



TO: Planning Committee

BY: Head of Development

DATE: 18.05.2020

DEVELOPMENT: Demolition of existing roof and erection of a first floor and erection of a single storey rear extension

SITE: 20 Comptons Lane Horsham West Sussex RH13 5NY

WARD: Forest

APPLICATION: DC/20/0616

APPLICANT: **Name:** Mr Ian Brazier **Address:** Waterside Barn Howick Farm The Haven Nr Billingshurst RH14 9BQ

REASON FOR INCLUSION ON THE AGENDA: At the request of the Local Ward Member

RECOMMENDATION: That planning permission be approved subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This current application seeks to extend the existing building in order to create a two-storey dwelling which includes a single storey side/rear extension to the east elevation.

DESCRIPTION OF THE SITE

- 1.2 The application site accommodates a detached single storey bungalow within the defined built up area of Horsham. The area is mainly residential and comprises medium to large detached and semi-detached houses. Many of the surrounding dwellings are two-storey in height and set within sizeable plots with gardens extending approx. 50m to the rear, as with the host dwelling. Separation between buildings along Comptons Lane is variable and the flank walls of the host dwelling are approximately a metre from side boundaries as are the flank walls of neighbouring dwellings 18b and 22.
- 1.3 The gradient of the land at this part of Comptons Lane is an up slope from west to east, such that the ground floor level of the neighbour to the west (18b) is at a lower level than the ground floor level of the existing dwelling at no.20, and to the east no.22 is at a higher level than no.20.
- 1.4 The site is long and narrow in shape and the front of the dwelling is located approximately 12m from the sidewalk along Comptons Lane. This is characteristic of the properties on this side of the road which has resulted in long and narrow rear amenity spaces. Front boundary treatment comprises a low level wall and mature vegetation. The side and rear

boundary treatment comprises of a timber boarded fence, trees and shrubs. The site sits in an overall residential context of detached dwellings of varying form and appearance.

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 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

2.4 RELEVANT NEIGHBOURHOOD PLAN

There is no made plan

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/1306	Erection of a single storey side extension and part second storey extension	Application Refused on 22.08.2019
DC/17/1607	Demolition of existing bungalow. Erection of 3x detached two storey dwellings with double carport, associated parking, hardstanding and landscaping.	Application Refused on 23.02.2018 – Dismissed on Appeal 22.01.2019
DC/16/2514	1 No. detached replacement dwelling and 1 No. detached and 1 No. pair of semi-detached dwellings at land to rear of 18b-20 Comptons Lane.	Application Refused on 16.01.2017

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

PUBLIC CONSULTATIONS

3.2 Six representations have been received in support of the application for the following reasons:-

- The proposed new structure to replace the existing dilapidated dwelling will be very much in keeping with the street scene;
- The proposed extension and addition of a first floor to the existing bungalow will make it more in keeping with the street scene in this section of Comptons Lane. Existing properties in this locality are unique and diverse in design and construction;
- Improves the street scene in that area, replacing a bungalow of little architectural merit with a much better looking dwelling.

3.3 One objection has been received objecting to the application for the following reasons:-

- The redeveloped bungalow, by virtue of its increased height and bulk, would constitute inappropriate development which would be disproportionate and out of scale, form and character with the host dwelling;
- The proposed development, by reason of its siting, scale and bulk, would be unreasonably overbearing when viewed from 18B Comptons Lane and would create an unacceptable sense of enclosure due to over dominance;
- Impact on neighbouring solar panels;
- Impact of side elevation windows;
- Space between dwellings.

3.4 **Forest Neighbourhood Council:** No Objection, but aware of the neighbours' concerns regarding this application and the detrimental effect that the shadowing of their solar panels will have. We believe there are certain regulations with regard to this problem of overshadowing and, although we do not have the technical expertise to make an informed judgement, would expect HDC to have the ability to determine the application in accordance with the regulations.

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

Background

6.1 An earlier planning application on the site for backland development and a replacement two-storey frontage building (in place of the existing bungalow) was refused and dismissed at appeal under ref: DC/17/1607. This decision did not though raise any concerns in respect of the principal of a two-storey frontage building on the application site.

6.2 A subsequent application, ref: DC/19/1306, sought to extend the existing building in order to create a two-storey dwelling. This was refused planning permission for the following reason:-

The development, by reason of its design, form and scale, would represent an unduly dominant and visually intrusive addition to the street scene and would fail to sufficiently reflect the established character and appearance of the immediate surroundings. The proposal would create an awkward visual relationship with adjoining properties and would cause significant harm to the character and appearance of the site and wider surroundings. The proposal would therefore detract from the visual amenities of the locality, and is contrary to Policy 33 of the Horsham District Planning Framework (2015).

6.3 This current application again seeks to extend the existing building in order to create a two-storey dwelling, with amendments made to reduce the scale of the building from that proposed under the above (refused) application. Most notably, the height of the proposed

building has been reduced from 9 metres to 7.5 metres; with the roof form now proposed to be hipped rather than gabled, thus reducing the visual mass of the building at roof level.

Character and appearance

- 6.4 The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the Local Development Plan. Policy 33 of the HDPF states that development shall be required to ensure it is designed to avoid unacceptable harm to the amenity of occupiers of nearby property through, for example, overlooking or noise; ensure the scale, massing and the appearance of the development is of a high standard of design and relates sympathetically with the built surroundings and respects the character of the surrounding area. In addition, where applicable, development must take account of relevant design statements and use high standards of building materials.
- 6.5 Horsham Council's Design Guidance Advice Leaflet No.1: House Extensions, dated May 2008, states that an extension should be of a scale which is sympathetic to and does not overpower the original building.
- 6.6 The properties in this part of the southern side of Comptons Lane are mainly two-storey dwellings set within sizeable elongated plots. A preceding appeal decision on the site (ref: DC/17/1607) found a two-storey dwelling on the site to be appropriate to the existing character of the Lane. The current application has addressed the reason for refusal of the previous application (DC/19/1306) in that the height of the proposed building has been reduced from 9 metres to 7.5 metres; with the roof form now proposed to be hipped rather than gabled, thus reducing the visual mass of the building. As a result, the height and massing would not now be considered to stand out as an unduly intrusive or dominant addition, sufficient spacing is retained to shared boundaries and the proposed materials are considered acceptable in a location where such details are already variable.
- 6.7 For the reasons outlined above, and taking into account the planning history of the site, it is considered that the development would not have any adverse impact of the visual amenities of the locality, and accords with the above policies.

Impact on Neighbouring Amenity:

- 6.8 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.
- 6.9 The main bulk of the extended building would reflect the front and rear building lines of the adjoining properties; this siting would be sufficient to ensure the key outlook, to the front and rear, would be unaffected. The dwelling would be clearly visible from adjoining properties given the considerable rear gardens to the south, however, it is considered that in residential amenity terms, the dwelling would not appear overbearing or result in a harmful loss of light or outlook. The front and rear facing windows largely reflect the existing arrangement which exists without apparent harm elsewhere on Comptons Lane. It is though considered necessary that side facing windows to the west elevation are obscurely glazed to prevent overlooking, and an appropriate condition is recommended.
- 6.10 The roof form of the extended two-storey dwelling reduces toward the rear of the plot, and this arrangement is considered sufficient to maximise the potential for solar gain to the solar panels affixed to the roof of the neighbouring property. While the proposal would represent an increase in height and massing above that currently existing it is considered that the proposed design pays sufficient regard in order to avoid any unacceptable impact on the adjoining panels.

- 6.15 It is noted that a concern was raised in respect of party wall matters and possible encroachment over the boundary with 22 Comptons Lane to the east. While these concerns are noted, the submitted plans are considered sufficient to indicate the development to be contained within the existing site boundaries, with party wall and property rights matters dealt with outside of the planning process.
- 6.16 The off-street parking space available at the frontage of the site and garage would facilitate parking for at least 3 cars and are considered sufficient to cater for the increase in bedrooms from 3/4 to 5, and no harmful displacement of vehicles onto the highway is considered likely to result from the proposal.

Conclusion:

- 6.17 It is considered that this scheme has addressed the previous reason for refusal, principally by reducing the roof height from 9m to 7.5m and with a redesigned hipped roof form to the front. It is therefore considered that the design, form and scale of the proposed development would not be harmful to the character and appearance of the site and wider surroundings, and no unacceptable impact would result for occupants of adjoining properties. The proposal is considered to be compliant with Policies 32 and 33 of the HDPF.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted subject to the following conditions:-

- 1 A list of the approved plans
- 2 **Standard Time Condition:** The development hereby permitted shall be begun 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-Occupation Condition:** The development hereby permitted shall not be occupied until the west elevation windows (as shown on drawing no DE855-A/105 REV P1) have been fitted with obscured glazing. No part of those windows less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

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

- 4 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/20/0616
DC/19/1306
DC/17/1607