



TO: Planning Committee (North)

BY: Head of Development

DATE: 05 November 2019

DEVELOPMENT: Demolition of the remains of an ancillary outbuilding and erection of a new single storey ancillary outbuilding to the rear of the main property (Full Planning).

SITE: Global House 13 Market Square Horsham West Sussex RH12 1EU

WARD: Denne

APPLICATION: DC/19/1345

APPLICANT: **Name:** Fairfax Designs Ltd **Address:** C/O Sawkings + Norton Architects
1 The Quarry Betchworth RH3 7BY

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

At the request of Councillor Fletcher.

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the erection of a single storey ancillary outbuilding within the rear garden area of the application site. The proposed building would be positioned at the far south-eastern end of the garden in an area currently occupied by the remains of what would appear to be an old outbuilding.
- 1.2 The proposed outbuilding would be positioned between existing boundary walls either side and to the rear. The proposed building would have an overall depth of approximately 6.8m and an overall width of approximately 3.2m. The proposed outbuilding would incorporate a mono pitched roof design which a shallow pitched roof angle and would have an overall maximum height of approximately 3m.
- 1.3 The proposed outbuilding would be constructed of brickwork making up the external walls which would match the brickwork of the existing boundary walls, a metal roof with 3no

rooflights and extensive glazing, including structural glazing positioned between the walls of the building and roof. The proposed outbuilding would be accessed via a main access door from the garden area and a rear access door, positioned in the location of an existing gate leading from a narrow access path to the rear of the site.

- 1.4 In conjunction with the erection of the outbuilding, an existing boundary wall to the rear of the site would be extended/altered. The amended boundary wall would provide screening to the outbuilding from views from the south/south-east.
- 1.5 The proposed outbuilding would be used as additional workspace in association with the existing ground floor office use of the main building within the application site. It is noted that the existing premises is not subject to any planning conditions pertaining to hours of use, numbers of people within the building/site or method of access.

DESCRIPTION OF THE SITE

- 1.6 The application relates to a Grade II Listed, two/three-storey terraced building currently in use as an office/consulting rooms located on the eastern side of Market Square and to the north of the Causeway Horsham. The application site is located within Horsham Town Centre and within the Horsham Conservation Area. The application building consists of painted render and timber beans making up the external walls, a tiled roof and timber framed fenestration. The building benefits from a modern rear extension which is made up of tile hanging to the external walls and a flat roof.
- 1.7 The site benefits from a long narrow rear garden area with a rear access gate and an area of brickwork, which appears to form the remains of a historic outbuilding. The adjoining properties within Market Square are also listed, a number of which also benefit from existing outbuilding style structures within the rear garden. The surrounding area consists of a mixture of residential and commercial properties.

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:

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Status – Horsham District Council has approved the designation of Horsham Blueprint as a Neighbourhood Forum as of June 2015.

Supplementary Planning Guidance:

- 2.5 Horsham Town Design Statement

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

HU/487/68	C/u from residential to office for part of premises.	Application Permitted on 28.11.1968
HU/582/68	Alterations and extension to premises.	Application Permitted on 13.02.1969
HU/61/69	Extension at rear window and front porch.	Application Permitted on 20.03.1969
HU/67/97	Change of use to a dwelling	Application Permitted on 07.04.1997
HU/68/97	Change of use to a dwelling	Application Permitted on 02.07.1997
HU/253/97	Alterations to front and rear doors repair to purlin in roof install fascia and hanging signs (listed building consent)	Application Permitted on 15.10.1997
HU/155/00	Change of use from office to residential	Application Permitted on 07.06.2000
HU/240/00	Change of use to part residential and part alternative medicine clinic	Application Permitted on 19.10.2000
HU/241/00	Demolition of cloakroom/lobby and internal and external alterations	Application Permitted on 06.09.2000

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
- 3.2 **HDC Conservation & Design:** No Objection. The Conservation Officer is satisfied the proposed garden building will not harm the setting of the principal building or the listed buildings in the vicinity. It will not result in harm to the historic wall. Conditions are

recommended relating to materials, making good of any disturbed surfaces and rainwater goods.

3.3 **HDC Arboricultural Officer:** Verbal Comments – No Objections raised.

3.4 **Denne Neighbourhood Council:** Objection.

- There is insufficient information supplied on the nature of the existing building to be demolished and the size & condition of the two trees which are to be removed. The plans do not show how the footprint of the proposed building compares to the existing building.
- The proposal for PPC window frames and roof lights is not acceptable in the conservation area, materials should be in character with adjacent buildings
- The building is described as a workshop but there is no information regarding the use of the building, or the number of people who may be in the building at any one time, or for what hours.
- There is no information regarding access to the new workshop i.e. will it be from Market Square or Talbot Lane? There is also no information regarding how many people will use the proposed building.
- There are 12 residential properties, many of which are listed, in close proximity to the site, in Market Square and Talbot Lane. Currently no businesses use Talbot Lane as an entrance. Therefore HDNC is concerned that this proposed new building and its use, particularly if access is from Talbot Lane, would adversely affect the residents, as would the disturbance caused by building work being carried out.
- HDNC considers that the application adversely affects the character and constitutes overdevelopment of the Conservation area, contravening Horsham District Planning Framework Policies 33.2, 34.3, 34.4, and 34.7. We are also concerned that it would set a precedent for more new builds in this area.

The case officer replied to the points made within Denne Neighbourhood Council's initial comments. Following clarification on the points above, the Neighbourhood Council maintained an objection to the proposals.

PUBLIC CONSULTATIONS

3.5 A total of 19 letters of objection from 19 separate households/bodies were received for this application. The nature of the objections can be summarised as follows –

- Design not in keeping with conservation area
- Detrimental impact on neighbouring amenity, noise and disturbance
- The proposal would result in overdevelopment
- Impact on Trees

3.6 **Councillor Fletcher** has commented that she has concerns that this is very intensive development. Concern is raised regarding the impact this will have on neighbours, potential damage to existing structures, arrangements for drainage and for longer term maintenance of the structure.

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 proposals and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The impact on the Listed Buildings and surrounding Conservation Area

- 6.2 The application seeks full planning permission for the erection of a single storey outbuilding within the rear garden area of the site which would provide additional ancillary office space connected to the main existing use of the site.

Principle

- 6.3 The proposed outbuilding structure would be used as additional ancillary workspace in conjunction with the existing ground floor office use of the site. The proposed outbuilding would effectively form an 'extension' to the ground floor office. Policy 9 of the HDPF states that – "Expansion of existing employment sites and premises within the built-up area boundary will be supported through acceptable on-site expansion or intensification".

- 6.4 Discussions have taken place between the applicants and the Council with regards to extending the existing building. It is noted that the existing premises has an existing modern single storey extension which is considered to have caused harm to the setting of the Listed Building. Further extensions of this type would not be acceptable given the harm, resulting in an outbuilding forming the basis for the expansion of the commercial premises. The proposal would support the enlargement of the office space available as well ensuring that the harm to the Listed Building is minimised. As such, it is considered that the proposal would be in line with the overarching aims of the NPPF as well serve to support and existing commercial premises in this Town Centre location, in accordance with Policy 9 of the HDPF.

Design, Appearance and Impact on Listed Buildings & Conservation Area

- 6.5 Paragraph 193 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

- 6.6 This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.

- 6.7 Policy 33 of the Horsham District Planning Framework relates to improving the quality of new development. It confirms that high quality and inclusive design will be required for all development across the district. Policy 33 also seeks to ensure that development proposals make efficient use of land, cause no harm to amenity, integrate effectively with the character

of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

- 6.8 Policy 34 of the Horsham District Planning Framework states that the Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets, and preserves or enhances the special character or appearance or features of the area. Therefore applications for development will be required to; make reference to the significance of the asset; reflect current best practice guidance; reinforce the special character of the district's historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques that are appropriate to the local context.
- 6.9 As detailed above, the proposed outbuilding would be located at the end of the rear garden area serving the application site. The proposed building would be located in the position of existing remnants of a previous outbuilding type building. It is noted that outbuildings serving Listed Buildings in these types of locations at the end of long narrow sites is common and this is evident with examples of such outbuildings in matchings locations to neighbouring properties. Given that an outbuilding in this location is considered to form part of the historical context of the site and the surrounding area, the principle of the proposal is considered to be acceptable in this regard.
- 6.10 The proposed outbuilding would be located between two existing boundary walls. As such, only the front/garden elevation, the roof and part of the north-east facing elevation would be visible. The front/garden elevation is predominantly made up of glazing, with structural glazing also proposed between the walls and the roof to the front/garden and north-east elevations, resulting in a lightweight appearance to the proposed outbuilding. Given the size of the rear garden area, it is considered that the proposed outbuilding would be modestly scaled and would be comfortably accommodated within the site. The materials to be used are also considered to be acceptable, subject to final specific details which will be secured via condition. This condition is attached to the accompanying listed building application.
- 6.11 HDC's Conservation & Heritage Officer has raised no objections to the proposed outbuilding and has considered the proposed building to be an appropriate addition within this setting. The Conservation Officer also considered that the proposals would not cause harm to the historic listed boundary walls. A distance of approximately 15m would be preserved between the proposed outbuilding and the main listed building on site. Given the presence of mature soft landscaping within the site, it is considered that the proposal would preserve the setting and appearance of the main Listed Building. Looking at the pattern of development to the rear of Market square it is noted that there is no uniform appearance to the properties, consisting of a mixture of residential and commercial premises. There are examples of modern additions to the properties, which vary in terms of appearance and size. This has changed the character of this part of the street.
- 6.12 Given the location, the proposed outbuilding would not be visible from Market Square. Taking into account the presence of existing outbuildings within neighbouring properties and other neighbouring buildings present within this area, it is also considered that the proposed outbuilding would not be readily visible from views from the rear when viewed from Talbot Lane. It is considered that the other examples of rear outbuildings in this area which would be more prominent than the proposed outbuilding, both in terms of form and height when viewed from this vantage point. Considering the overall form and height of the proposed building and its setting along a narrow passageway, it is therefore considered that the proposed building would not appear as a prominent addition within the context of this area and would be appropriate in the context of the wider Horsham Conservation Area.
- 6.13 It is also considered that the extension/alteration to the rear boundary wall, which would provide screening to the proposed outbuilding, is considered to be acceptable and would not

substantially alter the wall to cause harm to the setting or the wider area. Full details of the proposed outbuilding and alterations to the wall are to be secured via a suitably worded condition to ensure that the specific final details of the proposals are acceptable.

- 6.14 Overall, the proposed outbuilding is considered to be appropriately designed and scaled and given the design principles utilised in terms of the extensive glazing, would introduce a lightweight building, which would preserve the appearance and setting of the main Listed Buildings and the surrounding Conservation Area. The proposed works to the property are therefore considered to be in accordance with Policy 32, 33 and 34 of the Horsham District Planning Framework 2015.

Impact on Neighbouring Amenity

- 6.15 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. As detailed above, the proposed outbuilding would be positioned in the same location as the remains of a previous outbuilding/structure. It is again noted that there are also other examples of outbuildings within the curtilages of neighbouring properties.
- 6.16 A distance of approximately 10.8m would be preserved between the proposed outbuilding and the closest adjoining property at 12 Market Square. Given the distances maintained, the overall height of the proposed outbuilding, which would be less than an existing outbuilding(s) in this area to adjoining properties and the presence of tall boundary walls, it is considered that no issues of overbearing or overshadowing are envisaged as a result of the proposed development.
- 6.17 Whilst it is acknowledged that the front/garden elevation would consist of significant glazing, views into neighbouring properties from the proposed building would be obscured by the boundary walls and extensive soft mature landscaping. Indeed, it is further noted that the neighbouring boundary wall to the south-west is significantly tall and no views at all are available into the adjoining property to this side. The proposed outbuilding incorporates three rooflights within its design. Given the angle of the proposed rooflights and the roof and the distances maintained, taking all of the above into account, it is considered that the proposed outbuilding would not result in any harmful overlooking.
- 6.18 As detailed above, the existing premises is not subject to any planning conditions pertaining to hours of use, numbers of people within the building/site or method of access. As detailed within the application documents and plans, the proposed outbuilding would be used as additional office space linked to the existing use of the main building, effectively forming a ground floor extension to the existing listed premises.
- 6.19 It is also noted that there are no restrictions currently in place with regards to the use of the rear access gate and this can be used freely to access the site. Objections have been received relating to the proposed outbuilding potentially resulting in an increase in noise and disturbance. Given the unrestricted nature of the site in terms of numbers of people accessing the site and hours of operation and taking into account that this space can currently be used for outdoor working. As such, it is considered that the erection of the outbuilding would not result in any additional harm to neighbouring amenity beyond that of the existing situation on site.
- 6.20 Overall, the site is located within the Town Centre of Horsham, which is predominantly made up of commercial premises. Whilst it is acknowledged that there are residential properties which adjoin the site, overall it is considered that the proposals would not result in harm to neighbouring amenity and is considered to result in an acceptable level of development in this location, in this regard, in accordance with Policy 33 of the Horsham District Planning Framework 2015.

Highways and Parking Considerations

- 6.21 Policies 40 and 41 of the Horsham District Planning Framework states that development should provide a safe and adequate access, suitable for all users. The site does not have any vehicular access to or from it and does not benefit from on-site parking. The site is located within a highly sustainable location in the centre of Horsham Town Centre with close access to public transport links as well as public carparks located in very close proximity (Denne Road Car Park). Given the modest nature of the development, it is not considered that there would be any strain on these services as a result of the proposals above that of the existing situation on site. As such, the proposals are considered to be acceptable on highway and transport grounds.

Impact On Trees

- 6.22 As part of the proposals 2no trees/bushes would be removed to facilitate the erection of the proposed outbuilding. These specimens are considered to be of low value and are not readily visible within the wider context. Following consultation with HDC's Arboricultural who raised no objections to the removal of these trees/bushes, the proposals are therefore considered to be acceptable in this regard, in accordance with Policy 33 and 34 of the Horsham District Planning Framework 2015.

Conclusion

- 6.23 Overall, it is considered that the proposed works would be acceptable in this Town Centre location which would not result in harm to the Listed Buildings or the wider Conservation Area. The proposed outbuilding would be used in conjunction with the existing commercial use of the site and would represent the re-instatement of a historic feature to the rear of the site which would be in keeping with this area. It is considered that the proposals would not have a detrimental impact on the visual amenities of the street scene of the wider consideration area, and is acceptable on amenity grounds, in accordance with Policies 32, 33 and 34 of the Horsham District Planning Framework. 2015.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to the following conditions -

1 A list of the approved plans.

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

- i. The location for the loading and unloading of plant and materials, and storage of plant and materials;
 - ii. Details regarding parking for site operatives and visitors and deliveries;
 - iii. The method of access to and from the construction site.
 - iv. Arrangements to protect existing trees and landscaping within the site.
- The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for Class B1(a) offices only and for no other purposes whatsoever, (including those falling within Class B as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: The use of this building for any other uses may be inappropriate for the location and would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/1345, DC/19/1537