



**TO:** Planning Committee South  
**BY:** Development Manager  
**DATE:** 20 June 2017  
**DEVELOPMENT:** Construction of detached two storey building to provide 2no. two bedroom maisonettes with associated access and parking.  
**SITE:** London Road Pulborough West Sussex, RH20 1AS  
**WARD:** Pulborough and Coldwaltham  
**APPLICATION:** DC/17/0347  
**APPLICANT:** Mr S O'Carroll

**REASON FOR INCLUSION ON THE AGENDA:** At the request of Ward Councillor and owing to number of representation letters received.

**RECOMMENDATION:** To grant planning permission

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.2 The proposal seeks full planning consent for the erection of a detached two-storey building on the open area of land adjacent to the terrace of three properties. The new building would form 2 self-contained, 2-bed maisonettes. Each would be independently accessed, with bedrooms at the rear and living rooms at the front of the dwellings.
- 1.3 The proposed building would have a traditional appearance, using brick and part tile-hanging to the elevations, with a tiled hipped roof. The block would be some 8.65m wide and 11.682m deep with a stepped footprint. The highest part of the roof is indicated at some 8.2m. The closest corner of the proposed development would be some 2m off the boundary with No.46, and some 5m off the rear corner of this property.
- 1.4 The new building would be provided with a cycle store and bin store area along the site's western boundary, alongside No.46 London Road, and a new 2m high close-boarded fence alongside the northern boundary to the railway line.
- 1.5 The site would be provided with three vehicular parking spaces across the forecourt, on a ratio of one space per dwelling and one visitor space.

## DESCRIPTION OF THE SITE

- 1.6 The application site comprises an open area of land which is situated between a terrace of three red-brick post-war dwellings, a railway line and a raised public highway known as London Road. The land appears to have been previously used as garden land to the adjacent terrace.
- 1.7 The site and neighbouring terrace are served by way of a shared access off London Road. Parking for these three properties is by way of areas of land to the side and front of the terrace.
- 1.8 The adjacent road to the east of the site lies at an elevated level, with a level difference of between 1.2m - 2.1m.
- 1.9 A large supermarket and petrol filling station with convenience store lie within 360m of the site, and the Pulborough railway station lies some 1.2km distant, whilst the wider facilities within Pulborough village also lie some 1.2km distant. The site is not subject to any heritage designations, or Tree Preservation Orders.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

- 2.2 **National Planning Policy Framework ( NPPF):**
  - NPPF1 - Building a strong, competitive economy
  - NPPF4 - Promoting sustainable transport
  - NPPF6 - Delivering a wide choice of high quality homes
  - NPPF7 - Requiring good design
  - NPPF11 - Conserving and enhancing the natural environment
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
  - HDPF1 - Strategic Policy: Sustainable Development
  - HDPF2 - Strategic Policy: Strategic Development
  - HDPF15 - Strategic Policy: Housing Provision
  - HDPF16 - Strategic Policy: Meeting Local Housing Needs
  - HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
  - HDPF32 - Strategic Policy: The Quality of New Development
  - HDPF33 - Development Principles
  - HDPF40 - Sustainable Transport
  - HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Pulborough Parish Neighbourhood Plan (2015-2031) has been formally submitted for examination. At this stage, no decision has been forthcoming

### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/2284	The erection of one detached two storey house	Application Permitted on 17.12.2015
DC/14/0938	Erection of one pair of semi-detached houses (Outline)	Withdrawn Application on 08.07.2014

### 3. OUTCOME OF CONSULTATIONS

3.1 The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

#### OUTSIDE AGENCIES

3.2 **West Sussex Highways** - No Objection in principle:-

- Accident data does appear to indicate a collision near the access, but this is not anticipated to have been as a result of the use of the access or visibility at the location. London Road is a Class A road subject to a 30mph speed limit. No apparent concerns with existing properties using this same access
- Existing bell-mouth junction onto London Road is sufficient in size to enable two vehicles to pass in the event of one seeking to exit onto London Road and one wish to turn into the access, ensuring no disruption to the free flow of traffic along London Road
- Site would be serviced by way of existing refuse / recycling operations and by way of an existing vehicular access which serves existing residential properties
- The initial scheme indicated two parking spaces to be included within the site, whilst the West Sussex County Council (WSSCC) parking demand calculator indicates 3 spaces (1 each per dwelling and 1 undesignated space) to be sufficient to serve two maisonettes in this location, along with secure cycle provision. However, the impact arising from any overspill parking on adjacent streets was not considered to result in a 'severe' impact on the operation of the highway network, and therefore the provision of two spaces was considered to be in line with para 32 of the NPPF.
- The proposal is sited within a short walk to shops and reasonable walking distance to bus stops and Pulborough Train Station. This offers alternatives for commuters and alleviates the reliance on the use of a car for transportation.
- A subsequent amendment to include three spaces across the forecourt raised concerns regarding the manoeuvrability of vehicles seeking to enter the marked 'visitor' space, whilst concerns were also raised regarding the visibility over adjacent land, where it appeared a new fence line would be sited to the boundary with No.46

Comments are awaited from the Highway Authority regarding a revised forecourt layout and sight-line proposal, which will be reported to Members at the meeting.

3.3 **Southern Water** - No objection, subject to conditions.

#### PUBLIC CONSULTATIONS

3.4 **Parish Council Consultation** – Objection, the proposal represents an overdevelopment of the site.

3.5 **Public Consultations** - Letters of objection have been received from 12 neighbouring and nearby properties:

- Blind access onto London Road with cars often travelling faster than speed limit
- Insufficient parking – most households have two cars & visitor parking
- Increased demand for on-street parking

- If permitted, then controls should be in place to stop parking in nearby roads and obstructing adjacent parking and turning areas
- Additional vehicles pulling out of access will increase danger to children of St Marys School
- Frontage of terrace already contains 5 cars – likely parking spillover would obstruct existing properties and access
- If footbridge is constructed alongside road-bridge – do plans take account of this? Potential access problem for new owners
- Disruption during build
- Blocking of access to neighbouring houses

#### **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 Outline planning permission has already been for a single detached two storey house under DC/14/2284. As part of this application access and layout were approved, with all other matters reserved. This permission has not been commenced but remains extant until December 2018.

##### Principle:

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 Policy 3 of the HDPF states that development will be permitted within settlements that have defined built-up areas. The application site is within the built-up area of Pulborough, which is defined as a settlement with a good range of services and facilities, strong community networks and local employment provision. The site is therefore well located in policy terms for the principle of additional residential infill development, provided it is of an appropriate nature and scale to maintain the characteristics of the settlement.

##### Character and appearance:

- 6.4 Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings

and spaces themselves and in the way they integrate with their surroundings'. Policy 33 requires developments to relate sympathetically with the built surroundings

- 6.5 The principle of a building on the site was established through the granting of planning permission for a single dwelling (ref: DC/14/2284). In contrast to this permission the current scheme would comprise a larger footprint with a siting parallel with London Road, and contrasting with the adjoining terrace row.
- 6.6 Although of a larger footprint than each of the adjacent terraced dwellings, the proposed building would, on account of its siting within the site, not be seen as unduly large or dominant in views from the immediate surroundings. While the site has an irregular shape and sloping land levels, the proposed building would be set into the land with levels that are comparable to the adjacent terrace. The proposed development would utilise materials which complement the adjacent terrace, with the design of the block and hipped roof also suited to the wider context of the site. This approach would further minimise the visual impact, such that no significant harm to the prevailing character and appearance of the area would result.
- 6.7 The proposal is therefore considered to result in a form of development which respects the wider character, in accordance with policies 32 and 33 of the HDPF.

#### Residential Amenity:

- 6.8 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity of occupiers and users of nearby property and land.
- 6.9 In this instance, the proximity between the adjacent property at No.46 and the proposed development has been taken into account. Owing to the splayed siting of the proposed block, there would be no adverse impact on the outlook from the habitable windows at No.46, even though the proposed development would be set beyond the rear building line of the terrace.
- 6.10 The side-facing windows to the proposed development would serve a bathroom at ground floor and a landing at first-floor, both of which could be conditioned to be obscure-glazed and with restricted openings, thus ensuring that no adverse loss of privacy or overlooking occurs to the neighbouring residential property.
- 6.11 The proposal is therefore considered to accord with the requirements of Policy 33 of the HDPF.

#### Highways and Traffic:

- 6.12 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.13 The Highway Authority has assessed the existing access from London Road to the terraced properties, which would be used to serve the proposed development. The achievable visibility splays, and the 30mph speed limit along London Road, comply with the guidance laid out in the Manual for Streets, whilst the existing bell-mouth access can accommodate two passing vehicles, thus ensuring that any manoeuvring into / out of the site does not affect the free-flow of traffic on the public highway.
- 6.14 The scheme originally included two parking spaces whilst the parking demand calculator indicated 3 spaces should serve the new dwellings. The applicant, in response to concerns

raised by local residents, amended the plan to allow for three parking spaces, one of which was to be a designated 'visitor' space. However, following concerns raised by the Highway Authority regarding the layout, and the potential resulting conflict with pedestrians emerging from No.46 and the manoeuvrability into / out of the designated visitor space, further revisions have been sought in order to address this situation.

- 6.15 The potential sight-line concerns arising by way of the proximity of space 1 and the boundary with No.46 is considered to be addressed by way of the current boundary fence line, which is set back from the front corner of the house and the front door to the property. As a result there would be more than sufficient sight-lines in this area to ensure that any pedestrians emerging from the adjacent property at No.46 would be aware of any vehicular movements into/out of this space, and vice versa.
- 6.16 The revised layout, showing the demarcated spaces 1 and 2, and a sizable area to the eastern side of the site, would provide for occasional visitor parking, suitable manoeuvring space and sufficient space to access the properties on foot. It is noted that the arrangements to secure use of the visitor parking area would be informal and would be reliant on the co-operation between residents within the new development.
- 6.17 It is considered that such an informal arrangement would be suited to this scale of proposal, where the needs of visitor parking may arise on a flexible basis. However, the resulting proposal would achieve the desired three spaces as advised by the WSCC Parking Standards Calculator, and the eventual layout could be subject to a planning condition which would also be subject to approval of final landscaping details and plans. On this basis the proposal is considered to accord with policies 40 and 41 of the HDPF.

#### Other Matters:

- 6.18 The proposal incorporates communal amenity space for future occupants of both units. It is understood that a division of the site into two fenced-off gardens might not be achievable or desirable given the site levels along the eastern side and the potential for overlooking windows into the adjacent garden. It is considered, in this particular instance, that a well-designed landscaping scheme to create a communal garden, to which both new properties have an equal access, would be preferable to the creation of two smaller parcels of private amenity space which are fenced and potentially underutilised. The proposed arrangement would therefore be sufficient for the needs of future occupants.
- 6.19 The application site is located between a busy highway and a railway line. As part of the existing permission the principle of a dwelling on the site was considered acceptable following noise assessments which informed a scheme for soundproofing to ensure acceptable living conditions for future occupants. The current application would adopt the same approach as the existing permission, with a condition recommended to ensure the development would provide an acceptable standard of accommodation.
- 6.20 In respect of the additional points raised in neighbour representations, noise and disturbance during construction would though be controlled through the Construction Method Statement required by condition 3, and would not amount to such harm to warrant refusal of the application. While potential future proposals for a footbridge alongside the road are noted any land ownership issues would need to be addressed outside of the planning process.

#### Conclusion:

- 6.21 The proposal would lead to an acceptable form of development and would not lead to material harm in terms of its impact on the residential amenities of neighbouring properties and the character of the surrounding area. Furthermore, the proposal is within the built-up area boundary and in a sustainable location. The Highway Authority has not raised an

objection to the principle of the proposal, noting that the impact of the development would not be severe, and thus a reason for refusal on these grounds could not be sustained, particularly as the amended layout now provides for three parking spaces in line with the parking demand calculator.

## 7. **Recommendation:**

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

1 Approved plans list

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 take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding, where appropriate
- v. the provision of wheel washing facilities if necessary
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of 44-46 London Road during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **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).

5 **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).

6 **Pre-Commencement Condition:** No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority

showing how the public sewer will be protected during works. 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).

- 7 **Pre-Commencement Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation where required. The approved sound attenuation works shall be completed before the dwelling(s) are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development hereby permitted and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **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(s) 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).

- 9 **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).

- 10 **Pre-Occupation Condition:** The building/extension hereby permitted shall not be occupied until the window(s) at ground and first floor on the north-west facing elevation on Plan 1621/03 and 1621/04 have been fitted with obscured glazing. No part of that/those window(s) that are/is 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 the adjoining occupants at No.46 London Road in accordance with Policy 33 of the Horsham District Planning Framework (2015).



- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces serving it have been constructed and made available for use in accordance with approved drawing number 1621/02 rev A. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 12 **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 1621/02 rev A. 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).

Background Papers: DC/17/0347