



TO: Planning Committee South

BY: Development Manager

DATE: 19 September 2017

DEVELOPMENT: Proposed erection of a single two storey dwelling (Amendments to previously approved application DC/16/1088)

SITE: Land To The Rear of Crimond Maudlin Lane Bramber Steyning West Sussex BN44 3PR

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/17/1245

APPLICANT: **Name:** Mr David King **Address:** Annington Cottage, Maudling Lane Bramber BN44 3WB West Sussex

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation contrary to the Officer's recommendation have been received.

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 attached garage and associated access onto Clays Hill. The proposed dwelling would be 11.7 metres wide (including the garage), 12.25 metres deep and 7.8 metres in height to the ridge. The proposal has been amended as part of the application process to reduce the height and footprint of the dwelling, and to increase the separation from the shared eastern boundary of the site. These amendments have been re-consulted upon.
- 1.2 The application has been submitted following the approval of application DC/16/1088 in April 2017 for the construction of a detached dwelling on the site. The current application would essentially amend the siting, design and scale of the previously approved dwelling. The proposed dwelling would be wider than that previously approved dwelling being 8.5 metres wide (11.7 metres when including the garage) compared to 7.1 metres, would be of a similar depth (12.2 metres) and 0.4 metres higher to the ridge. The proposed dwelling would be sited 2 metres from the boundary with Hill View to the east, and 4.5 metres from the front boundary of the site.

DESCRIPTION OF THE SITE

- 1.3 The application site is situated within the built-up area boundary of Steyning on the southern side of Clays Hill. The application site previously 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.
- 1.4 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 PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

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

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

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

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

BM/12/57	Bungalow and garage (From old Planning History)	Application Permitted on 06.11.1957
BM/9/00	Single dormer window Site: Crimond Maudlin Lane Bramber	Application Permitted on 04.04.2000
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
DC/16/1088	Erection of 1 x dwelling	Application Permitted on 26.04.2017

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.

INTERNAL CONSULTATIONS

- 3.2 None.

OUTSIDE AGENCIES

- 3.3 Southern Water: No objection. A formal application would be required for connection to the public foul sewer.
- 3.4 West Sussex County Council Highways – Amended comments are awaited.

PUBLIC CONSULTATIONS

- 3.5 Bramber Parish Council: Object for the following reasons:-

- Plans should be a new application not an amendment;
- The scale of the house is far too large for the site especially as it is located on a slope;
- Plans show house will sit much higher than the neighbouring dwelling and would be very visible in Clays Hill;
- Concern regarding seepage from septic tank onto the public highway;
- Concern regarding access to the site during construction works;
- No measurements for house on the amended plans;
- Gap between the proposed dwelling and the neighbouring house seems misleadingly wide.

- 3.6 Five letters have been received objecting to the amended plans noting that:-

- The original objections remain valid;
- Ridge height is significantly higher than Hill View;
- Overdevelopment of plot;
- Loss of privacy and light to Hill View;
- Previous application placed development further away from Hill View;
- The septic tank would be within 5 metres of the water main, Southern Water would not allow soakaways within 5 metres or planting. Planting would be required for the soakaway;
- Rear building line exceeds that of adjacent properties;
- Access has been relocated.

- 3.7 Five letters have been received objecting to the original application on the following grounds:-

- Sewage treatment plant requires trees and plants to take up treated sewage, treatment plant not suitable in this location;
- Building higher, larger and in a different location to previous application;
- Access has been relocated;
- Objections remain valid from DC/16/1088;
- Proposal would cause loss of privacy to neighbouring properties;
- Overdevelopment of site;
- Loss of sunlight and privacy to neighbouring property.

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 in principal, subject to detailed considerations. The principle of development has also been accepted on the site following the approval of DC/16/1088 in April 2017.

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. 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, with the proposed design reflective of a traditional Sussex vernacular. This approach is considered to represent a significant improvement from the existing planning permission.
- 6.4 The proposed dwelling would be located on rising land and would be taller than the neighbouring property, Hill View. The proposed dwelling has been increased in height from that previously approved by approximately 0.4 metres. It is considered that the proposed development, although taller than that previously approved, would not result in the building appearing overly dominant in the streetscene, with the arrangement reflecting changing ground levels and the stepped nature of adjoining properties.
- 6.5 It is considered that the proposed siting, which respects the immediate building line, 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

- 6.6 The proposed dwelling would be located approximately 2 metres from the boundary of Hill View and would respect the front and rear building lines of this adjoining property. It is considered that although the distance to the boundary has been reduced from that previously approved (from 3.6 metres to 2 metres) the proposal would still maintain the amenities of neighbouring properties. The proposed dwelling would have a landing window at first floor level with a toilet 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 seeks to provide two rooflights within the western elevation to light a bathroom and en-suite. To the rear elevation would be two bedroom windows at first floor level. It is considered that the location of the windows 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.
- 6.7 The dwellings to the west of the site would be at a higher level than the application dwelling, as the land slopes up to the west. The proposed development would retain a distance of 25 metres from the rear wall of Crimond, approximately 32 metres from Whindene and 40 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.
- 6.8 It is noted that concerns have been raised relating to the proposed sewage treatment plant. Southern Water has not raised any objections to this approach and any consent required from Southern Water would fall outside the scope of this planning application. A condition is recommended to secure details of drainage.

Impact on Trees

- 6.9 The proposal would result in the removal of a walnut tree which is not subject of any formal protection. The tree did not meet any criteria for formal protection and it is therefore considered that an objection could not be raised to the loss of the tree. A condition is recommended to secure a landscaping scheme across the site.

Impact on Highways

- 6.10 During the consideration of the previous application a site visit took place with West Sussex County Council Highways to discuss visibility either side of the proposed access. Following this meeting a Technical Note and revised access arrangement were submitted, allowing for visibility splays of 2.4 x 61m to the east and 2.4m x 56m to the west. WSCC Highways raised no objections to the amended arrangement, which was considered to demonstrate that the proposal will not lead to a severe impact on the operation of the local network.
- 6.11 While the current application amends the access, moving the access to the west of that previously approved, the previously approved visibility splays would still be maintained, and this is secured by condition. On this basis the proposal would not raise any highway safety concerns. Further comments have been sought from WSCC Highways and these will be reported to Planning Committee.

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-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:** The landscape scheme set out on drawing no. 2.08 REV A shall be implemented 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 the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling 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 windows at first floor level on the eastern elevation on Plan 2.03 REVB have been fitted with obscured glazing. The windows 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 2.03 REVB. 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:** The hereby approved dwellinghouse shall not be occupied until the parking and access facilities have been completed in accordance with drawing no. 2.08 Rev A. The parking 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).

Background Papers: DC/17/1245
DC/16/1088