cumulative impact of existing extensions will be taken into account).
- 6.3 Policy 33 seeks to ensure high quality and inclusive design for all development in the district and ensures that it will; complement locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes and ensures that it is designed to avoid unacceptable harm to the amenity of occupier/users of nearby property and land either through overlooking or noise disruption and has regard to the sensitivities of surrounding development.

### Impact on the Character of the Area

- 6.4 The proposal seeks retrospective planning permission for the addition of new dormer window on the northern roofslope and the enlargement of an existing dormer window on the south-eastern side of the southern roofslope and a hipped roof to a dormer on the southwest side of the southern roof slope. Reconfiguration of existing rooflights and installation of a ridge rooflight, together with re-cladding the existing building, internal layout and other material changes to the property.
- 6.5 The existing dwelling was originally a bacon curing warehouse with a ground floor area, under a large Catslide roof with an overall 3 storey ridge height to the building. The applicants had inadvertently assumed that they had permitted development rights to carry out the works, and had almost completed the development, before the neighbours objected and the Compliance team were involved, hence the current application to regularize the works to the property was submitted.
- 6.6 The layout of the site is such that; the building is attached to converted outbuildings on its western side and there are further converted detached outbuildings on its southern side. A porch and 2no dormer windows to the southern roofslope of the application building, were approved under SP/34/99, with the existing dormer windows having views over the front and rear amenity spaces of those properties to the south and west of the site.
- 6.7 With regards to the concerns raised by objectors concerning the ongoing development, these relate in the main to the south-eastern most dormer window. As described above, there was already a very large dormer window on this south eastern corner of the main roof of the dwelling that had a ridge height of 3.6metres. The current application, which is retrospective, keeps the position of the existing larger of the two dormers together with four window panes, serving an existing bedroom/bathroom at first floor level, though its external appearance has altered, with a hipped roof in place of the original gable.

- 6.8 The alterations to be considered therefore are the effects of the alterations to increase the ridge height of the larger dormer, by a further 1.77m to facilitate a 'bay window' effect above, to serve the new master en-suite bedroom at second storey level, a new dormer to the north that would provide additional light and views to the master bathroom and alterations to the smaller dormer also changing from a gable to a hipped roof that serves bedroom 4.
- 6.8 Whilst the comments of the objectors are noted, it is however, considered that the dormer and associated loft conversion, with additional rooflights, does not create a building which appears unsightly or discordant in relation to its surroundings, as its original three storey height, with existing large full height glazed protruding window in the eastern gable end, would have historically appeared prominent in the landscape. Whilst the proposed form and design of the dormer window, does reflect existing elements of the host dwelling, further measures would be sought by your Officers, to lessen the stark appearance of the blonde wood Cedar cladding, which would help to assimilate the dormer window into the roofslope of the building, and measures suggested by the applicant can be controlled by the imposition of a condition.
- 6.9 It is therefore considered that these retrospective works do not have a significant negative impact on the host dwelling, the character and visual amenities of the area and as such there would be no conflict with the Council's design guidelines or policies 28 and 33 of the Horsham District Planning Framework.

#### Impact on Neighbours

- 6.10 The proposed dormer window, whilst it incorporates additional glazing and increases the ridge height of the existing dormer by 1.77m, will not significantly increase the levels of overlooking of the adjacent property. Views are easily obtained from the existing dormers and rooflights, given their position on the roofslope. This relationship will not significantly alter with the provision of the larger dormer facing south.
- 6.11 Objections have been raised relating to loss of privacy and overlooking which would emanate from the enlarged dormer window serving the new master en-suite bedroom. Given the context of the site in a closely formed complex of buildings, there is a degree of mutual overlooking that currently takes place. It is therefore considered that the dormer as constructed does not significantly affect current levels of overlooking and loss of privacy over and above the existing situation.
- 6.12 Fieldhead is the neighbouring dwelling to the south. Whilst it is relatively close to the property, there is though a separation distance of in excess of 13metres between the rear elevation of the application property and the blank side elevation of Fieldhead. This is generally considered an acceptable level of separation between developed properties. Furthermore, several properties, including Fieldhead, contain vegetation in their rear amenity spaces which help screen and further dilute potential impacts. With further measures sought to introduce some privacy screening of the side window panels, the applicant has agreed to install obscure glass in the side panels of the dormer window, this can also be secured by condition.
- 6.13 For the reasons outlined above it is considered that the proposal complies with the Policy 33 of the Horsham District Planning Framework in terms of the potential impact on the occupiers of the neighbouring dwellings.

## Conclusion

- 6.14 The retrospective works, in light of the above reasons are considered to be of an acceptable design, form and scale appropriate to the character and appearance of the existing dwelling that together with suggested conditions to lessen its visual impact, and introduction of privacy measure to minimise loss of privacy, the retrospective works, would not 'on balance' cause material harm to the character or appearance of the rural area or cause any significant impact on the amenities of adjoining occupiers. The proposals would comply with Policies 33 and 34 of the Horsham District Planning Framework (2015).

## **7. RECOMMENDATIONS**

### Conditions:

- 1 List of approved plans.
- 2 **Post-Commencement Condition:** Within 3 months of the date of this permission, the side panels (east and west) of the enlarged dormer window at first and second floor levels situated on the southern roof-slope of the building shall be fitted with obscured glazing. The aforementioned panels shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** The materials/staining to be used on the dormer window hereby permitted shall strictly accord with those indicated on the approved drawings 104 rev B received on the 25/03/19.

Reason: To enable the local planning authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/0260  
Case Officer: Pauline Ollive