



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 July 2017

DEVELOPMENT: Approval of details reserved by condition 2 to planning permission DC/16/2568

SITE: Twigs Bashurst Hill Itchingfield Horsham, RH13 0NY

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DISC/17/0186

APPLICANT: Mr Duncan Jagger

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Youtan

RECOMMENDATION: To approve the details submitted in respect of condition 2 of DC/16/2568

1. THE PURPOSE OF THIS REPORT

1.1 To consider the submitted details.

DESCRIPTION OF THE APPLICATION

1.2 Members will recall that at the April 2017 meeting of the Planning Committee North, retrospective planning permission was granted for the tarmacking of an area of land to the front of Twigs. The application as originally submitted included an area measuring approximately 50sqm; however, following discussions with the Highway Authority this was reduced to approximately 18sqm.

1.3 The application was granted subject to the following condition:

- *Within one month of the date of this permission, details outlining the removal of the tarmacked area and the restoration of the affected land to grass verge, as indicated on the approved site layout plan received 3 March 2017, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out within 2 months of the date of approval of the details and retained thereafter.*

Reason: In the interests of the visual amenity of the area in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

1.4 An application for approval of details reserved by condition 2 has now been submitted. The applicant has advised that following the grant of planning permission, a professional landscape contractor was employed to provide a specification in order to lay a grassed

area over the former tarmacked area. 150mm of topsoil was used and turf laid on the finished graded surface. The finished graded surface was provided with a slight incline up to the surrounding levels of the raised bank of the stream and a natural valley installed in the turf to take away any excess rainwater and prevent localised flooding and rainwater run-off onto the adopted highway. Organic matter was dug into the soil to add structure to the soil, improve its ability to retain moisture and nutrients and improve drainage.

DESCRIPTION OF THE SITE

- 1.5 The application site comprises a square-shaped residential plot, on which a two storey property has recently been constructed following the demolition of a bungalow that previously existed on the site. The plot is located on the west side of Bashurst Hill in a countryside location. Bashurst Hill is characterised by large detached dwellings set in very generous plots.
- 1.6 An area of land between a stream that runs to the front of the site and the highway and to the north of the existing vehicular crossover forms the site of this application.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
NPPF7 - Requiring good design
NPPF11 - Conserving and enhancing the natural environment
NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF26 - Strategic Policy: Countryside Protection
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF40 - Sustainable Transport
HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015.
- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2568	Retrospective application for the tarmacking of existing hardstanding area between stream and highway to front of site	Application Permitted on 07.04.2017
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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

- 3.2 **Landscape Officer** – No objection – specification provided is acceptable and the turf should fully establish. Suitable drainage measures have been put in place. The watering of the turf may be required in hot weather.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways** – No overriding concerns with the principle of the plans and details. The works on the public highway must be implemented under licence to a specification obtained from WSCC Highways.
- 3.4 **Itchingfield Parish Council** – *“...the verge must be returned to its natural state and not just have dirt put over the tarmac.”*

MEMBERS COMMENTS

- 3.5 **Councillor Youtan** – *“I think we should ensure as best we can that the grass verge is restored and not allow the applicants to ignore HDC.”*

PUBLIC CONSULTATIONS

- 3.6 6 representations (from 5 households) have been received which raise the following concerns:
- Members were advised at the meeting on 4 April 2017 that the applicant would be required to break up and remove the tarmac under the soil/grass
 - The submitted details and works undertaken do not comply with the requirements of the condition
 - Concerns in relation to drainage if the tarmac remains
 - Precedent for similar areas of tarmac on the highway verge

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 At its meeting on 4 April 2017, Members resolved to grant retrospective planning permission for the tarmacking of an area between the stream and highway to front of site subject to the following condition:

- *Within one month of the date of this permission, details outlining the removal of the tarmacked area and the restoration of the affected land to grass verge, as indicated on the approved site layout plan received 3 March 2017, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out within 2 months of the date of approval of the details and retained thereafter.*

Reason: In the interests of the visual amenity of the area in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

- 6.2 The applicant has advised that following the grant of planning permission, a professional landscape contractor was employed to provide a specification in order to lay a grassed area over the former tarmacked area. 150mm of topsoil was used and turf laid on the finished graded surface. The finished graded surface was provided with a slight incline up to the surrounding levels of the raised bank of the stream and a natural valley installed in the turf to take away any excess rainwater and prevent localised flooding and rainwater run-off onto the adopted highway. Organic matter was dug into the soil to add structure to the soil, improve its ability to retain moisture and nutrients and improve drainage.
- 6.3 The Local Highways Authority has advised that they have no overriding concerns with the principle of the plans and details submitted. They have however advised that the works are on the public highway and therefore must be implemented under licence to a specification obtained from WSCC Highways. The works require further consent from the Highway Authority and this is a separate, non-planning, matter which would not be a reason to oppose the discharge of the condition.
- 6.4 The Council's Landscape Officer has advised that *"The specification provided of 150mm topsoil is suitable for the requirements and the turf should successfully establish. I understand the tarmac has been left in situ but it's not clear if it has been broken up or if it was left completely impermeable. Nonetheless, suitable drainage measures have been put in place and the only slightly concern I have is that the area will dry out a lot quicker and therefore needs added attention (watering) during the hot weather."*
- 6.5 In terms of the character and appearance of the streetscene, the area in question appears as a grassed highway verge and the tarmacked area beneath is not visible. It is not therefore considered to be unacceptable in visual amenity terms. The Council's Landscape Officer has confirmed that suitable drainage provision has been incorporated into the verge and it is not therefore considered that the resultant tarmacked area beneath this area of the verge will result in flooding of the local highway.
- 6.6 Whilst the details as submitted do not strictly comply with all of the requirements of the condition attached to DC/16/2568 it is considered that the end result is the same in that the grass verge has now been restored and is acceptable in its appearance. The condition requires that the works are retained thereafter and as such the developer will need to ensure that the grass verge is maintained to an acceptable standard. In this regard the comments from the Landscape Officer are noted in that, as the tarmac has not been removed from underneath the grass verge; additional watering will be required during hotter weather.
- 6.7 Having regard to the above considerations, it is considered that this is now an acceptable form of development which complies with the NPPF and policies 32 and 33 of the HDPF.

7. RECOMMENDATIONS

7.1 It is recommended that the submitted details be approved.

Background Papers: DISC/17/0186
DC/16/2568