



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 19 December 2017

DEVELOPMENT: Erection of a two-storey four bedroom dwelling with detached garage, associated hardstanding and alterations to access

SITE: Firtops Grove Lane West Chiltington Pulborough West Sussex RH20 2RD

WARD: Chanctonbury

APPLICATION: DC/17/1499

APPLICANT: **Name:** Mr & Mrs P Barker **Address:** c/o Agent

REASON FOR INCLUSION ON THE AGENDA:

RECOMMENDATION:

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The proposal seeks to subdivide the existing residential plot to create a new residential curtilage within the northern section of the site, utilising the same vehicular access as the host dwelling.
- 1.2 The new property would be sited approximately 15m off the northern boundary with a footprint of approximately 14m x 6.8m and an additional rear gable-end bay approximately 3m in depth. The design of the new dwelling would include first-floor accommodation set largely within the roof-space and served by front and rear part-inset dormers and a rear-facing Juliet balcony. A half-hipped roof form with brick elevations and a clay-tiled roof seeks to create a 'traditional' appearance, with elevations broken up by arched soldier coursing and painted brick banding.
- 1.3 The proposed dwelling would retain distances of separation of approximately 12m to the western boundary with Firwood Cottage (cumulative distance of approximately 21m), approximately 20m to the boundary with Yew Tree House (cumulative distance of approximately 32m), and some 4m between the garage and the neighbouring property Firwood.
- 1.4 Indicative site sections show a 2.4m difference between the proposed new ridge level and that of the closest dwelling Firwood Cottage, with the intervening garage stepping down to a height that is comparable to the neighbouring property at Firwood, seeking to utilise some of the natural slope level.

- 1.5 The resulting footprint of the proposed new dwelling and double garage would amount to some 150sq.m.

DESCRIPTION OF THE SITE

- 1.6 The application site forms a large residential plot accessed off a single-width private track, Grove Lane, within the West Chiltington built up area.
- 1.7 The host property forms a white rendered detached house which is set back some 40m off the site's northern boundary with Grove Lane, and is therefore sited with most of its amenity space to the front. The vehicular driveway into the property is a sloping track off Grove Lane, leading to a large turning area at the front of the house where there is also a double garage. The site boundaries are reasonably well screened by mature vegetation and trees. Given the rising topography and the vegetation across the wider site, the host property is visible only from limited vantage points along Grove Lane, notably from the northern edge where the access drive joins the Lane. It is also noted that none of the trees on the site are subject to preservation orders and the site does not lie within a conservation area.
- 1.8 The host property has an overall site area of some 3811sq.m, which is significantly larger than its immediate adjoining neighbours, including Firwood Cottage, Mallards, Yew Tree House and The Rustlings, which vary in site area from around 1140sq.m to some 1940sq.m, with each of these properties taking up a central position in relation to their site boundaries. In comparison there are some properties on the northern side of the lane which are comparable to the host property in terms of site areas. Quilters has an area of some 6330sq.m, and is the largest plot on the lane.
- 1.9 Grove Lane provides vehicular access to some 20 properties, with a couple of spurs leading off the lane that serve clusters of dwellings. Whilst on site, it did not appear that the lane operated only as a one-way route, suggesting that it currently provides access from both Roundabout Lane and Threals Lane.
- 1.10 The site visit also revealed a number of trees across the site having recently been felled, increasing the sense of light and space to the northern area of the site, which is the location of the current planning application. What appeared to be a dry valley landscaping feature was also noted in this northern part of the site, along with a topography which drops towards the west.

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**

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

Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

The West Chiltington Neighbourhood Plan is still at pre-submission stage and therefore still carries limited weight

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/07/0433	High hedges complaint	Application Permitted on 09.08.2007
DC/16/0309	Removal of thatched roof and replacement with tiles	Application Permitted on 31.03.2016
SG/22/82	2 storey extn to provide garaging and stores at ground floor and additional bedroom/bathroom at first floor	Application Permitted on 28.09.1982
SG/8/82	Two storey extension	Application Permitted on 30.04.1982
SG/5/69	Extension to form utility room	Application Permitted on 21.02.1969
SG/38/65	Extension to include studio, three bedrooms and bathroom	Application Permitted on 08.12.1965

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

OUTSIDE AGENCIES

- 3.2 WSCC Highways: No Objection:-

- Grove Lane is a private road;
- The nearest junction with the public highway at Roundabout Lane, where there is no apparent visibility issue and no evidence that the junction has been operating unsafely;
- The applicant would be advised to contact the proprietor of Grove Lane to obtain formal approval to carry out works affecting the private lane.

3.3 Southern Water: No Objection:-

- No stated means of foul disposal from the site – Southern Water would require a formal application for connection to the Public Foul Sewer required from the applicant / developer;
- Application lies within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy;
- There is the potential for public sewers to be crossing the site, formerly deemed to be private;
- Southern Water can provide a water supply to the site but requires formal application for connection and on-site mains to be made to Southern Water by the developer / applicant.

PUBLIC CONSULTATIONS

3.4 Parish Council Consultation: Objection:-

- Overbearing – impact on neighbouring properties;
- Not in keeping with surrounding Wells Houses;
- Too large for plot size;
- Concerns over access onto single-track unmade road;
- Affect setting of Wells Houses – Policy EH10 in West Chiltington Draft Neighbourhood Plan.

3.5 Representations have been received from 10 properties along with a petition signed by some 28 neighbouring individuals objecting for the following reasons:-

- Additional access to unmade road - close to bend and access point to 3 other properties (*Second access omitted from current proposal*);
- Increased traffic along lane / bridleway (getting busier owing to online shopping trends);
- Construction traffic cause unacceptable pressure on narrow and unmade road;
- Lack of access for emergency services;
- Further tree felling needed in addition to existing trees lost on site;
- Loss of garden space / harm to wildlife and biodiversity;
- Loss of trees and hedgerows contrary to objectives in Village Design Statement and HDPF policies;
- Unsustainable;
- Create new and unwanted views for many neighbours;
- Principle of infilling is contrary to draft neighbourhood Plan;
- Does not meet local housing needs (which are for small dwellings for downsizing or for affordable);
- Sizable gardens to other properties;
- Unacceptable resulting density;
- Unsympathetic in design, form and scale to site context and neighbouring development - out of character from local vernacular / Wells Cottages;
- Overbearing on area owing to gradients at the site;
- Overbearing on Firwood Cottage which has a narrow rear courtyard garden and is only some 7.2m off application site boundary and about 1-1.2m below garden - proposal would need significant earthworks to create level ground;
- Loss of light to Firwood Cottage;
- Potential to remove screening by any prospective owners exacerbating overbearing impact on Firwood Cottage - main screening provided by a large conifer tree which has been subject to discussions with applicant and requests to remove it;
- Limited local amenities in West Chiltington;

- Restrictive covenants on Wells properties in Grove Lane that development is not less than 1/2 acre (2023sq.m);
- Since 2005, no new-build development along lane;
- Loss of heritage assets (character and setting of Wells Cottages);
- Previous refusals for development at:-
 - Poppys Place - Roundabout Lane.
 - Maison Deau - Spinney Lane.
 - Plashetts - Grove Lane.
 - Firwood Cottage - Grove Lane.
- Noise and disturbance during building process;
- Lack of clarity in plans, no indication of steep gradient on plan, extension to host property not shown, distance to Firwood Cottage inaccurate, no levels of proposed height of new dwelling, difference in property width between plans.

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 HDPF Policy 3 advises that development will be permitted within towns and villages which have defined built up areas provided that it can demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy as set out within the policy. The application site falls within the defined built up area of West Chiltington and the scale of the development would maintain the characteristics and function of the settlement. The principle of development is therefore considered acceptable, subject to detailed considerations.

Character and appearance:

- 6.2 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 and seeks to make reference to any Design Statements or Character Assessments where relevant.
- 6.3 This area of West Chiltington is known for its low density housing, consisting mainly of detached dwellings in generous and landscaped plots, laid out in a patchwork pattern of development, with houses exhibiting varying architectural styles and scales. However, tying the street-scene together along these narrow and unmade rural lanes is the sense that each property is well separated from its neighbour and is set back from the edge of the lane, allowing the retention of the landscaping, boundary hedging and trees.

- 6.4 It is considered that where visible subsequent infill development throughout the lanes has allowed plots to maintain this sense of spaciousness, with landscaping features maintaining the overall sylvan character of the lanes and the adjacent properties. These newer plots, such as Deveron House and Quilters Place, are set on generously proportioned plots of their own and are sited back from the edge of the lane, provided with sufficient intervening landscaping features and boundary hedges, so as to avoid any dominating urban features which would otherwise erode the overall rural aspect of the lane.
- 6.5 Whilst the Neighbourhood Plan is still at pre-submission stage, and therefore carries limited weight in the determination of the current planning application, it is noted that this document, and the Village Design Statement (2003) identifies the host application site, Firtops, as an original 'Wells Cottage', along with Quilters, Firwood Cottage, Plashetts, Coleraine, Silverwoods, Barmley Cottage, Grove Gate, Rosemary Cottage, Little Hayden, Summerleas and Brackenhill (formerly Karibu) all in the immediate vicinity along Grove Lane and Bower Lane. The Wells Cottages are not listed or locally listed, but have shaped the development of this southern area of West Chiltington since the inter-war years, establishing a rural and 'quintessentially English' character with many of the houses having thatched roofs, eyebrow windows and some instances of mock-Tudor beams. All of these properties are set in generous plots, albeit they have been subject of some infilling over the years.
- 6.6 The siting of the proposed new dwelling would be on land levels that are higher than the adjacent roadway. However, the amended location of the proposed new dwelling, further from the access point off Grove Lane, would diminish the resulting public views of the new dwelling. It is therefore considered that the proposed new dwelling would not result in an unduly dominant and overbearing feature. Its position in relation to the lane is noted to be comparable to the adjacent western dwelling, Firwood Cottage, and the amended plans have re-aligned the proposed new dwelling on the sub-divided plot, with the garage set on the lower ground levels adjacent to Firwood Cottage, and the dwelling set at the more level part of the site, providing opportunities to introduce screening and landscaping within the forecourt.
- 6.7 The proposed site area appears to be capable of providing a subdivided residential plot, which would be of a comparable resulting area to a number of adjacent properties. Although the siting of a new dwelling would somewhat diminish the original relationship of the host property to the Lane, this is already limited by the site levels and boundary screening which result in the host dwelling having a very modest visual relationship to the wider setting of the lane. The site is not subject to any tree preservation orders, which would prevent clearance of planting on the site, and further detail of landscaping works are therefore sought through condition.
- 6.8 The proposal would therefore continue to respect its context and would accord with the provisions of Policies 3, 32 and 33 of the HDPF (2015).

Impact on neighbouring amenity:

- 6.9 Policy 33 of the HDPF (2015) seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.10 It is considered that there would be sufficient separation distances between the proposed new dwelling and the neighbouring properties on the northern side of the and, as well as to the south-west (Yew Tree House and Reynards), to prevent any direct or harmful overlooking or loss of light or outlook. It is considered that sufficient space would be retained around this property to create adequate amenity space for occupants, with the siting of the new dwelling precluding any adverse and direct instances of overlooking or loss of light to the habitable windows of the host dwelling.

- 6.11 The siting and layout of the proposed dwelling would not include any side-facing windows, reducing concerns regarding any resulting direct loss of privacy towards the west. At its closest, the proposed new dwelling would be set some 11m off the common boundary with Firwood Cottage, which is currently noted to include a high level of screening vegetation. The amended layout would set the smaller garage structure some 4m off the common boundary. Given the site's topography and the proposed layout, the proposal is not considered to result in an unduly close relationship which would adversely affect living conditions within the neighbouring dwelling Firwood Cottage.
- 6.12 A condition is recommended (no. 3) to secure a Construction Method Statement and this would reduce the potential impacts of construction activities on adjoining properties and the wider surroundings.
- 6.13 It is therefore considered that the proposal would not result in any significant or harmful loss of amenity for occupants of adjoining properties, and there would be no conflict with Policy 33 of the HDPF.

Highways and Traffic:

- 6.14 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, with Policy 41 requiring adequate parking facilities within developments.
- 6.15 In this location, the width, unmade surface and winding nature of the lane is considered to encourage most drivers to go at a modest speed. While the lane does not form a designated public right of way or bridleway in general terms the lanes are considered to be wide enough for cars to pass pedestrians safely and there are areas of verge or entrances where pedestrians can stand as a vehicle passes.
- 6.16 It is not anticipated that the cumulative effect of one additional dwelling within the area, either in its contribution to vehicle movements or pedestrian use, would have any detrimental effects on highway safety of the public highway network. The proposal allows for sufficient off-street parking in an accessible location on the site. The Highway Authority has raised no objections to the proposal. As such there are considered to be no highway grounds to refuse the application, which would accord with the relevant policies of the HDPF.

Conclusion:

- 6.17 There is policy support for additional and appropriate development within built-up area boundaries, and the proposed scale and layout of the development would respect and be sympathetic to the street-scene and pattern of development along the lane. The proposal would not result in harm to neighbouring amenity or highway safety.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.18 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

- 6.19 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	184.67	0	184.67
		Total Gain	184.67
		Total Demolition	0

- 6.20 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.21 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

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 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 neighbouring occupants 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 (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).

- 7 **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).

- 8 **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 2840/700 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).