



TO: Planning Committee South
BY: Head of Development
DATE: 25 April 2017
DEVELOPMENT: Erection of 1 x dwelling
SITE: Crimond Maudlin Lane Bramber Steyning
WARD: Bramber, Upper Beeding and Woodmancote
APPLICATION: DC/16/1088
APPLICANT: Mr David King

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation contrary to the Officer's recommendation have been received. Councillor Coldwell and Councillor Staines have also requested the application is considered at committee.

RECOMMENDATION: Grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of a detached two storey four bedroom dwelling house with associated access onto Clays Hill. The application has been amended during the application process with the access re-sited, a balcony removed, external materials amended and the application site increased in size. The proposed dwelling would be 7.1 metres wide, 12.2 metres deep and 7.4 metres in height to the ridge.

DESCRIPTION OF THE SITE

- 1.2 The application site is situated within the built-up area boundary of Steyning on the southern side of Clays Hill. The application site formed part of the garden area of Crimond and the neighbouring property Whindene. Crimond, which is accessed from Maudlin Lane, is at a higher level than the application site with views to the north and north east. To the east of the application site is a two storey dwelling known as Hill View.
- 1.3 Clays Hill rises up as it enters Steyning and the application site is therefore at a higher level than the neighbouring property to the east, Hill View. There is a pedestrian access from Clays Hill into the site with the boundary being formed of a low stone wall and hedging.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
 NPPF1 - Building a strong, competitive economy
 NPPF6 - Delivering a wide choice of high quality homes
 NPPF7 - Requiring good design
 NPPF14 - Presumption in favour of sustainable development
 NPPF4 - Promoting sustainable transport

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 HDPF1 - Strategic Policy: Sustainable Development
 HDPF2 - Strategic Policy: Strategic Development
 HDPF3 - Strategic Policy: Development Hierarchy
 HDPF4 - Strategic Policy: Settlement Expansion
 HDPF32 - Strategic Policy: The Quality of New Development
 HDPF33 - Development Principles
 HDPF40 - Sustainable Transport
 HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Steyning was designated as a Neighbourhood Plan Area in September 2014. Work is being undertaken to progress the plan to regulation 14 stage.

PLANNING HISTORY AND RELEVANT APPLICATIONS

BM/9/00	Single dormer window Site: Crimond Maudlin Lane Bramber	Application Permitted on 04.04.2000
BM/12/57	Bungalow and garage (From old Planning History)	Application Permitted on 06.11.1957
DC/15/2488	Raising of roof height of dwelling, change from hipped roof to gabled and garage conversion	Application Permitted on 23.12.2015
DC/16/1081	Erection of Car Port at front of house	Application Refused on 20.06.2016

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.

INTERNAL CONSULTATIONS

- 3.1 **Environmental Management, Waste and Cleansing** – No objection

OUTSIDE AGENCIES

3.2 **West Sussex County Council Highways** – No objection following the receipt of additional information and the imposition of conditions.

3.3 **Southern Water** – A formal connection would be required to the public foul sewer.

PUBLIC CONSULTATIONS

3.4 **Bramber Parish Council** has objected to the application on the following grounds;

- There are major concerns re the car access to Clays Hill as there will be a lack of adequate visibility display. This is a busy road and although within a 30mph speed limit speeding is a problem.
- The council considers that the bulk of the building is too large for the site particularly considering it is situated on a slope.
- There will be considerable loss of greenery and hedging. This includes an established walnut tree which is not shown or referred to on the plan.
- The plan to the NW of the site is inaccurately drawn and needs correction.
- Neighbours from several directions will suffer loss of privacy from being directly overlooked from the rear of the proposed property.
- More information is required as to how access to a main sewer will be overcome.
- The council opposes garden development and considers the design of this property is out of character with the street scene. The amended plans did not overcome these concerns.

3.5 **Twenty five letters** have been received objecting to the application on the following grounds:-

- Light pollution to neighbouring properties
- Not in sympathy with surroundings
- Overcrowding of site
- Access onto very busy road
- Design would overlook neighbouring properties
- On-site parking would cause a serious obstruction
- Proposal contrary to policy 32 and 33 of the HDPF and paragraph 53 of the NPPF
- Overshadowing of neighbouring property
- Noise and disturbance
- Loss of tree and shrubs (especially walnut tree)
- Concern with regards to sewage disposal
- Plans incorrect
- Concern at height of building and original balcony
- Detrimental to neighbourhood and streetscene

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

Principle

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.2 The application site is situated within the built-up area boundary of Steyning, which has been designated within the Development Hierarchy as a small town or large village which are settlements that have a good range of services and facilities. The scale of the development is appropriate to the settlement and the proposal is therefore considered acceptable, subject to detailed considerations.

Character of the area

- 6.3 The size of the proposed plot is comparable to surrounding development and is within a location of variable plot sizes. On this basis there is no objection in principle to the erection of a dwellinghouse on the site. The application site is within a location where property style and design varies considerably, with little consistency between buildings. The proposed dwelling would primarily be viewed alongside existing properties on Clays Hill. It is considered that the proposed siting, which respects the immediate building line, and scale would sufficiently reflect adjoining properties with the development not appearing visually cramped. The proposal would not therefore harm the prevailing character or appearance of the site or immediate surrounding area. It is therefore considered that the proposal would comply with policy 32 and 33 of the HDPF.

Amenities of Neighbouring Properties

- 6.4 The proposed dwelling would be set at a lower level than the properties within Clays Hill and would be 25 metres from the rear wall of Crimond, approximately 31 metres from Whindene and 42 metres from Essenden. It is considered that these distances would be sufficient to prevent any harmful impact on these properties through loss of light, outlook or privacy.
- 6.5 The proposed dwelling would be located approximately 3.6 metres from the boundary of Hill View and would respect the front and rear building lines of this building. This siting coupled with the separation between buildings is considered sufficient to prevent any harmful loss of light or outlook for occupants of this property. The proposed dwelling would have a bathroom window at first floor level with a shower room window at ground floor level on the eastern elevation. It is considered that provided the window at first floor level is obscure glazed the proposal would not result in undue overlooking or loss of privacy. The proposal has been amended to omit a balcony and it is considered that the location of the remaining windows openings would not create any overlooking above that which would be expected in a residential location such as this. The resulting visibility between properties would not be uncommon and would not result in such harm as to warrant a refusal of planning permission.

Trees

- 6.7 The Council's Arboricultural Officer visited the site following concerns in respect of the loss of a walnut tree. The Arboricultural Officer has not raised any objection to the loss of the walnut tree, which would not meet the criteria for formal protection. It is therefore considered that an objection would not be raised to the loss of the tree in this instance. A condition is recommended to secure a landscaping scheme across the site.

Highways

- 6.8 West Sussex County Council Highways previously raised an objection to the proposed development on the grounds of highway safety, as suitable visibility splays had not been demonstrated. Following this objection additional information was provided by the Applicant, and a meeting was held with WSCC Highways on 3rd February 2017. At the meeting WSCC Highways clarified the concern that visibility splays have been shown to cross third party land, and therefore could not be suitably conditioned through any planning consent nor could be guaranteed in perpetuity (since the 3rd party could erect an obstruction of up to 1.8m in height without need for planning consent).
- 6.9 The access arrangements have subsequently been revised and a Technical Note submitted. The note proposes a relocation of the access to a central point of the site boundary with Clays Hill, and this allows visibility splays of 2.4m x 61m to the east, and of 56m to the west to be achieved. WSCC Highways have no objections to the amended arrangement, which is considered to demonstrate that the proposal will not lead to a severe impact on the operation of the local network. The proposal therefore complies with paragraph 32 of the National Planning Policy Framework.

7. RECOMMENDATIONS

- 7.1 That the application is approved 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-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until such time as temporary arrangements for access for construction traffic has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction in accordance with policy 40 of the Horsham District Planning Framework 2015.

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 11 **Pre-Occupation Condition:** The building/extension hereby permitted shall not be occupied until the window(s) at first floor level on the eastern elevation on Plan 510/P10A have been fitted with obscured glazing. The window(s) shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the windows fixed shut/non-openable thereafter.

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

- 12 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 61 metres to the east and 56 metres to the west have been provided at the proposed site vehicular access onto Clays Hill. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 510/P4A. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of the parking, turning and access facilities shall be submitted to and approved by the Local Planning Authority in writing. The dwelling shall not be occupied until the approved parking, turning and access facilities have been fully implemented. The parking turning and access facilities shall thereafter be retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).