



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee

**BY:** Head of Development

**DATE:** 18 July 2017

**DEVELOPMENT:** To remove pole barn and stables and erection of annexe to Sake Ride Farmhouse, diversion of drive and removal of steel container

**SITE:** Sake Ride Farm Wineham Lane Wineham Henfield BN5 9AG

**WARD:** Cowfold, Shermanbury and West Grinstead

**APPLICATION:** DC/17/0805

**APPLICANT:** **Name:** Mr Brian O'Connell **Address:** Sake Ride Farm, Wineham Lane, Wineham, Henfield, West Sussex, BN5 9AG

**REASON FOR INCLUSION ON THE AGENDA:** Member Application

**RECOMMENDATION:** To approve permission

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning consent to demolish the existing timber stable building and to erect a single storey detached annexe measuring 13.00m in length by 7.00m in width (91sqm) and 5.54m in height with a height to the eaves of 2.6m. The building is designed with a hipped roof and is sought to be constructed with slate roof tiles and grey weatherboard cladding for the elevations with white upvc window units and timber doors. The accommodation is sought to enable the care of family members close to the applicant's home. The annexe incorporates 2 bedrooms, a kitchen/living area, a bathroom and an entrance hall.

1.3 The application also seeks to re-route the existing driveway along the southern edge of the site. This would involve grassing over the current drive.

### DESCRIPTION OF THE SITE

1.4 The site consists of a two storey dwelling set within a large residential plot located approximately 850m south of Wineham. It is set back from Wineham Lane beyond the neighbouring property known as 'The Dairy', which abuts the site's eastern boundary. The main house is a 2 storey structure designed with pitched roof and constructed with slate tiles and horizontal weatherboarding over brickwork elevation. The dwelling has been extended with a chalet style 2 storey addition to its southern end. In addition to the main house, the plot accommodates a timber office building towards its northern boundary and a

timber stable building approximately 17m to the east of the main house on the opposite side of a hard-standing. The site is accessed from Wineham Lane via a gravel driveway.

## 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:**

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

2.3 **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF40 - Sustainable Transport

- 2.4 The Shermanbury & Wineham Neighbourhood Plan was formally 'made' at Full Council on the 21 June 2017. Of relevance to this application are policies:-

4 – Location and Setting

5 - Design

8 – Change of Use, Conversion and Redevelopment

10 - Parking

### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/13/0200	Erection of a homeworking office	Application Permitted on 22.03.2013
DC/13/2113	Formation of a new vehicular access for Sake Ride Farm and erection of new entrance gates.	Application Permitted on 25.02.2014
DC/15/0163	Two storey extension to dwelling	Application Permitted on 23.04.2015
DC/15/2056	Non material amendment to previously approved application DC/15/0163 (Two storey extension to dwelling) Increase size of rear door to south elevation. Increase size of 2 windows to kitchen on west elevation and enlarge window to master bedroom to form Juliet style window	Application Permitted on 02.11.2015

## 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](http://www.horsham.gov.uk).

## INTERNAL CONSULTATIONS

- 3.2 None

## OUTSIDE AGENCIES

- 3.3 Shermanbury Parish Council: No objection. Consideration should be given to ensure the neighbouring property is not deprived of natural light and conditions must be attached to ensure that strict working hours are adhered to.
- 3.4 West Sussex County Highways: No objections subject to conditions requiring access and parking to be laid out prior to first occupation, and restricting the use of the building to ancillary to the main house

## PUBLIC CONSULTATIONS

- 3.4 4 representations have been received in support of the development. These highlight the benefits of the building in facilitating the applicants in looking after their elderly parents, releasing housing stock for first time buyers, and the development resulting in an improvement in the condition of the site.
- 3.5 2 objections (from the same address) have been received which raise concerns that the building will result in a loss of amenity to the neighbouring property known as the old dairy, due to its proximity and scale. There are also concerns about noise nuisance during construction.

## 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 of Development

- 6.1 The site is located outside of the built up area, and is therefore located within the open countryside. Policy 28 of the Horsham District Planning Framework (HDPF) states that household extensions within the countryside will be supported if the development can be appropriately accommodated within the curtilage of the site, and should be in keeping with the scale and character of the existing dwelling. In regards to the outbuildings, the policy states that ancillary accommodation will only be permitted if it can be demonstrated that the need for additional space cannot be met from an existing building suitable for conversion, and should have regard to the dwelling it serves and should be grouped with the house. The use of ancillary accommodation as a separate planning unit will not be supported.
- 6.2 The proposed annexe would accommodate 2 bedrooms, a kitchen and living area, and a bathroom. While there would not be any dependency on facilities shared with the main dwelling it is considered that the scale of the annexe would remain ancillary. The site

would be served by one access and the submitted plans indicate that the curtilage would not be subdivided to create separate amenity space. These access arrangements, the shared amenity space, proximity between buildings and the relationship between occupants is considered sufficient to ensure that the annexe would not function or represent an independent dwellinghouse on the site.

- 6.3 The application does not seek permission for a separate dwellinghouse and supporting information has been submitted setting out the need / justification for an annexe in this location. A condition is recommended to ensure that the building could not be occupied as a separate planning unit, and this is considered to provide sufficient measures to ensure the building would not provide a separate planning unit. On this basis the proposal is considered to accord with Policy 28 of the HDPF.

#### Character of the site and Surroundings

- 6.4 Policy 33 of the Horsham District Planning Framework states that development proposals should 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.
- 6.5 The proposed annexe would be appreciably smaller in scale than the main dwellinghouse, and would occupy a similar, but slightly smaller footprint to the existing stable building. It is therefore considered that the annexe would be appropriately accommodated within the curtilage, whilst retaining sufficient distance from the main house to ensure it does not disturb the overall appearance of the host dwelling. The appearance of the outbuilding is considered acceptable, in that the style and composition of the annexe attempts to reflect that of the main dwelling. Furthermore, by retaining the footprint of the stable building, it is considered that the annexe will not be unduly visible from the surrounding public realm.
- 6.6 As the site benefits from generous grounds and already accommodates development of a similar scale, the overall size and design of the proposed outbuilding is considered acceptable within this rural setting, and would be well accommodated within the site's curtilage. The proposal is therefore considered in accordance with Policy 28 and 33 of the Horsham District Planning Framework.

#### Impact on Amenity

- 6.7 Policy 33 of the HDPF requires new development to be designed so as to avoid unacceptable harm to the amenity of neighbouring occupants and users, for example through overlooking and noise.
- 6.8 Concerns have been raised that the proposed annexe would result in a loss of amenity to the neighbouring property, known as The Dairy, due to its proximity and scale and through the creation of noise nuisance during construction. The annexe would be sited approximately 2.5m to the west of this property and would be approximately 2.94m higher than the existing stables. There are no windows within the western side of 'The Dairy' that would be impacted by the proposal. A wall with additional timber screening, in excess of 2m in height, currently separates the site from the neighbouring property. This treatment coupled with the roof form, which would slope away from the boundary line, is considered sufficient to prevent any overbearing impact or loss of light.
- 6.8 In relation to noise production, any nuisance created by the constructed of the development would be temporary, and the nature of occupation within the annexe would not be expected to generate significant or harmful levels of noise. A condition is recommended to restrict operations works to traditional daytime working hours. The proposal is deemed to be in accordance with Policy 33 of the HDPF.

## Access and Highways

- 6.9 Access arrangements to the site from Wineham Lane are not proposed to be altered and the applicant has agreed to grass over the existing driveway to ensure only one access would serve the main house and annexe. This would help to address any concerns of the annexe being served by its own access in the future. The Highway Authority has been consulted and has raised no objections, as the proposal would not give rise to a material increase in the amount of trips to the site. It is however, recommended that conditions should be attached to any approval to secure the parking and turning facilities indicated on the submitted block plan, and to restrict the use of the annexe to ancillary to the main house. The proposed development is deemed to be in accordance with Policy 40 of the HDPF.

## Conclusions

- 6.10 The annexe is considered to be of an appropriate scale, design and siting both in relation to the main house and other development within its curtilage, and with respect to its rural location, ensuring that it will not be detrimental to the visual appearance of the host dwelling or the surrounding landscape character. Furthermore, it will not result in significant harm to neighbouring residential amenity and will retain a use that is ancillary to the main house, sharing amenity space and access arrangements. The development is therefore deemed to be in accordance with the relevant policies of the Horsham District Planning Framework and the Shermanbury & Wineham Neighbourhood Plan.

## **7. RECOMMENDATIONS**

- 7.1 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 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the submitted application form.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan 230/2 submitted on 6th April 2017 and shall be thereafter 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).

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the existing driveway servicing the main house shall cease operation and be grassed over in accordance with the approved details as

shown on plan 230/02 received on 6th April 2017, and shall be thereafter retained as such.

Reason: The establishment of an additional access to solely serve the annexe would lead to an unsatisfactory relationship between the annexe and the main dwelling contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The annexe hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Sake Ride Farm as a dwelling and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of the neighbouring property known as 'The Dairy' in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/0805