



Planning Committee (North)

Tuesday, 4th September, 2018 at 5.30 pm

Conference Room, Parkside, Chart Way, Horsham

Councillors:	Karen Burgess (Chairman)	
	Liz Kitchen (Vice-Chairman)	
	John Bailey	Tony Hogben
	Andrew Baldwin	Adrian Lee
	Toni Bradnum	Christian Mitchell
	Alan Britten	Josh Murphy
	Peter Burgess	Godfrey Newman
	John Chidlow	Brian O'Connell
	Roy Cornell	Connor Relleen
	Christine Costin	Stuart Ritchie
	Leonard Crosbie	David Skipp
	Jonathan Dancer	Simon Torn
	Matthew French	Claire Vickers
	Billy Greening	Tricia Youtan

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
<p>To approve as correct the minutes of the meeting held on 7 August 2018 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i></p>	
3. Declarations of Members' Interests	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. Announcements	
<p>To receive any announcements from the Chairman of the Committee or the Chief Executive</p>	

To consider the following reports of the Head of Development and to take such action thereon as may be necessary:

- | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 5. | Appeals | 13 - 14 |
| | Applications for determination by Committee: | |
| 6. | DC/18/0995 - Welwyn, Hayes Lane, Slinfold
Ward: Itchingfield, Slinfold & Warnham
Applicant: Mr Martyn Avery | 15 - 36 |
| 7. | DC/18/0263 - Friars Field, Brighton Road, Monks Gate
Ward: Nuthurst
Applicant: Mr Roderick Bisset | 37 - 48 |
| 8. | DC/18/1486 - 20 Abbots Leigh, Southwater
Ward: Southwater
Applicant: Mr D Kitson | 49 - 56 |
| 9. | DC/18/0864 - Hall House, The Haven, Billingshurst
Ward: Rudgwick
Applicant: Mr and Mrs Westwood | 57 - 66 |
| 10. | DC/17/2424 - Fordcombe, Cox Green, Rudgwick
Ward: Rudgwick
Applicant: Mr Gareth Grant | 67 - 74 |
| 11. | DC/18/0150 - Farnbrakes, Church Street, Rudgwick
Ward: Rudgwick
Applicant: Cranfold Developments Ltd | 75 - 86 |
| 12. | Urgent Business
Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances | |

Agenda Annex

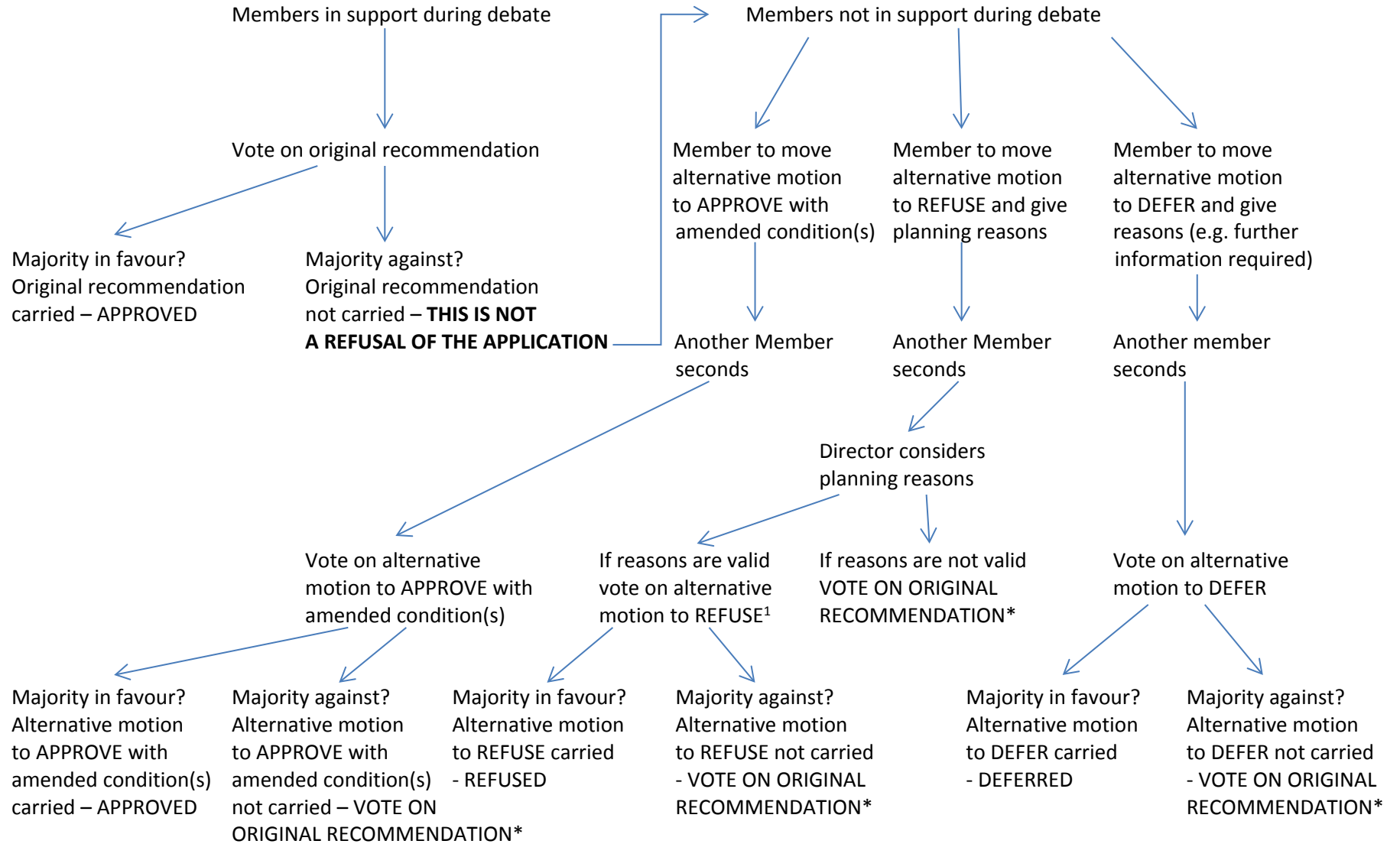
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Committee	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
Declarations of Interest	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
Public Speaking on Agenda Items (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed 2 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> ○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. ○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer’s recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
Alternative Motion to Refuse	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer’s recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Head of Development will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
Vice-Chairman	<p>In the Chairman’s absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

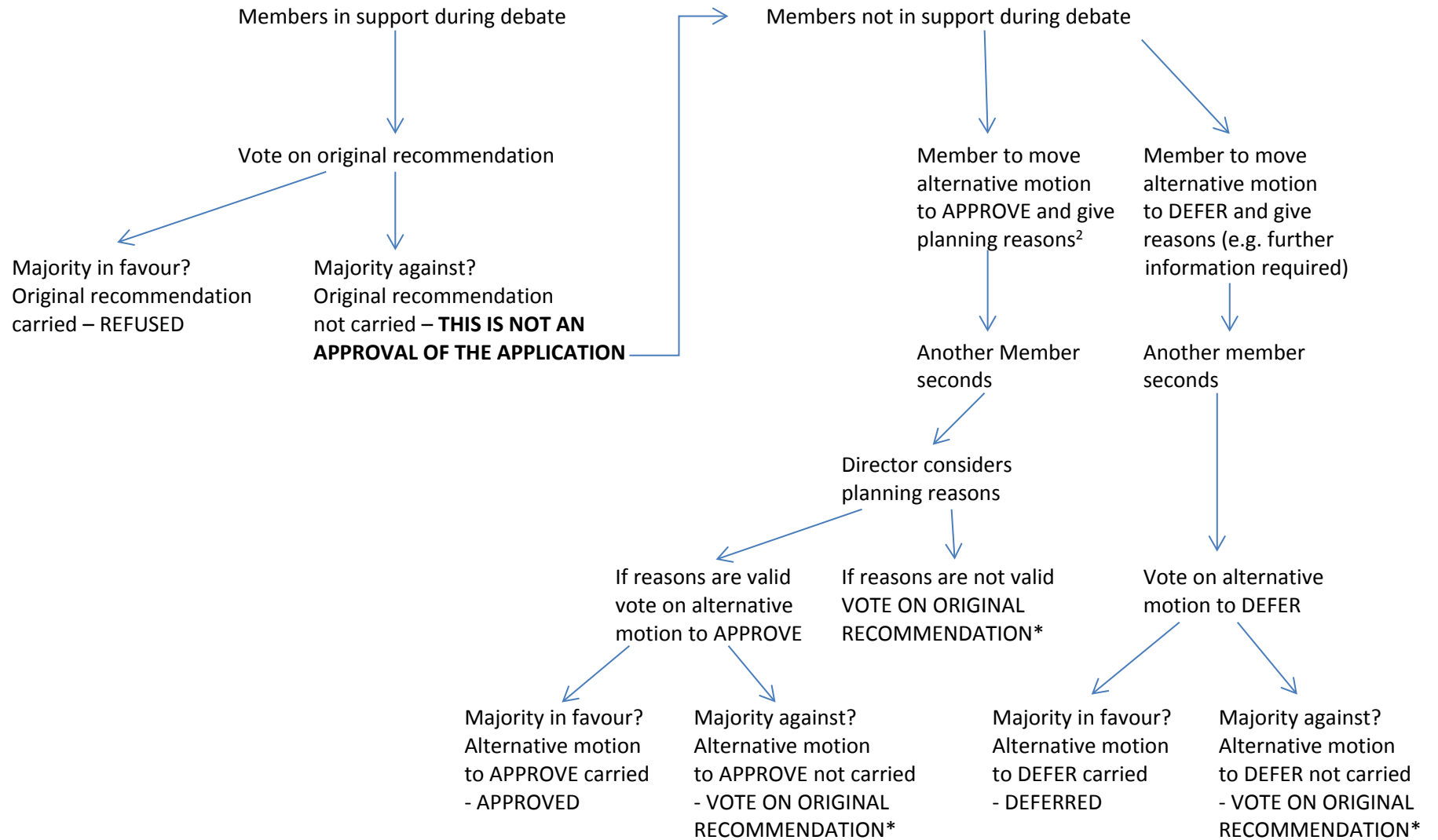
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

¹ Subject to Director’s power to refer application to Full Council if cost implications are likely.

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

² Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

Planning Committee (North)
7 AUGUST 2018

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, John Chidlow, Roy Cornell, Christine Costin, Leonard Crosbie, Tony Hogben, Adrian Lee, Godfrey Newman and Claire Vickers

Apologies: Councillors: Jonathan Dancer, Matthew French, Billy Greening, Christian Mitchell, Brian O'Connell, Stuart Ritchie, David Skipp and Tricia Youtan

Absent: Councillors: John Bailey, Josh Murphy, Connor Relleen and Simon Torn

PCN/23 **MINUTES**

The minutes of the meeting of the Committee held on 3 July were approved as a correct record and signed by the Chairman.

PCN/24 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/2605 – The Chairman of the Committee stated that she had a personal interest in this item, along with all members of the Committee, because the applicant was also a District Councillor. Councillors Peter Burgess, Elizabeth Kitchen, Toni Bradnum and Leonard Crosbie each stated that they had visited the application site prior to the meeting to help them in determining the application.

PCN/25 **ANNOUNCEMENTS**

There were no announcements.

PCN/26 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted.

PCN/27 **DC/18/1046 - MICKLEPAGE, NUTHURST STREET, NUTHURST**

The Head of Development reported that this retrospective application sought permission for a variation to Condition 1 of permission DC/15/2493 for the erection of three two-storey houses. The proposed amendments would allow minor material amendments to the permitted form and footprint to reflect how the dwellings, which were almost completed, had been built. The proposal also included some alterations that were required following the refusal of previous

application DC/17/2524 to vary Condition 1 (Minute No. PCN/100 (06.03.18) refers).

The application site was located in the countryside and had been a paddock to the east of Nuthurst Street. A private access to the north led to adjoining development north and east of the site. There was linear residential development along Nuthurst Street in a rural setting.

Details of relevant government and council policies and relevant planning and enforcement history, as contained within the report, were noted by the Committee. Since publication of the report the new National Planning Policy Framework (July 2018) had been published, which superseded the previous NPPF (2012). An addendum to the report outlined changes to the relevant paragraphs of the old NPPF and advised that it was not considered that these raised any new material considerations relevant to the application. The addendum also advised Members of details of two additional objections received since publication of the report.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council objected to the application. In addition to the two objections detailed in the addendum, there had been 64 objections from 50 households. Three members of the public spoke in objection to the application. Three speakers, comprising the applicant, the applicant's agent and a chartered town planner, addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the reason for refusal of DC/17/2524; character and appearance; the amenities of neighbouring properties and occupiers of land; and traffic and parking.

Members were mindful of the local opposition to the application and discussed the proposed alterations and how they compared to the refused DC/17/2524, in particular regarding changes to the roof over garage. After careful consideration Members concluded that the impact of the proposal would not be significant enough to cause harm to the character of the area or neighbouring amenity.

RESOLVED

That planning application DC/18/1046 be granted subject to the conditions and reasons as reported.

PCN/28 **DC/18/0572 - 39 ROOKWOOD PARK, HORSHAM**

The Head of Development reported that this application sought permission for the erection of a single bay, detached garage with a pitched roof in the front

garden. The garage would be 4.5 metres from the front boundary and constructed to match the materials used on the house. A timber access gate and hedging between the garage and the front of the house was also proposed. In response to officer concerns, the garage has been reduced in size and set further back from the boundary, with hedging instead of a brick wall.

The application site was located within the western edge of the built-up area of Horsham, close to Farthings Hill Roundabout, on the north-west side of Rookwood Park. Rookwood Park was characterised by large modern houses in generous plots.

Planning permission DC/17/2143 for a single storey side extension was noted. Details of relevant government and council policies, as contained within the report, were noted by the Committee. Since publication of the report the new National Planning Policy Framework (July 2018) had been published, which superseded the previous NPPF (2012). An addendum to the report advised that it was not considered that these raised any new material considerations relevant to the application.

The Neighbourhood Council objected to the application. Fourteen objections from five households had been received. The Local Member had raised concerns because of the potential impact on the neighbouring property. The addendum to the report advised that two other Members of the Committee had also requested the application be determined by the Committee because of its impact on neighbouring amenity and the locality. Three members of the public spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; character of the dwelling and the visual amenities of the street scene; and the amenities of the occupiers of adjoining properties.

Members discussed the scale of the garage and considered it to be an imposing addition out of keeping with the character of the street scene. Its proximity to 40 Rookwood Park was also discussed and Members concluded that the proposal would have a detrimental impact on neighbouring amenity.

RESOLVED

That planning application DC/18/0572 be refused for the following reason:

The proposed garage, by reason of its forward position and scale, would represent an imposing addition out of character with the open character of the street, and would result in a harmful loss of outlook for occupants of 40 Rookwood Park. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015).

PCN/29 **DC/18/1127 - WARNHAM NATURE RESERVE, WARNHAM ROAD, HORSHAM**

The Head of Development reported that this application sought permission for the erection of a single storey timber viewing hide and discovery hub at Warnham Nature Reserve. It would be constructed primarily of wood with steel supports and a large one-way glass window overlooking the Mill Pond. In addition to access from the visitor centre, a new entrance gateway and garden with accessible paths was proposed. The proposed footprint was 112 square metres with a height of nearly four metres, compared to the visitor centre that was 151 square metres with a height of 5.7 metres.

The application site was located north west of Horsham and was a Local Nature Reserve and SNCI (Site of Nature Conservation Importance). Warnham Mill, to the east between the Mill Pond and Warnham Road, was a Grade II Listed Building.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. Since publication of the report the new National Planning Policy Framework (July 2018) had been published, which superseded the previous NPPF (2012). An addendum to the report outlined changes to the relevant paragraphs of the old NPPF and advised that it was not considered that these raised any new material considerations relevant to the application.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council raised no objection to the application. Horsham Society had commented on the application, which they supported.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; character and landscape; impact on the setting of the listed building; ecology; flood risk; and highways.

Members welcomed the proposal, which would improve facilities and increase the number of visitors to Warnham Nature Reserve without any significant adverse impact on the landscape character of the locality, or on the setting of Warnham Mill.

RESOLVED

That planning application DC/18/1127 be granted subject to the conditions and reasons as reported.

PCN/30 **DC/17/2605 - WINDACRES FARM, CHURCH STREET, RUDGWICK**

The Head of Development reported that this application sought retrospective permission for the siting of a container as temporary accommodation for 36 months. The container was eight metres by three metres with a height of 2.5 metres. It had two windows and was coloured olive green to match an adjacent agricultural building. There were concrete paving slabs outside the front elevation of the unit. An addendum to the report advised that paragraph 1.1 should read the application is for 'the **siting** of a temporary unit' rather than for 'the erection of a temporary unit'.

The application site was located north-east of Rudgwick, 100 metres outside the built up area at the northern end of a field. It was approximately 170 metres east of the Rudgwick Metals redevelopment site (DC/16/2917) which was in the early stages of construction. Church Street was approximately 400 metres west. There were some dwellings in large plots along Church Land and Highcroft Drive.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. Since publication of the report the new National Planning Policy Framework (July 2018) had been published, which superseded the previous NPPF (2012). The addendum to the report outlined changes to the relevant paragraphs of the old NPPF and advised that it was not considered that these raised any new material considerations relevant to the application.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council objected to the application. Five objections had been received. One member of the public spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the principle of the development and its impact on the character of the surrounding area and adjoining landscape.

Members discussed the location of the container outside the built-up area boundary and concluded that there was no justification for this temporary accommodation that was not essential to its countryside location.

RESOLVED

That planning application DC/17/2605 be refused for the following reasons:

- 01 The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority that the temporary residential

dwelling is essential to this countryside location, or reasonably required for the period of time proposed. The proposal therefore fails to represent the sustainable development of the countryside contrary to Policy 26 of the Horsham District Planning Framework.

- 02 The temporary residential dwelling has introduced an inappropriate, incongruous and obtrusive built form into a sensitive countryside location which fails to relate sympathetically to the character and visual amenity of the surrounding landscape, contrary to Policies 25 and 33 of the Horsham District Planning Framework.

The meeting closed at 7.38 pm having commenced at 5.30 pm

CHAIRMAN



Planning Committee North

Date: 4th September 2018

Report on Appeals: 21/07/2018 – 21/08/2018

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:-

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/18/0768	26 Pollards Drive Horsham	02/08/2018	Refused	N/A

2. Live Appeals

The following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/17/2534	Land Rear of Millers Mead Nuthurst Street Nuthurst Horsham	Written Representation	06/08/2018	Refused	N/A

3. Appeal Decisions

The following appeals have been determined by the Planning Inspectorate:-

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/17/1961	44 Brook Road Horsham	Fast Track	Appeal Dismissed	Split Decision	N/A

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4th September 2018

DEVELOPMENT: Demolition of a detached dwelling and erection of 14 residential units (3 no. affordable) with associated parking, landscaping, refuse/cycle facilities and the creation of an additional highway access onto Hayes Lane.

SITE: Welwyn Hayes Lane Slinfold Horsham West Sussex RH13 0SJ

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/18/0995

APPLICANT: **Name:** Mr Martyn Avery **Address:** 5A Fircroft Business Centre Fircroft Way Edenbridge TN8 6EN

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation have been received contrary to the Officer recommendation;
By request of Councillor Youtan

RECOMMENDATION: To delegate authority to the Head of Development to grant planning permission subject to the completion of a S106 agreement to secure the provision of on-site affordable housing, and appropriate conditions.

In the event that the legal agreement is not completed within six months of the decision of this committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 This application is for a residential redevelopment scheme to provide no. 14 dwellings (Class C3) within the Built-Up Area Boundary (BUAB) of Slinfold, in place of an existing dwelling. The housing mix, as amended, consists of 3 no. 2 bedroom dwellings; 3 no. 3 bedroom; 6 no. 4 bedroom; and 1 no. 5 bedroom. The applicant has indicated that it would be intended to provide three of the dwellings as affordable housing (1 x affordable rent and 2 x shared ownership). The scheme equates to a density of approximately 16 dwellings per hectare.

1.2 The dwellings would be arranged as terraced and detached properties, with allocated parking provided on private driveways and within garages. It is intended to provide

each of two bedroom properties with 1 car parking space; the 3 bedroom properties with 3 spaces each; and the four and five bedroom properties with 3 and 4 spaces each. 6 no. unallocated spaces would also be provided within the development, providing a total of 42 spaces for 14 dwellings.

- 1.3 All the proposed dwellings would be 2 storey in height; the tallest would have a maximum ridge height of some 9.6 metres. A varied palette of materials selected to reflect the local vernacular would be used (including red-brown facing brickwork; render; hanging tile; and clay and slate roofs). The proposed dwellings would be dispersed across the site, with a terrace fronting Hayes Lane and a more informal cul-de-sac to the rear. The terrace would be served by an existing single track driveway, with the 2 no. TPO trees adjacent to it retained.
- 1.4 The cul-de-sac development would be accessed via a new 5 metre wide roadway set south of the existing track driveway and frontage terrace. The dwellings would be set away from the south end of the site to allow for retained areas of vegetation and access onto the Downs Link Bridleway. Paths would be formed to allow access from the development onto the Downs Link and public open space at Six Acres. New tree and thicket planting would be provided between the Downs Link and new dwellings to provide a vegetative screen and filter views of the development.
- 1.5 The application is supported by a Stage I Road Safety Audit and Transport Statement; Planning Statement; Ecological Report and bat building assessment and Reptile survey; and Surface Water Drainage Appraisal.
- 1.6 Negotiations between Officers and the applicant have secured various changes to the original proposal; i) commitment to a Sustainable Drainage System, ii) additional allocated parking to rear plots 1, 2 & 14 and unallocated 4 no. car parking bay; iii) amended access and layout to accord with updated highway safety audit; iv) amended housing mix with plots 1 and 2 (originally 3 bed semis) changed to 3 no. 2 bed terrace affordable housing and their reposition closer to Hayes Lane in line with the existing street scene; v) removal of garage link to Plot 7; vi) commitment to mitigation measures to accord with updated ecology data; vii) retention of Preserved Horse Chestnut tree fronting Hayes Lane; viii) amended landscaping within development site

DESCRIPTION OF THE SITE

- 1.7 The site is currently the grounds of Welwyn, a small bungalow that sits in a large plot (some 0.83 hectares), located to the east side of Hayes Lane, a 30 mph residential lane. The plot is an irregular L-shape, with its narrower side adjoining Hayes Lane. At the time of visit the site, which is generally flat, was mostly cleared of trees with the exception of the boundaries.
- 1.8 The site is bounded on the western, northern and half of the eastern boundary by back gardens fences of properties along Hayes Lane and Six Acres (a 56 no. two storey dwelling development immediately to the northeast of the site). The remainder of the eastern boundary abuts the open green space south of Six Acres. To the south, the site abuts the Downs Link, a national trail, and the open countryside beyond. A tree-lined mound physically separates the site from the Downs Link.
- 1.9 The southern boundary with the Downs Link is an important feature in the landscape and positively contributes to the amenity of the public bridleway, green approach to the village and its landscape character. It filters some of the views of the site from the Downs Link. There are clear views of the site from residential properties to the north

and west. Only a small section (at the access point) is openly visible from Hayes Lane due to its shape.

- 1.10 The site is approximately 400 metres from the centre of Slinfold, a 'Medium Village' defined in Policy 3 of the HDPF. There is a continuous footpath one side of Hayes Lane which links to other footpaths and leads to the village centre (with post office, school and some shops).
- 1.11 In terms of planning policy constraint, with the exception of its southern end, the site is within the defined Built up Area Boundary. No development is proposed within this southern section, other than increased buffer planting. As such, although part of the site falls outside the settlement boundary of Slinfold, all physical development sits within the settlement boundary therefore the application is not considered to represent a departure from the development plan. The site is within Flood Zone 1, as defined by the Environment Agency, and partly in a Major Hazards Consultation Buffer Zone (due to the presence of Schenectady Europe Ltd within the business park 150m to the west of the site) and within the defined Bat Sustenance Zone. Gaskyns and its associated outbuilding, both Grade II Listed, are approximately 369 metres away east of the site. Slinfold Conservation Area is 385 miles distant to the north. Two Horse Chestnuts trees fronting Hayes Lane are subject of a Preservation Order (TPO/1488).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 - Settlement Coalescence
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

West Sussex Joint Minerals Local Plan (July 2018)
West Sussex Waste Local Plan (2014)

Parish Design Guidance
Slinfold Parish Design Statement (July 2006)

Supplementary Planning Document

Planning Obligations and Affordable Housing (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

RELEVANT NEIGHBOURHOOD PLAN

Slinfold Parish has produced a Neighbourhood Plan 2014 – 2031 which passed referendum in July 2018. Currently, it is anticipated the Plan will be formally 'made' at Full Council at the earliest opportunity. The Plan does not include any reference to the application site. Its relevant policies set out that development proposals will be supported:-

- Policy 3: Green Infrastructure
- Policy 4: Conserve and Enhance Biodiversity
- Policy 5: Development Principles
- Policy 6: Housing Mix

PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant

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

HDC Strategic Planning: Comment (summarised)

The site is located within the BUAB of Slinfold, a medium village as defined by policy 3 of the HDPF. The policy allows for development within towns and villages with defined BUABs, so long as it is considered to be of an appropriate nature and scale to maintain characteristics and function of the settlement.

Policy 15 of the HDPF (Strategic Policy: Housing Provision) sets out explicitly where provision will be made for at least 16,000 homes within the plan period. This development would contribute towards the 750 units identified through windfall development.

Policy 16 (3a) of the HDPF requires, on sites providing 15 or more dwellings, or on sites of over 0.5 hectares, 35% of all dwellings to be affordable. This application provides for 2 affordable units out of a total of 13, which represents 15% affordable housing. The application is therefore contrary to Policy 16 (3a). 5 affordable units would have to be provided to be compliant with Policy 16 (3a).

The application is not included within the emerging Slinfold NDP, however is considered acceptable in principle, subject to the comments made in relation to the application being contrary to Policy 16 (3a), and the Case Officer being satisfied that the application accords with Policies 32 (Quality of New Development), 33 (Development Principles). The Case Officer would also have to be satisfied that Policy 16 (2) was met viz. that the mix of different housing types and sizes for the site was appropriate in terms of the established character and density of the neighbourhood.

HDC Landscape Architect: Comment (summarised):

Recent design revisions and additional trees are welcomed but concerns are raised with the proposals along southern boundary. Given close proximity of the proposed road to G1, it is not clear how the mound slope will be dealt without removal of whole of G1. Removal will allow for views into development from the Downs Link. This will significantly change its amenity value. The development will result in adverse harm and this should be given consideration.

Also draw your attention to importance of buffer along eastern boundary. Planting should be added to immediately adjacent open space to enhance. Whilst this requires for tree planting/hedgerow planting to be added outside of the red line boundary this may be something the applicant is amenable to provide. This is even more significant on the western boundary.

A detailed landscape scheme has not been provided and it is expected these details will be dealt by condition should the development be allowed. Condition: hard and soft landscaping; landscape management and maintenance plan; fencing; landscape details.

HDC Environmental Health: Comment (summarised):

Recommend following conditions if application is approved: development shall not commence until a Construction Environmental Management Plan (CEMP) has been approved; if contamination not previously identified is found, the developer submits a remediation strategy detailing how this shall be dealt with; no soils shall be imported or re-used until demonstrated their suitability for the proposed use; all site clearance wastes and construction waste shall be removed from site

HDC Housing: No Objection (summarised)

The applicant has proposed a development consisting of 14 dwellings. Of these the applicant has proposed 3 units (21%) of affordable housing.

Given the number of affordable units proposed the applicant will find a limited number of Registered Providers willing to offer on the site. On this basis Housing Officers would support the provision of two intermediate tenure units and one affordable rented unit.

No mention is made of a potential affordable housing provider, and Housing Officers would urge the applicant to reach an agreement with a provider as soon as possible, in order to clarify and confirm tenure split, and secure funding arrangements for the affordable homes and ensure the layout and specifications of the affordable units meet the provider's requirements.

HDC Drainage Engineer: No Objection (summarised):

No additional comments to make. Impose pre-commencement condition (foul and surface water)

HDC Arboricultural Officer Comment (summarised):

The two amended drawings confirm a revised intention to retain both of the two Horse Chestnut trees at the western extremity of the site, trees protected under tree preservation order. Given these trees are now to be retained, I am happy to withdraw my objection. Other trees on site are of very modest merit, and extremely limited public amenity value. Proposed layout is designed to minimise shadowing upon rear residential gardens.

OUTSIDE AGENCIES

WSCC Highways: No Objection (summarised)

Initial comments:

WSCC raise no existing highway safety issues; no recorded casualties or collisions in the last 3 years in vicinity of site, no changes required to existing access, and principle of new access accepted as visibility meets required standards for 30mph road. Recommended 37 spaces are provided overall. Plan indicates total of 40 spaces. Stage 1 Road Safety Audit required, and further layout plan if applicant intends to put the internal access road up for adoption. Swept path drawing would confirm if turning head is acceptable for use by emergency services and refuse collection.

Final comments: No Objection

Submitted Road Safety Audit revealed 1 problem related to potential for parking on verges outside the access. The designer has responded by assuring the verge will be removed as part of the access works, and additional visitor spaces provided in the access road itself.

WSCC Right of Way: No Objection (summarised)

The Downs Link is a public bridleway that crosses land that is in private ownership. It would be necessary for the Applicant to have secured private rights of access from the landowner. This section of the Downs Link is well used, particularly by walkers and cyclists, and this location is quite dark. An access point must therefore have adequate sight lines to ensure the safety of public users. The exact location of an access point would therefore have to be agreed with WSCC to ensure its suitability, in advance of construction.

The access point must be designed so that it prohibits access by motor vehicles to the Downs Link. The maintenance of any structure that forms the access point, or any part thereof, would be entirely the responsibility of the Applicant to maintain.

Ecology Consultant: No Objection (summarised)

Initial comments:

Further information requested re: dormouse, foraging and commuting bats and habitats Regulations, Reptiles. Welcome retention of mature trees and shrub along the boundaries.

Final comments:

Data search results and interpretation have been provided. These confirm that dormice are not considered to represent a constraint, and that significant impacts to foraging and commuting bats (including those from nearby designated sites) are unlikely; and provide further details regarding proposed reptile mitigation. In event LPA minded to grant planning permission, a planning condition is proposed to secure site clearance and enhancements in accordance with Section 6 of the Preliminary Ecological Appraisal and Reptile Report.

Southern Water: No Objection

WSCC Flood Risk Management: No Objection (summarised):

Site at low risk from surface water flooding. Majority of development at low risk from ground water flooding. Existing surface water flow paths across site must be maintained or appropriate mitigation strategies proposed. Wholesale site level rise via the spreading of excavated material should be avoided. Proposed that sustainable drainage techniques be used to control surface water run-off from this development, with discharge to the main sewer at Greenfield rates. This method would, in principle, meet the requirements of the NPPF and associated guidance documents.

NHS Horsham & Mid Sussex Clinical Commissioning Group: No Objection

Health and Safety Executive No Objection (summarised):

Does not advise, on safety grounds, against the granting of planning permission in this case of a certain development within the Consultation Distance of a Major Hazard Site.

MEMBER CONSULTATIONS

Councillor Youtan requested this application be determined by Planning Committee.

PUBLIC CONSULTATIONS

Slinfold Parish Council: Objection

Slinfold Parish Council asks HDC REFUSE this application, but does support principle of this being development. Amendments to satisfy the points below likely to be supported (summarised):

Drainage: NPPF states development should give “priority to use of sustainable drainage systems”. Development proposes no surface water attenuation and to discharge straight into the sewer network unacceptable. Empirical evidence suggests there is not sufficient capacity. A balancing pond would constitute a sustainable drainage solution. When Six Acres built, there was substantial flooding. Surface water drained from the orchard (now removed), immersing the gardens from 50 to 47 Six Acres in water. HDC requested drainage works to the orchard. These houses will be subject to flooding without a preventative measure.

Ecology: Plans suggest removal of one of two TPO’s on Chestnut trees at front of site. Suggested life span of 10 years is highly speculative. Insufficient justification for removal. Removal of 48 trees from site already occurred. Desire to maintain an aligned street frontage does not outweigh preservation of these trees. Hayes Lane has staggered frontages and to retain the trees is consistent with rural character of lane. Management of invasive plant Montbretia should be mandated through condition. Bats regularly sighted.

Parking: Insufficient parking and will cause extra problems with loss of current parking outside the site. Appreciate street parking is causal and unprotected. However the provision of additional parking would help mitigate the impact of lost parking availability.

Mix of Housing: Current housing mix is not supported. Emerging Neighbourhood Plan details a suitable mix of 1, 2, 3, and 4 bed dwellings. Proposals has 7 no. 4+ beds and 6 no. 3 beds. Discussion on provisions of maisonettes not come forward.

Design: Gable to plot 4 over-imposing and blank. Garden separation by fencing not shown on plans. Resolution by condition.

Fifteen (15) no. letters of objection from Thirteen (13) different residential addresses have been received, including one letter made on behalf of three residential addresses. The letters raise the following issues;

- Destruction of a beautiful piece of countryside and beautiful historic house.
- Overdevelopment.
- Inappropriate in this location and would be a strain on existing infrastructure, including the local school.
- New houses fronting Haynes Lane unsympathetic with architectural view of lane (Victorian and synonymous with closure of the railway)
- Hayes Lane floods and extra runoff of water will add to this problem.
- When Six Acres built, gardens which back onto Welwyn flooded. In response drainage trench built. Require a suitable provision be included to ensure trench is protected.
- Already difficult to exit driveways due to on-street parking. Better to provide new access from Six Acres estate to rear
- Hayes Lane is very narrow and difficult for two cars to pass each other. Often parking on kerbs
- Hayes Lane will not be able to cope with the increased traffic associated with the proposed development, as well as 23 houses built at Hayeswood Development and 30 houses allocated as part of the Neighbourhood Plan.

- Not enough parking within development. The development will compromise existing on-street car parking arrangements, exacerbating existing problems in Hayes Lane.
- Extra noise caused by new homeowners would be detrimental to living conditions
- Construction noise and disturbance needs to be limited. Been an issue for 7 years.
- During build out of Hayeswood development, construction vehicles mounted the kerb putting pedestrians at risk.
- Overshadowing of south-facing neighbouring gardens
- Loss of privacy and neighbouring gardens overlooked. Suitable evergreen shrubbery should be planted to provide barrier
- Loss of trees has impacted on wildlife
- Invasive plant montbretia needs management
- TPO trees fronting Hayes Lane should be retained

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 ASSESSMENT

- 6.1 The main issues to consider in the determination of this application are the principle of the development in land use terms, having regard to identified housing need in the District; impact on the character and visual amenity of the locality; the appropriateness of the mix of dwellings proposed; the impact on the amenity of existing neighbouring occupiers and future residents; the impact of the development on the setting of nearby Listed Buildings; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety and; whether the development can be delivered without harming the interests of nature conservation, flooding and land contamination.

Principle of Development

- 6.2 The HDPF sets the strategy for growth within the District to 2031. It is the Council's position that it can demonstrate a five year housing land supply.
- 6.3 The application site is located within the Built up Area Boundary of Slinfold, a medium village as defined by policy 3 of the HDPF. Policy 3 of the HDPF (Strategic Policy: Development Hierarchy) confirms that development will be approved within towns and villages which have defined built up areas, provided it is of an appropriate nature and scale to maintain the characteristics and function of the settlement. This is considered to be the case here as discussed below. On this basis, and subject to all other material considerations as discussed below, the principle of development of the site for additional housing can be supported. It is noted that Hayes Lane was been judged to be a suitable location for additional residential development in the recent past; in 2014 permission to the rear of 1–25 Hayes Lane southwest of the site was approved for 23 dwellings and community facilities (DC/13/2042).

- 6.4 The Slinfold Neighbourhood has passed referendum and so carries near full weight in decision-taking. The application site is not included within the Neighbourhood Plan, however the Plan does not exclude appropriate development within settlement boundaries in accordance with Policy 3 of the HDPF. It is noted that Hayes Lane has been assessed through the neighbourhood plan process and a site south of this application site has been allocated for residential development for up to 15 units on land on the south side of the Downs Link Policy 8).

Impact on Character and the Visual Amenity

- 6.5 The Horsham District Landscape Capacity Assessment (2014) categories the area as having a low to moderate capacity for small scale housing due to the many landscape features and qualities of the area. The Assessment is explicit in its requirement to consider each proposal on its individual merits.
- 6.6 The existing site forms a large parcel of land that is now mostly cleared of trees with the exception of the boundaries. The small bungalow building on it is not of particular design merit and is set well back from the street frontage. It makes very little contribution to the character of Hayes Lane. The plot is significantly larger than surrounding plots and its irregular L shape is uncharacteristic. The surrounding housing is generally two storeys in scale (some with rooms in the roof). It comprises modern detached family houses at Six Acres, and smaller semi-detached pairs fronting Hayes Lane interspersed with detached, all of varied age.
- 6.7 The layout of the proposal has been amended to carefully locate and design the new development to retain a sizeable buffer of additional planting between it and the Downs Link. The exact detailing of the treatment of the mound to the southern boundary and the supplementary planting is to be secured by condition. At this point along the Downs Link users of the Link would perceive the new houses behind this planting and within their sub-urban context – that being on the edge of an existing settlement.
- 6.8 The new housing is considered a satisfactory response to the architectural and street-scene characteristics of its surroundings, as identified in the Slinfold Parish Design Statement. The brick exterior and detailing of the new buildings is compliant with the assessment of Hayes Lane set out in the Design Statement (in particular pages 12 and 13) The building design reflects the local vernacular, as does their two storey scale. The new terrace would front Hayes Lane, reflecting the linear arrangement and massing of buildings along the Hayes Lane. Views of the site are relatively constrained by boundary vegetation, with only glimpses of the site available from Hayes Lane and other vantage points. This means the dispersal of the remaining units across the site would not be perceived as being at odds with the established pattern of development in this part of Hayes Lane. It also allows for a differing ratio of built development to open land – one that is more akin to Six Acres than Hayes Lane. These subtleties in design and layout enhance the scheme's 'sense of place' whilst not derogating the transition between the suburban context of Six Acres and the countryside to the south and east.
- 6.9 Due to the siting of the proposed development and the separation distances involved, it is not considered the proposal will harm the special and historic character and appearance of any Designated Heritage Assets in the area, or their settings (and the relevant statutory tests related to their settings have been satisfied).
- 6.10 The plans indicate the existing tree group which along the entire southern boundary to be retained (annotated as G1). However, the Landscape Architect has advised that given the close proximity of the proposed access driveway it is not clear how the mound slope will be dealt without the removal of part of this tree group. The proposed

access would cut into the mound at its north-westernmost extremity necessitating some loss of vegetation, although the plans indicate the retention of the main trees at this point, and replacement planting.

- 6.11 As a result of this partial loss of vegetation, the proposal would allow for some increased views of the development from the Downs Link for the time it takes for the replacement planting to mature. However at this point the Downs Link opens out onto Hayes Lane where the western side is already built up and clearly urbanised. As such the short truncation of the mounding and removal of some of the vegetation at this point would not excessively urbanise the setting of the Downs Link at this point, particularly given the replacement planting that is proposed.
- 6.12 It is considered that any future pressures to remove trees to be retained in the rear gardens of the new dwellings would be eased by the garden depths. The eastern vegetation buffer to the adjacent open space is already established with much of the planting sitting outside the application site, thereby providing an adequate screen. It is not considered necessary to supplement this further in order to make the proposed development acceptable in planning terms.
- 6.13 Subject to conditions requiring final details of all trees to be retained, and condition to secure new planting as part of the landscaping for the development, the proposal would not harm the setting of the site, including that or the Downs Link.
- 6.14 For these reasons, the proposed development is of suitable design, scale and layout that would serve to protect the amenity value and character of the Downs Link and complement the character and visual amenity of the surrounding area, Heritage Assets, and wider countryside, in compliance with the requirements of both local and national planning policy.

Dwelling Mix and Affordable Housing

- 6.15 Policy 16 of the HDPF seeks to achieve a mix of housing sizes, types and tenures to meet the needs of the district's communities. The policy states that the appropriate mix will depend upon the established character and density of the neighbourhood. Policy 6 'Housing Mix' of the Slinfold Neighbourhood Plan supports housing developments which provide a suitable mix of one, two, three and four bed dwellings. The pre-text to this policy identifies a demand for medium sized properties, with the public consultation on the Plan highlighted a preference for single person properties as well as 3/4 bed properties. Consequently the Plan does not set out a preferred mix. The Council's 2016 Market Housing Mix study recommends that rural housing schemes are weighted in favour of 1, 2 and 3-bed properties.
- 6.16 The proposed housing mix would comprise 3 no 2 bed, 4 no. 3 bed, 6 no. 4 bed, and 1 no. 5 bed, including three 2-bed affordable units. Although the scheme provides for 7 dwellings with four bedrooms or more, given the broad housing need identified in the Neighbourhood Plan, and the established character of the immediate area being one of family homes, the proposed mix is considered to be in line with the requirements of the Neighbourhood Plan and Policy 16.
- 6.17 In terms of affordable housing, Policy 16 sets out the Council's thresholds and targets. On sites providing up to 14 dwellings, Policy 16(3b) requires 20% of dwellings to be affordable. In the development proposal, 3 no. 2 bed units would be affordable homes (1 x affordable rent and 2 x shared ownership). This equates to 21%.
- 6.18 It is noted that Policy 16(3a) requires sites of 15 or more dwellings, or more than 0.5ha in size to provide 35% affordable housing. The underlying purpose of including

a 0.5ha threshold is to avoid applicants underdeveloping sites to avoid the higher affordable housing requirement. In this instance there is no indication an intentional underdevelopment of this 0.86ha site has occurred. The southern end of the site, some 0.15ha, forms part of the Downs Link buffer and is not proposed to be physically developed to avoid harm to the setting of this public bridleway. Its inclusion within the application site is purely to allow for appropriate boundary planting and pedestrian links to the Downs Link to be provided and re-enforced. Furthermore, the layout, dwelling sizes and gardens of all proposed dwellings are closely commensurate to that which prevails in the surrounding area. Consequently it is considered that the density of development accurately complements that of the area such that no underdevelopment has occurred. Accordingly it is considered appropriate to apply the 20% affordable housing threshold as required for developments of 14 units under Policy 16(3b).

- 6.19 The proposed affordable housing reflects unit size requirements and waiting list demands, particularly for smaller homes (2 bed properties), as set out in the Council Planning Obligations and Affordable Housing SPD (2017). The overall affordable housing tenure target is to provide 70% of the total as Social/Affordable rented properties and 30% as Intermediate/shared ownership properties which in this case requires 2 x affordable rented units and 1 x intermediate (shared ownership) tenure.
- 6.20 The Planning Obligations and Affordable Housing SPD (2017) recognises that on smaller sites the Council may negotiate a revised mix having regard to the overall target and the site specifics, and in order to facilitate on-site delivery rather than commuted sums.
- 6.21 The applicant has approached seven Registered Providers with only two returns of interest. Following negotiations with these Registered Providers, the applicant is looking to secure a tenure mix of 1 x affordable rent unit and 2 x shared ownership. The applicant has received offer on this basis from one of the Registered Providers.
- 6.22 The Council's Housing Officer recognises that given the number of affordable units proposed the applicant will find a limited number of Registered Providers willing to offer on the site. This has proved to be the case. More positively, a Registered Provider has expressed an interest in taking on these 3 units, including one as affordable rent. On this basis, Housing Officers support this tenure mix. Given this, it is considered that the proposed tenure split can be accepted in this instance. The provision of affordable housing on site, if achieved, would be a significant benefit to the scheme.

Impact of the Amenity of Existing and Prospective Occupiers

- 6.23 The neighbours principally impacted upon by the proposed development are those that abut the site to the north and east (Six Acres), and west along Hayes Lane. Outlook across the area of land that would be developed will, inevitably, be altered and there would be a greater propensity for mutual overlooking.
- 6.24 Given the careful orientation of the new buildings and the intervening garden distances, it is considered intrusive rear window-to-window overlooking and unacceptable loss of privacy would be avoided. The shortest intervening garden distance in relation to Six Acres would be some 21 metres (between the new unit 8 and No. 49 Six Acres). The distances in relation to Hayes Lane are more generous still; some 35 metres plus. Such distances are commensurate to those already established in the area and would be sufficient to negate adverse overshadowing and overbearing impacts in line with the Council's design guidance. The proposed terrace

would sit alongside 1 Council Cottages and as such would not result in a harmful loss of light or outlook to this property.

- 6.25 The most sensitive relationship would be between new units 9 and 10 with No. 44 Six Acres. No. 44 Six Acres has a number of first floor windows facing due west across the application site. The proposed development layout places units 9 and 10 at a suitable diagonal to this window such that given the separations it is not considered that a harmful level of inter-overlooking would occur.
- 6.27 Due to the acceptable separation distances involved and the relationship of the development onto existing properties, the comings and goings of vehicles or the use of the parking areas and rear gardens, would not result in unacceptable levels of disturbance to neighbours, including those directly opposite the proposed access.
- 6.28 Each new dwelling is of a good size with good access to natural light and outlook, and each would have its own rear garden. As such the development has been designed in such a way so as to ensure a pleasant living environment for prospective occupiers.
- 6.29 Concerns have been raised over the impact of construction works on the amenities of existing residents. A comprehensive Construction Environmental Management Plan (CEMP) is recommended by condition to help reduce noise, dust, and disturbance impacts during the construction phase. This would include limiting the hours of construction and deliveries, and control of the parking of contractors vehicles and storage of materials. The controls and measures of this CEMP would be sufficient to safeguard the amenities of existing residents.
- 6.30 Subject to this condition, the proposed development would have an acceptable impact on the amenities of adjacent residents in accordance with Policies 32 & 33 of the HDPF.

Access, Parking and Highway Safety

- 6.31 Evidence from site visits suggest demand for on street parking is already high in the local area, with vehicles parked on the verges and straddling the footway. The new access would remove some current informal on-street parking capacity. In order to address this, 4 additional on-street spaces are now proposed within the development site itself, close to the new access. Overall, the scheme would provide for 21 car parking spaces, 15 garaged spaces, and 6 unallocated spaces, making a total of 42. This is considered an appropriate level of parking across the site to avoid overspill parking in the local road network and is in excess of the WSCC recommended 36 spaces.
- 6.32 Amended plans have overcome the concern identified in the Stage 1 Safety Audit relating to potential parking on the verges outside the new access. The designated 4 space parking bay within the development site itself will ensure that suitable visibility splays can be achieved for the new site access. It also means the new access and visibility splays would not result in a net loss of on-street car parking on Hayes Lane. This will ensure that there is no displacement of existing on-street parking (which is important given the local demand).
- 6.33 The other issue raised by the Safety Audit relates to the provision of raised kerbs immediately to the north and south of new access, with dropped kerbs only provided outside the private access and Downs Link crossing point. This will be addressed through the necessary S278 highways agreement. In light of the above amendments, the Highway Authority is satisfied the proposed access arrangements are now

acceptable. The visibility at the site access and low vehicle speeds on Hayes Lane, and the access location relative to existing junctions, means highway and pedestrian safety will not be harmed. The provision and subsequent retention of the new parking bay within the development site could be secured by condition.

- 6.34 The Transport Statement indicates the development will result in a net increase of 10 vehicular trips during the morning peak hour and eight vehicle trips during the evening peak hour. Over a daily profile this could amount to an additional 77 vehicle movements. These comings and goings associated with the development would not have a harmful impact on traffic flows or contribute to traffic congestion on the local road network. There is adequate spare capacity in the local road network to accommodate the associated additional vehicle movements, without harmful impact on the safe operation of the highway, even having regard to the narrower sections of Hayes Lane.
- 6.35 It is considered that sufficient space would be made available within the garages or rear gardens of properties to provide suitable facilities for the storage of cycles and refuse/recycling bins. WSCC are satisfied the proposed garages meet their standards, which all have rear access so refuse can be stored in the rear garden and wheel through on day of collection to kerb site.
- 6.36 For these reasons the proposed development would have an acceptable impact on highway safety and the amenity of the area, providing sufficient onsite parking, in accordance with Policies 40 and 41 of the HDPF.

Ecology and Biodiversity

- 6.37 The applicant has undertaken ecological surveys that have established the impact of the proposal on protected species and their habitat, including whether the site provides foraging ground for bats. The surveys have been undertaken in accordance with best practice guidance. The Council's Ecologist considers these reliable and suitable to inform appropriate mitigation strategies.
- 6.38 Habitats within the site boundary are common. No protected bird species were found to be present and using the site. Nesting tree and scrub habitat would be enhanced by the proposed planting along the south boundary, which will improve connectivity of the site to the wider landscape. The Ecology report concluded capacity of bat foraging within the site boundary is likely to only support low numbers of common species; the flight lines of foraging barbastelle bats roosting in The Mens SAC Woodland do not reach the site. The Reptile Survey recorded a small population of slow worms and an individual common lizard.
- 6.39 Mitigation measures have been put forward (including the translocation of reptiles and the maintenance and management of suitable wildlife/landscape buffers around the perimeters of the site) to protect the nature conservation interests of the site. Through consultation with the Council's Ecologist, it is considered any harmful impacts of the development on protected species and their habitat could be adequately mitigated in accordance with the recommendations of the Preliminary Ecological Appraisal and Reptile Survey Report. These mitigations are secured by condition.

Drainage

- 6.40 Although the final details would be reserved by condition, the intent is to provide a Sustainable Urban Drainage System (SUDS) to address surface water quantity and quality. The sustainable drainage system would include permeable paving combined with below ground attenuation crates to provide temporary storage for run-off water

from the site during rainfall events, before releasing the water into the downstream sewer or watercourse, at a controlled rate to match current run-off conditions

- 6.41 The Council's Drainage Technician has confirmed the proposed drainage strategy is acceptable and appropriate and that the final details could be controlled through condition. Subject to this condition the proposed development would not increase the risk of flooding in the site or local area in accordance with local and national policy

Conclusion

- 6.42 The site is not allocated in either the HDPF or the emerging Slinfold Neighbourhood Plan. However, the development of this site is within the Built up Area Boundary of Slinfold and is therefore in compliance with the HDPF spatial strategy.
- 6.43 This proposal would inevitably change the character of the site and its immediate surroundings, however any harm is considered to be limited by virtue of the orientation and layout of the proposed dwellings on the site and the proposal for a landscape buffer to the southern end of the site. Overall the proposal would suitably preserve the key landscape characteristics of the area and be of a layout and design that would complement the character of this part of Slinfold. The proposed development will deliver 3 affordable units on-site, including one affordable rent unit which in this instance is considered an acceptable level of affordable housing.
- 6.44 There are several material considerations that weight in favour of development, including the contribution the development would make toward housing supply in the Parish of Slinfold and the wider district, and the capacity within the local highway network to safely cater for the development. In addition, the impacts can be suitably protected through the suggested conditions to control hours of construction operation and to secure final design and landscape details. It is considered no material harm would arise onto other material planning considerations, including; neighbouring amenity, parking and highway safety, ecology, drainage, and designated Heritage Assets.
- 6.45 For these reasons the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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	1944	115.1	1828.9
		Total Gain	
		Total Demolition	115

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

That planning permission be approved, subject to the completion of a S106 agreement to secure the provision of on-site affordable housing and the following conditions:

Conditions:

1. **Regulatory Condition:** Approved Plans List
2. **Regulatory 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 Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and relevant phase. The CEMP shall provide for, but not be limited to:
 - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
 - ii. Details of how residents will be advised of site management contact details and responsibilities
 - iii. Detailed site logistics arrangements, including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil)
 - iv. Details regarding parking or site operatives and visitors, deliveries, and storage;
 - v. The method of access to and from the construction site
 - vi. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc.
 - vii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination
 - viii. Locations and details for the provision of wheel washing facilities

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details. Any trees or hedges to be retained on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground 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).

6. **Pre-commencement Condition:** No development shall take place, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, unless in strict accordance with the ecological mitigation and enhancement recommendations set out in the ARB1000: Preliminary Ecological Appraisal and Bat Building Assessment dated 11th Dec, separate letter ARB1000_Welwyn Slinfold dated 29th June 2018, and AEB100: Reptile Survey Report dated 9th July 2018 by ARBECO Ltd.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

7. **Pre-Commencement Condition:** No development shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal by way of a Sustainable Drainage System (SuD) methodology that would also restrict surface water draining onto the public highway has been submitted to and approved in writing by the Local Planning Authority. The SuDs drainage strategy so approved shall be completed prior to the occupation of the dwelling houses hereby permitted.

Reason: As this matter is fundamental to ensure that the development is properly drained and in the interests of road safety to comply with Policies 38 and 40 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 buildings has been 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-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 will 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).

10. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all retained and proposed planting and seeding, including schedules specifying species, planting size, densities and plant numbers, and tree pit and staking/underground guying details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping 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).

11. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12. **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of bicycles, refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of bicycles, refuse and recycling facilities in accordance with Policies 33 & 41 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable), turning and access facilities necessary to serve it have been constructed and made available for use in accordance with the approved drawings. 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).

15. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until the vehicular access serving the development has been constructed in accordance with the approved planning drawings. The access shall include a rumble strip to delineate the start of

the shared surface arrangements and include all Road Safety Audit recommendations. The proposed site vehicular access shall provide for visibility splays of 2.4 metres by 43 metres and pedestrian visibility splays of 2 metres by 2 metres onto Hayes Lane. Once provided the access and visibility 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).

16. **Pre-Occupation Condition:** The dwelling unit 9 hereby permitted shall not be occupied until the first floor en-suite window in the east elevation has been fitted with obscured glazing. No part of that window that 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until details of the footpath connections from the site to the adjacent PRow (Downs Link) and open space south of Six Acres as detailed on drawing no. 18-415-04 Rev E received on 30 July 2018 have been submitted to and approved in writing by the Local Planning Authority. The footpath links shall be constructed in accordance with the approved plans and details and be open for use concurrent with first occupation of the development. The footpath links shall be retained as such thereafter.

Reason: To ensure the connectivity of the site with surrounding infrastructure and safeguard the rights and safety of the public using the PRow network in accordance with Policies 32 & 33 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

20. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

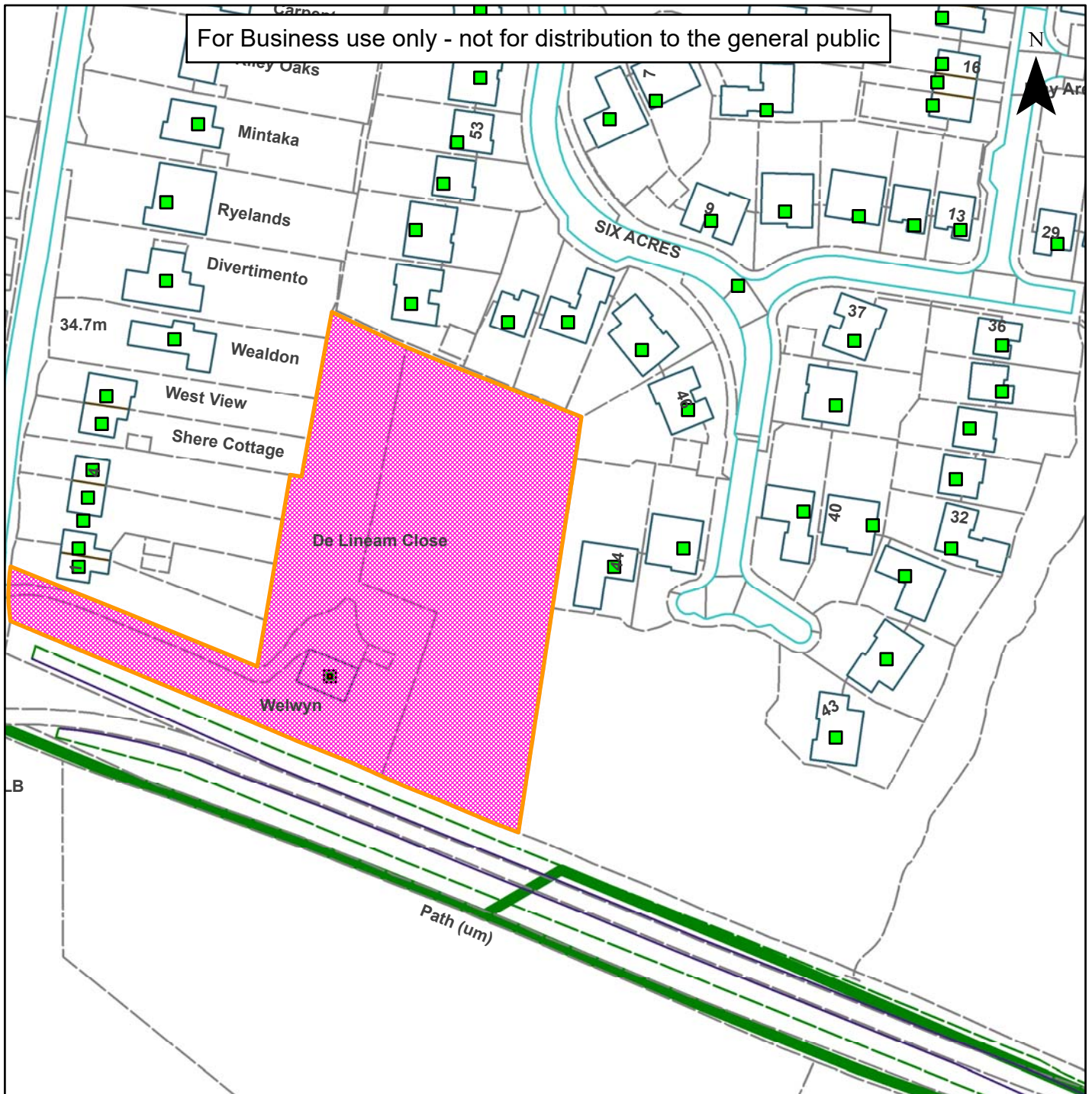
Reason: In order to safeguard the character and visual amenities of the new development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0995

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/08/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 7 August 2018

DEVELOPMENT: Change of use of existing coach house to independent three bedroom dwelling with associated landscaping.

SITE: Friars Field Brighton Road Monks Gate Horsham West Sussex RH13 6JD

WARD: Nuthurst

APPLICATION: DC/18/0263

APPLICANT: **Name:** Mr Roderick Bisset **Address:** Friars Field Brighton Road Monks Gate Horsham West Sussex RH13 6JD

REASON FOR INCLUSION ON THE AGENDA: The recommendation would represent a departure to the development plan.

RECOMMENDATION: To grant planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks planning permission for the change of use of ancillary residential accommodation with the curtilage of Friars Field in Monks Gate to a separate and independent dwelling.

1.3 The property would provide three bedroom accommodation with an open plan kitchen, dining and living area on the ground floor. Following amendments to the proposal, access to the property from the highway (Brighton Road) would utilise the existing access to Friars Field. Two parking spaces would be provided for the proposed property with sufficient space remaining within the wider site for the parking of vehicles associated with Friars Field. The proposal includes the use of the garden area in front of the outbuilding as the garden for the proposed dwelling.

1.4 Alterations to the property to facilitate the change of use include the addition of three new windows to the south west elevation (one at first floor level and one two at ground floor level) and one new window to the north west elevation at ground floor level, inserting patio doors within the current garage door opening, changing a door to a window on the south east elevation and a small extension to infill an overhanging roof element.

DESCRIPTION OF THE SITE

- 1.5 The application relates to a two storey 'coach house' located within the curtilage of Friars Field. The site is located within Monks Gate, close to the small industrial/garage site when heading south towards Cowfold. The site is accessed directly off Brighton Road (A281).
- 1.6 The site is located outside of any defined built-up area boundary and is therefore located within the countryside for planning purposes. The wider site hosts a detached two storey property with rooms in the roof-space and the detached 'coach house' building which is sited to the south of the host dwelling. The 'coach house' itself provides garaging and storage facilities on the ground floor with ancillary living accommodation (open plan living, kitchen, dining facilities and an en-suite bedroom) at first floor level.

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

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 30 - Protected Landscapes
- 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

Supplementary Planning Guidance:

- 2.3 Planning Obligations and Affordable Housing Supplementary Planning Document (SPD) – September 2017

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Parish of Lower Beeding was designated as a Neighbourhood Development Plan Area in December 2015. To date however no 'made' neighbourhood plan has been produced for the Parish.

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.5 The below applications are the most recent and relevant application relating to this site:

DC/06/1532	Loft conversion, alter dormers.	Application Permitted on 15.08.2006
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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 **HDC Strategic Planning:** Objection – the proposal would conflict with paragraph 55 of the NPPF as the site is not isolated and policies 4, 15 and 26 of the HDPF as the site is not allocated for residential development, does not meet any identified local need and is not essential to its countryside location.

3.3 **HDC Landscape Architect:** Acceptable in principle however further information required to determine the extent of planting to be removed along Brighton Road and potential harm to the landscape and visual character of the area.

OUTSIDE AGENCIES

3.4 **WSCC Highways:** No Objection – following amendments to the scheme to utilise the existing access into the site rather than constructing a new access, there would be no 'severe' impact on the operation of the highway network.

3.5 **Southern Water:** Recommends conditions/informatives relating to the requirement for an application for connection to the public sewerage system and alternative means of draining surface water being investigated.

PARISH COUNCIL

3.6 **Lower Beeding Parish Council** – Objection relating to the conflict with policy in respect of dwellings within gardens, unacceptable density and overdevelopment of the site, unsuitable access, unsustainable location and not put forward as part of the Parish Council's call for sites.

3.7 **Nuthurst Parish Council** (as a neighbouring Parish Council) – Objection relating to suitability of an additional access onto the A281 and the creation of a dwelling within the curtilage of an existing property.

PUBLIC CONSULTATIONS

3.8 Four letters/emails of objection have been received which can be summarised as:

- Site not allocated within the neighbourhood plan.
- Highway safety concerns.
- Impact on neighbouring amenity as a result of additional vehicle movements into/out-of the site and the location of the private amenity space.
- Potential for overlooking of neighbouring property.
- Insufficient parking on the site.

- Tight turning circle within the site.
- Loss of mature Cherry tree.
- Condition of permission for the 'coach house' restricted its use to incidental purposes only.

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 The main issues in the consideration of this application are the principle of the development in this location and the effect of the development on:

- The character and the visual amenities of the locality;
- The amenities of the occupiers of adjoining properties;
- Highway safety.

Principle of development

6.2 Policy 2 of the HDPF seeks to maintain the District's unique rural character, whilst ensuring that the needs of the community are met through sustainable development that has suitable access to services and local employment. The spatial strategy as set out in the HDPF is to focus development in and around the key settlement of Horsham and allow for growth in the rest of the District in accordance with the identified settlement hierarchy. Policy 3 of the HDPF states that development will be permitted within towns and villages which have a defined built-up area. The site the subject of this application is located outside of any defined built-up area boundary.

6.3 As the application site lies outside of any settlement boundary, it is considered for the purposes of planning policy to be within a countryside location. The development would therefore be contrary to the approach set out in policies 2 and 3 of the HDPF. In addition, there is no evidence to suggest that the proposed dwelling would be essential to its countryside location, and the proposal would also therefore conflict with Policy 26.

6.4 However, the proposal seeks to change the use of an existing building located within the confines of Monks Gate from ancillary residential accommodation to a separate and independent property. Monks Gate, whilst currently an unclassified settlement within the HDPF without a defined built-up area boundary, was put forward to be allocated as a secondary settlement within the Local Plan Review – Issues and Option document (April 2018). The aim of 'secondary settlements' is to identify hamlets which may be able to support a degree of infill to support rural communities. This could be through the provision of rural worker accommodation or the conversion of existing buildings to residential. The suggested policy wording within the issue and options document suggests that planning permission will be granted for residential infilling within defined secondary settlements provided that the site is a small gap or plot within an otherwise built-up settlement form; is limited in scale to reflect the existing scale and character of the settlement function and form; and does not result in

significant increase is activity including traffic movement on narrow and rural roads. Whilst the local plan review is at an early stage and therefore can only be afforded limited weight, it does set out the thoughts and direction of the Council in terms of development in rural areas in the near future. The new dwelling would not be considered in isolation given it sits within an existing settlement, which the Council acknowledges through the local plan review could accommodate limited development.

- 6.5 In addition, paragraph 78 of the new NPPF (July 2018) sets out that, in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 advises that development of isolated homes in the countryside should be avoided unless it meets one or more of a number of circumstances set out. One of the criteria within the new NPPF is where "...the development would involve the subdivision of an existing residential dwelling." Whilst the coach house building is a detached structure, it has been used for purposes ancillary to the main dwelling known as Friars Field and is therefore the existing house and outbuilding is considered to be a single planning unit. The new NPPF therefore offers support for the development as proposed.
- 6.6 The proposal, whilst located outside of any defined built-up area at present, involves the subdivision of a single planning unit into two separate and independent units of residential accommodation. The building is existing and the proposal involves limited works to the structure and is located within the confines of Monks Gate. As such it is considered that the conversion of the existing coach house to an independent three bedroom dwelling would accord with the relevant guidance and policies as contained within the NPPF and would be in accordance with the Local Plan Review: Issues and Options document.
- 6.7 The application is also considered appropriate given that the existing building is currently being used for residential purposes and the change of use to a separate dwelling would not result in any significant harm (as outlined below). The proposal is therefore considered sustainable development. Whilst the proposal is contrary to the development plan in relation to development in the countryside, given the lack of any harm caused by this proposal and the inclusion of the site as a 'secondary settlement' within the Local Plan Review, the departure from the Local Plan is considered appropriate, in this instance, taking into account these material considerations.

Impact on the character and the visual amenities of the locality

- 6.8 Policy 32 requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. Policy 33 relates to development principles and requires development, amongst other matters, to recognise any constraints that exist, to not cause unacceptable harm to the amenity of surrounding occupiers through overlooking or noise, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.9 The proposal involves the change of use and alterations to an existing building located within the curtilage of Friars Field. Alterations to the building to facilitate the change of use include the addition of three new windows to the south west elevation and one new window to the north west elevation, inserting patio doors within the current garage door opening, changing a door to a window on the south east elevation and a small extension to infill an overhanging roof element.
- 6.10 The proposal indicates the retention of existing trees and hedgerow around the outbuilding. There is an existing tree adjacent the entrance to the building. With the use of the building as a dwelling, the occupiers may wish to remove the tree. However, given the scale of the tree and its position within the garden, the tree is not worthy of retention. A landscaping condition is recommended to ensure that the proposal includes a suitable garden area for

the new dwelling with the retention of existing trees and hedgerows as well as additional planting.

- 6.12 Given the limited nature of the works proposed and the fact that the building already has a residential appearance, it is not considered that the proposal will result in an adverse impact on the character or appearance of the building or on the wider locality. The proposal is therefore considered to comply with policies 32 and 33 of the HDPF.

Impact on the amenities of the occupiers of adjoining properties

- 6.13 Policy 33 relates to development principles and requires development, amongst other matters, to not cause unacceptable harm to the amenity of surrounding occupiers through overlooking or noise.
- 6.14 Whilst the majority of windows within the property will overlook the garden area of the neighbouring property at Friars Field, the windows will overlook an area of the garden that will be visible when accessing the new property from Brighton Road and Friars Field retains a large private rear garden area which will not be impacted upon as a result of the conversion of the ancillary accommodation to a separate property. Therefore given that independent overlooking will only occur within the front garden area of the neighbouring property, this is not considered to impact on their amenity to a degree that would result in a refusal of the application.
- 6.15 In terms of windows overlooking the neighbouring property to the east at Chatsworth, with the exception of a small window to the ground floor, no additional windows are proposed. Whilst a number of these windows may result in some overlooking of the neighbouring property, these windows are to a landing and bedroom at first floor level and are existing windows to the landing and bedroom of the ancillary accommodation. Given that these windows already exist, and the building is already providing residential accommodation, it is considered that there will no significant harm resulting from the change of use of the property from ancillary accommodation to a separate dwelling.
- 6.16 For the reasons outlined above, it is not considered that the use of the existing garage and ancillary accommodation will have a significant adverse impact on the privacy and amenity of the occupiers of the adjacent properties sufficient to warrant refusal of the application. As such, the proposal is considered to comply with Policy 33 of the HDPF.

Highway safety

- 6.17 Policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. Policy 41 aims to ensure that developments are served by adequate parking facilities including provision for cycle, motorcycle, low emission vehicles and the mobility impaired.
- 6.18 The proposal as originally submitted included the construction of a new access off Brighton Road (A281), however following concerns raised by WSCC Highways, access to the property will be via the existing access. This access will provide access to both the new dwelling and Friars Field. Two parking spaces will be provided for the property with sufficient space being retained within the wider site for the parking of vehicles associated with Friars Field.
- 6.19 WSCC Highways, having visited the site, have advised that the existing access is substandard however this is an existing access which currently serves the dwelling and associated annexe. It has been recommended that a condition is imposed requiring the submission of details prior to occupation of the development showing maximum visibility splays at the site access onto Brighton Road.

- 6.20 In respect of parking provision, it has been advised that the two spaces proposed are sufficient for a dwelling of the size proposed and that the proposed spaces meet the required dimensions. In addition, a swept path plan demonstrates that there is sufficient space on site to turn and enable cars to exit in a forward gear.
- 6.21 Given the advice received by WSCC as the Local Highway Authority, it is considered that, subject to conditions, the proposal will provide safe access arrangements and sufficient car parking and therefore complies with the relevant highway related policies in the HDPF.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.21 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.22 **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	138.58	137.24	1.34
		Total Gain	1.34
		Total Demolition	0

- 6.23 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.24 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 It is recommended that planning permission is 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 (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).

- 4 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 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, 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).

- 6 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary treatments 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).

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) 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).

- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development 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 approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of maximum visibility splays at the site access onto Brighton Road shall be submitted to and approved in writing by the Local Planning Authority. These splays shall be provided prior to first occupation of the development hereby permitted and shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

- 12 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A and B of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and in order to protect the privacy and amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **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 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Notes to Applicant:

- 1 **Conditions to be discharged:** Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms .

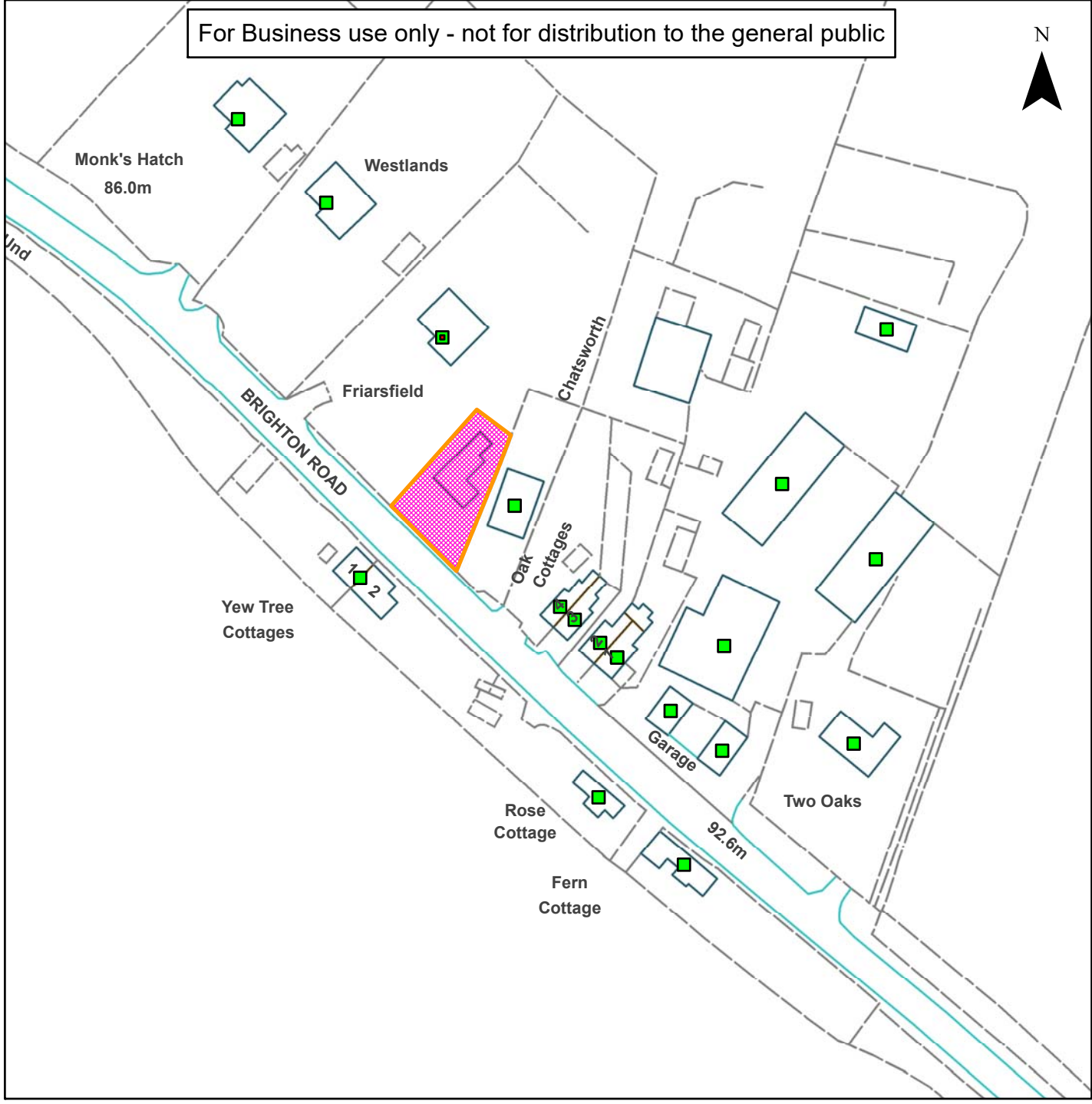
- 2 **Wildlife Protection:** The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.
- 3 **Highways:** The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.

Background Papers: DC/18/0263



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Comments	Not Set
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MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 September 2018

DEVELOPMENT: Erection of a two storey side extension and replacement detached garage. Application following previously approved application DC/15/1934 (erection of a two storey side extension and replacement detached garage).

SITE: 20 Abbots Leigh Southwater Horsham West Sussex RH13 9HX

WARD: Southwater

APPLICATION: DC/18/1486

APPLICANT: **Name:** Mr D Kitson **Address:** C/O Speer Dade Planning Consultants

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period contrary to the officer recommendation

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the erection of a two-storey side extension together with the replacement of the existing detached timber garage with a brick built garage.

1.3 The proposed side extension would project out from the side wall of the house by 4.05metres and extend to a depth of 8metres at ground floor level and 7metres at first floor level. The proposal would extend the existing ridge of the house, but would be set back from the front all of the house at first floor level. The proposal represents an increase of approximately 38sqm footprint within a curtilage of approximately 510sqm. The proposal would incorporate a mono-pitch roof to the front elevation above the proposed lounge window, with a first floor secondary window to the south side providing additional light to the new en-suite bedroom.

1.4 Though the proposal would result in the loss of the attached garage to the side, however a replacement detached garage is proposed within the rear garden, with dimensions of 6.0metres by 3.0 metres with a ridge height of 4metres, which would occupy the same position as the existing timber garage/outbuilding. It is noted that the proposed and existing garage whilst abutting the Buffer Zone at the rear of the property, would not be within it.

Further it was noted at the time of the site assessment that there is already a lowered kerb off Turners Close providing vehicular access to the existing garage.

- 1.5 The current proposal is a resubmission of approval DC/15/1934. This permission was granted on the 12/10/2015 which expires on the 12/10/18.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises a two-storey semi-detached house on the east side of Abbots Leigh, on the corner with Turners Close to the south, located within the built up area of Southwater.
- 1.7 The site is surrounded by a mix of detached and semi-detached two storey properties, most of which are positioned along a continuous build line set back from the public highway. A number of these properties include two storey side extensions, many of which extend up to the boundary of the property. In contrast, properties within Turners Close are in a more irregular pattern
- 1.8 The direct neighbouring properties are positioned to the north of the application site, with detached properties positioned to the far east of the site, within Turners Close, which is separated by a Buffer Zone of 10metres width. The properties along Abbots Leigh are built in line with the application site, with the residential property of 1 Turners Close oriented at 90 degrees and positioned at a distance of approximately 28m from the rear elevation of the application dwelling.
- 1.9 The application site is bound by a brick wall and hedging to the southern elevation, with close-boarded fencing and hedging separating the neighbouring properties to the north and east.

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:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Supplementary Planning Guidance:

- 2.2 Southwater Design Statement 2011

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 Southwater Parish Neighbourhood Plan Area (as amended) was designated in 2016. The preparation of the plan is in progress.

PLANNING HISTORY AND RELEVANT APPLICATIONS

HR/205/83	Two storey extension comprising extension to third bedroom and lobby.	Application Permitted on 05.12.1983
SQ/100/94	Erection of 30 houses with garaging associated works and access (outline) Site: Abbots Leigh (Land At) Southwater	Application Refused on 21.11.1994
DC/15/1934	Erection of a two storey side extension and replacement detached garage	Application Permitted on 12.10.2015
DC/17/2636	Erection of new two storey attached dwelling	Application Refused on 14.06.2018

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

PUBLIC CONSULTATIONS

- 3.2 Southwater Parish Council: Parish to provide comments at Committee
- 3.3 15 Letters of objection were received from individual neighbouring households. Which raised the following concerns:
- Ingress into the Buffer Zone
 - Non-severance to maintain a single residential unit
 - Garage larger than existing
 - Parking/turning issues for residents in Turners Close
 - Materials for the garage are not matching as stated

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 The application seeks full planning permission for the erection of a two storey side extension and detached garage.

Principle of development

- 6.2 HDPF Policies 32 and 33 (Quality of Development and Design Principles) are relevant to this proposal. These policies seeks to ensure high quality and inclusive design for all development in the district and ensures that development; complements locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding

area, and uses high standards of building materials, and finishes and ensures that it is designed to avoid unacceptable harm to the amenity of occupier/users of nearby property and land either through overlooking or noise disruption and has regard to the sensitivities of surrounding development.

- 6.3 The land is located within the built up area of Southwater and as such, the addition of structures to existing buildings and property is acceptable in principle, subject to the development not having an adverse impact on the existing character of the building, streetscene or amenities of neighbouring properties.
- 6.4 The proposal would extend to a width of 4.1m and a depth of 8m, and would incorporate a pitched roof measuring to a total height of 7.2m to match the existing dwelling. The proposal would measure to a total footprint of 32.8sqm, and would sit within a curtilage of approximately 510sqm. The proposed dwelling would incorporate a mono-pitched roof to the front elevation, with tile hanging to the upper level, with a first floor secondary side window opening to the bedroom.
- 6.5 A number of properties within the locality include two storey side extensions which have extended the built form up to the boundary of the respective site. Examples of such development include 5, 9, 11, 17, and 18 Abbots Leigh, which incorporate first floor and two storey side extensions. In some instances, the proximity of the built form to the boundary has reduced the physical gaps and open views through the site, resulting in a terracing effect, which would not however occur in this instance. The scale of these buildings, coupled with the proximity to one another has though broadly eroded the physical and visual separation that defines the character of detached and semi-detached dwellings within the area.
- 6.6 The application site is positioned on a corner plot, and in contrast to many of the neighbouring properties, remains predominantly as originally built. The proposed addition is considered to be of a scale, size, and massing that would reflect similar extensions to dwellings in the street scene. It is also acknowledged that there is an extant permission on the application site for a two storey side extension of similar form and appearance to that proposed thus the presence of this extant permission is a material consideration in the assessment of this scheme. Given this, the built form of the proposed development, within the context of the street, has been accepted by this previous approval.
- 6.7 Whilst a number of objections have been received regarding the proposal these do not relate to the two-storey extension, which is broadly accepted in principle, but are directed more around the impact that the development would have on the Buffer Zone, located to the rear eastern end of the application site. Provisions relating to this Buffer Area (separating the existing development of Abbots Leigh from Turners Close) were contained with the Section 106 Agreement relating to Planning Application SQ/4/99, which was completed on 19th October 2000.
- 6.8 It is noted that the letters of representation, have stated that the existing garden building which is to be replaced as part of the proposal, with the submitted drawings/measurements being inaccurate. From previous site visits which measurements were taken confirmed that the drawings were correct and the buildings located as drawn, which is further confirmed from the recent site assessment in relation to the current application, it is the view of officers that the Buffer Zone would remain generally unimpeded by the proposal.
- 6.9 With regard to the issues relating to the vehicular access to the application site, the Buffer Zone is separate to the existing vehicular access to the site.
- 6.10 It is therefore considered in light of the above, that the proposed development reflects the scale, massing, and appearance of similar built form within the locality, and that of the approved extension, and is considered to relate sympathetically to the character and

appearance of the site and surroundings, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.11 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.12 The proposed extension would be built in line with the existing dwelling, and would extend to a width of 4.1m, set back from Turners Close by approximately 3.6m. The proposal would incorporate front and rear facing ground and first floor windows, with a first floor window facing south, serving as a secondary bedroom window.
- 6.13 The proposed extension would be positioned between approximately 20m and 25m from the neighbouring properties to the south and east respectively.
- 6.14 Given urban nature and character of the locality, a degree of mutual overlooking is usually anticipated and accepted. The proposed development is considered to provide acceptable spacing between the site and the neighbouring properties, and as such is not considered to result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 6.15 In conclusion the proposal is considered to accord with the aims of Policy 33 of the Horsham District Planning Framework and Design Guidance Advice Leaflet No1 – Householder Extensions

Other Matters

- 6.16 Reference is made in the letters of objection to the use of the extension as a separate dwelling. This concern follows the recent refusal of an application for an additional dwelling on this site which took the form of an extension (DC/17/2636). Residents request that a non-severance condition is imposed that would restrict the use of the extension so that it could not be used as a separate dwelling. It would not be best practice to impose such a condition with an extension which directly links to the existing dwelling, and extensive internal works would be required to convert the extension into a separate dwelling. . Additionally, the formation of a separate dwelling would require a separate planning permission in any event.

7. RECOMMENDATIONS

Approval recommended in accordance with the following conditions:

Conditions:

- 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 Application form and Plan KP1A (Garage).

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).

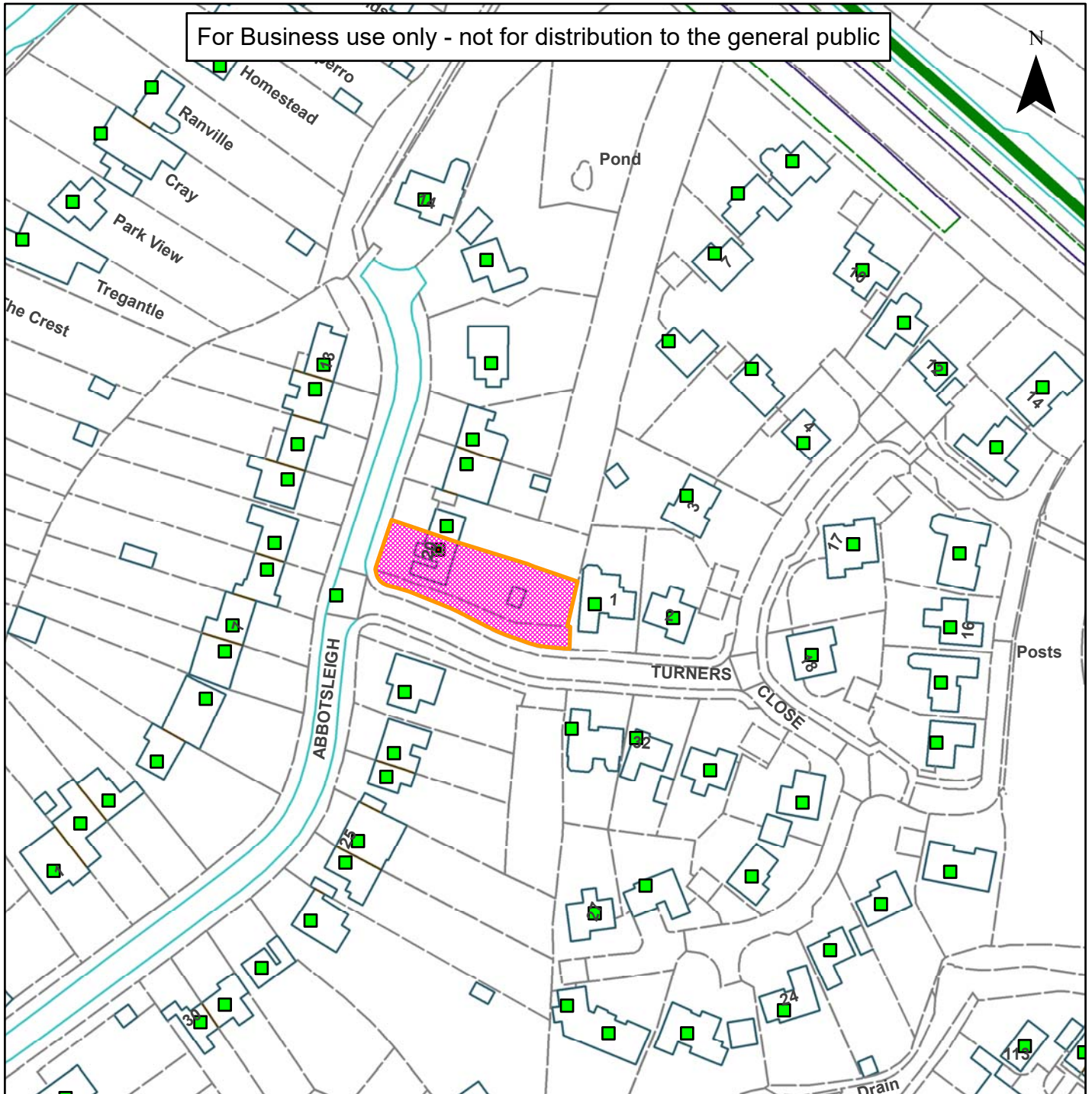
Background Papers: DC/18/1486 & DC/15/1934

Case Officer: Pauline Ollive



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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/08/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 4 September 2018

DEVELOPMENT: Erection of new stable block and sand-school on land adjoining Hall House

SITE: Hall House The Haven Billingshurst West Sussex RH14 9BS

WARD: Rudgwick

APPLICATION: DC/18/0864

APPLICANT: **Name:** Mr and Mrs Westwood **Address:** Hall House The Haven Billingshurst West Sussex RH14 9BS

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period contrary to the officer recommendation

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The proposal concerns the creation of a 40m x 30m sand-school and post-and-rail fenced enclosure, along with a new three-bay stable block, clad in timber.
- 1.3 The new sand-school would be located some 35m off the northern boundary and some 10m off the western field boundary, where the land provides a reasonably level area.
- 1.4 The associated stable block would be set some 55m off the northern boundary and some 5m off the western boundary. The block would have a footprint of some 12.7m x 3.5m with a height of around 2.9m, and an overhanging canopy to the eastern side. It would provide for three stable bays and a small tack room.
- 1.5 It is understood that the sand-school would be for hobby-purposes only, and would allow the applicant's grandchildren to ride. The additional stables are required owing to the proposal to breed from one of the existing mares owned by the applicant and to buy additional ponies and a horse, thus increasing stock numbers from 4 to 8.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises a field which lies to the north of an associated residential property called Hall House. The overall property comprises three distinct areas including the residential house, drive and gardens, accessed off Okehurst Road, a modest stable complex to the west of the house, comprising two blocks of three stables and all associated hay stores and tack rooms with separate vehicular access also off Okehurst Road, and a former agricultural field, now used as grazing land to the north of the house and existing stables, amounting to some 5.2ha and accessed of The Haven.
- 1.7 The application site itself comprises the field, more specifically, a small portion of it located to the north-western corner, where there is an existing field access from the public highway and a galvanised 5-bar gate. The field is reasonably well screened alongside the public highway with vegetated field boundaries.

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 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 29 - Equestrian Development
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

The Rudgewick Neighbourhood Plan is still at an early stage

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/0065	Erection of a stable building and associated sand school	Withdrawn Application on 05.04.2018
DC/08/0093	Erection of a building comprising 3 stables and retention of a garden shed for feed / storage	Permitted March 2008
DC/06/1264	Erection of footbridge to allow access from existing stable/paddock to adjacent grazing land (Listed Building Consent)	Permitted July 2006
DC/06/1261	Retention of footbridge to allow access from existing stable/paddock to adjacent grazing land	Permitted July 2006

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 **HDC Conservation:** No Objection:-

- The proposed stables and sand school would be set away from Hall House. It is considered due to the nature of the surrounding landscape that there would be limited perception of the proposed stable and sand school from Hall House or The Blue Ship. It is therefore considered that the proposed development would not have a harmful impact on the setting of the listed buildings.
- It is noted that the application does not seek permission for flood lighting of the stables or sand school. It is considered that the provision of lighting may result in the structures becoming more prominent and any future applications should be carefully considered in this respect

OUTSIDE AGENCIES

3.3 **Rural / Agricultural Consultant:** Comment:-

- Current proposal does not propose to demolish existing facilities (some 5 loose boxes and hay store) and understood that applicant owns two Shetland ponies and two Andalusian horses
- The overarching national policy of support for economic activity in rural areas (NPPF para 28) does not find specific reference in Local Development Plan Policies relating to equestrian development. However, Policy 29 does not discriminate between commercial and non-commercial equestrian activity, subject to it being sustainable.

Stables:

- The applicant's intended wish to increase stock numbers at the site from 4 to 8 is noted although there is no convincing need for the immediate increase of 3 stables, given that there are still only 4 horses on site, of which 2 are Shetlands
- The proposed stables at 3.5m x 3.5m (12.25m²) are slightly smaller than recommended size in the DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their hybrids (2017), which sets a minimum stable size for horses of 3.65m x 3.65m (13.3m²). The recommended size for ponies is 3.05m x 3.05m (9.3m²) and may be considered suitable for the applicant's horses, however full details of the requirements have not been provided in the application documents.
- No reasons have been provided why the current stable blocks adjacent to Hall House are no longer suitable or available for use. The applicant states in the Design and Access Statement that "obviously it would have been more convenient to place the new proposed stables and the sand school closer to the present stables, but this would not be possible without demolishing these present stables and cutting down a number of trees."
- The Design and Access Statement states that the land slopes steeply and therefore the stables proposed are better sited in the north western corner of the paddock, however no further justification is provided for why the existing stables cannot be either replaced or renovated to provide more suitable stabling for the applicant's horses.
- The applicant has not fully demonstrated that the application is in compliance with Criteria 1 or 2 of Policy 29.

Sand School:

- The (initially) proposed sand-school measuring 40m x 60m is considered to be an Olympic size.
- The Council's Rural Consultants have recently been consulted by Horsham District Council to appraise applications for sand schools measuring 60m x 20m for Livery Yards and private competition horse facilities, which is considered a standard size for private and commercial competition yards and would provide adequate space for show-jumping and dressage training (even sizes such as 40m x 20m or 40m x 30m)
- The applicant has provided no details whether their horses are competed at any level, if so their exercise requirements, or how the current facilities are used for exercise (e.g. paddock or bridleways).
- Generally, a 40m x 20m sand school is suitable for novice dressage, 60m x 20m for advanced dressage and a minimum width of 25m for show jumping.
- Overall, it is considered that the sand school facility is too large for the applicants' equestrian requirements, and its need has not been justified as required by Policy 29.

3.4 **WSCC Highways:** Comment:-

- More information was previously required as part of application DC/18/0065 to include achievable visibility splays and trip rates of the existing and proposed uses.
- Access is to be achieved via the existing access arrangements into the field from The Haven, an unclassified rural lane subject to the national speed limit at this point. Given the nature of the lane it is unlikely that vehicles will be approaching the site at this speed.
- Whilst it is noted that the current application is not supported by way of demonstrated maximum achievable visibility splays, it is acknowledged that the eastern visibility splays would be provided by land that is anticipated to be public highway land, with the same being true with regard to the maximum available western visibility. Any alterations in this direction would require use of third party land. Therefore, given that the maximum achievable visibility splays are wholly contained within highway land and this is protected from obstruction by statute, securing any visibility splay conditions would not achieve any benefit.
- However, it is advised that the access be made up to current WSCC specifications which should form a standard condition and informative in the event of approval being granted

PUBLIC CONSULTATIONS

3.5 **Parish Council:** Objection - not a suitable location

3.6 To date, letters from 11 neighbouring and nearby properties have been received. The following objections are noted:-

- Most equine developments serving residential properties are located close to or adjacent to the residential dwelling
- Already equine facilities on site - expectation for these to be extended and not for new ones
- Size and location of facilities not apparently related to residential property
- Already existing sand-schools in the area which could be shared
- Rural area and mainly agricultural
- Picturesque area with many 14th - 17th Century houses, seen often across lanes and from public footpath
- Intrusive development affecting character of the area - highly visible across open fields from roads
- Potential for external lighting

- Potential for future development - such as new residential dwelling to provide security
- Hazardous access directly opposite a junction
- Already a large number of horse boxes using the roads for equine treatment centre at Garlands - causing damage to road surfaces

3.7 To date, one letter of support has also been received

3.8 Rudgewick Preservation Society - Object:-

- Concerned about loss of greenfield site in a prominent location
- Sites some distance away from the applicant's residence
- The Haven roads unable to carry more traffic
- Page 16 of Parish Design Statement states that expansion of horse paddocks and sand schools in the area leads to one of the key concerns regarding the rural character and the area's intrinsic qualities

3.9 The Haven society - Object:-

- Existing stable development next to house is not shown
- HDPF 29 requires equestrian development to be in keeping with its location and surroundings, and where possible, well related to the existing buildings
- No other buildings in the vicinity of the proposed stables / sand-school
- Access directly opposite a junction
- Pollution risk in the event of floodlighting

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 26, Countryside Protection, of the HDPF states that outside of built up areas boundaries the rural character and undeveloped nature of the countryside will be protected against inappropriate development and must met with relevant policy criteria. The nature of equestrian facilities and the space required for paddocks and turnout / grazing land mean these are best placed in rural locations, with equestrian development suitable in the countryside and considered to accord with the provisions of policy 26 in that they 'provide for informal recreational use'. In this instance, the existing property is already provided with two small stable blocks, which are well sited in a wooded area to the west of the house and its garden. There are no plans for these existing facilities to be removed as a result of the proposal.

Character and appearance

6.2 Policy 29, Equestrian Development, of the HDPF states that development for equestrian related purposes will be supported provided that it can be demonstrated that the re use of

existing buildings on site for related equestrian use is not appropriate; before new or replacement buildings are considered.; the proposal would be appropriate in scale and level of activity, and be in keeping with its location and surroundings, and where possible is well related to existing buildings; the proposal should where possible be well related to a bridleway network.

- 6.3 As part of the application process the size of the proposed sand school has been reduced from the initially proposed 60m x 40m to a smaller facility measuring 40m x 30m. This size is considered more appropriate for private / personal use, with the associated scale and level of activity therefore more in keeping with the location and wider surrounds. The wider visual impact would be limited and the presence of equestrian development in the countryside is not, in itself, considered harmful to landscape character.
- 6.4 The applicant has advised that the additional stables are required for the applicant's increased stock numbers, which need to be accommodated on the land. There are no reasons to dispute this need, and given the site constraints around the existing stables it is not possible to increase the existing provision in this location. It is noted that there are no limits to the number of horses that can be privately owned, and there are animal welfare recommendations relating to the provision of stabling for horses, which is noted to vary depending on the nature, breed and purpose of the horses being kept. The scale of the stable blocks is relatively modest and in the context of the wider surrounds they would appear innocuous and low-key additions to the site. Additionally, the proposal would not result in any significant landscape harm to warrant refusal given the small nature of the development and the field boundaries.
- 6.5 It is therefore considered that the provision of three additional stables, for private use, alongside the proposed sand-school, would not be unreasonable or unduly excessive in terms of the scale and resulting impact on the rural area. These proposed additional stables would complement the existing facilities which lie closer to the house, and would provide a certain degree of flexibility in the available stabling at the property. The proposal is considered to accord with the aims of policy 29 and rural protection policies within the HDPF.

Heritage Impacts

- 6.6 HDPF policy 34 requires proposals affecting listed buildings to retain and improve the setting of the heritage asset. In addition, the setting of heritage assets, including views, should be preserved and retained. The NPPF (2012) also advises that new development within the setting of heritage assets should enhance or better reveal their significance.
- 6.7 In this instance, the distance of separation between the application site and the host listed building (Hall House) and others in the immediate vicinity (The Blue Ship), would not lead to a harmful impact on the designated heritage assets.

Amenity Impacts

- 6.8 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenities. The nearest residential properties are well separated from the proposed stables and this would minimise the potential for harm from the proposed development. There be should already measures in place for the existing domestic stables to dispose of the horse manure.
- 6.9 The separation distances between the application site and nearest residential properties, which are in excess of 30m, is considered sufficient to ensure no detrimental impact from the development on neighbouring amenity.

Highways Impacts

- 6.10 Policy 40, Sustainable Transport, 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.

- 6.11 The Highway Authority undertook a site inspection of the access and subsequently raised no objections to use of the existing field entrance. The proposal would not have a severe impact on the highway network and is considered acceptable on transport grounds.

Conclusions and Planning Balance:

- 6.12 In conclusion, the amended proposal has been considered within the context of the NPPF and the presumption in favour of sustainable development, and Local Policies set out within the Horsham District Planning Framework (2015).
- 6.16 In terms of its scale siting within the wider open field, use of materials and resulting appearance, the proposed development comprising a modest new stable block and 30m x 40m sand-school, would not lead to any materially adverse harm to the wider rural setting.
- 6.17 It should also be noted that it would be difficult to justify a refusal of the development on landscape grounds given the proposal's limited visual impact. This takes into account previous appeal decisions in the District for similar schemes where the Inspectorate has allowed applications for stable building on the basis of limited visual impact. An example of this was an application for a stable building at Ghyll House Farm, Copsale (ref: DC/16/2858).
- 6.18 The proposal would therefore be in accordance with HDPF policies 1, 2, 3, 25, 26, 29, 32, 33, 34, 40 and 41.

7. RECOMMENDATIONS

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

1 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 approved plans.

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 Regulatory Condition:** The stables and sand-school hereby permitted shall not be used for commercial purposes or in connection with any form of riding or livery establishment.

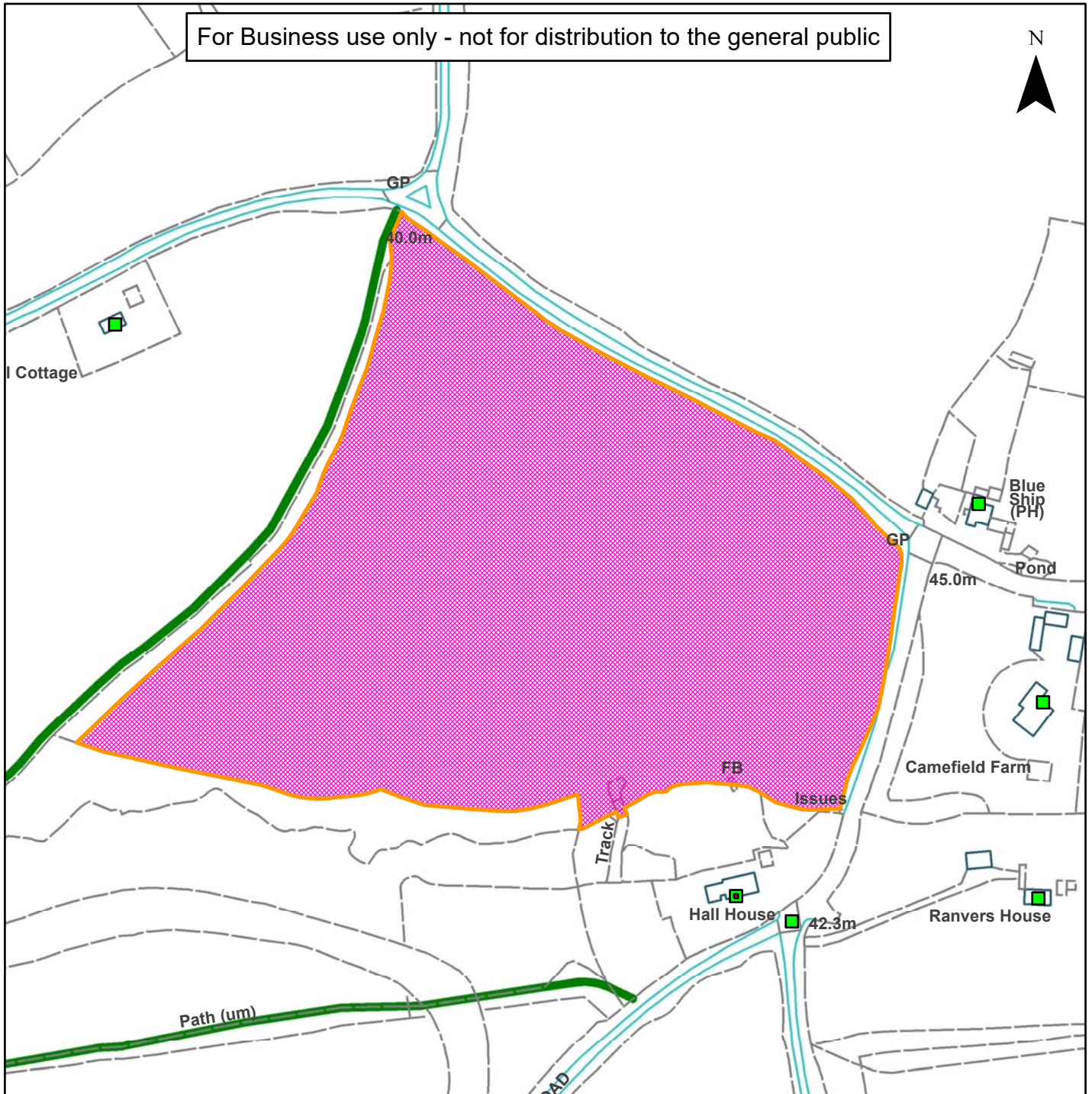
Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/08/2018
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 September 2018

DEVELOPMENT: Variation of condition 1 to previously approved application DC/16/2925 (demolition of existing house and construction of 2 new two storey 5 bedroom houses, with associated amenity and parking). Minor-material amendments to facilitate revised site layout and positioning of entrance gate, hard and soft landscaping proposals, installation of solar panels, rooflights and sun tunnels.

SITE: Fordcombe Cox Green Rudgwick West Sussex RH12 3DD

WARD: Rudgwick

APPLICATION: DC/17/2424

APPLICANT: **Name:** Mr Gareth Grant **Address:** c/o The Old Rectory Church Street Weybridge KT13 8DE

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received which are contrary to the officer recommendation

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 A variation is sought to the approved drawing numbers condition under planning reference DC/16/2925 to allow for various alterations to the permitted scheme. These include a revised site layout and positioning of entrance gate, hard and soft landscaping proposals and the installation of solar panels, rooflights and sun tunnels to the approved dwellings. The proposals include the provision of 2no rooflights, a single sun tunnel and solar panels to each dwellinghouse. A revised internal configuration is also proposed to the 2no dwellings.

DESCRIPTION OF THE SITE

1.3 The Site (known as Fordcombe) lies within the built up-area boundary of Rudgwick. The site previously accommodated a single storey detached dwelling towards its south-eastern boundary and an adjacent detached flat roofed store. The main property previously on site was located approximately 30m back from the public highway. Currently, the approved two storey dwellings are under construction on site with brick piers and front boundary walls in situ.

- 1.4 The surrounding area consists of a mixture of dwelling types ranging from 2 storey dwellings to bungalows and vary in terms of design, built form and scale, with all surrounding properties set within extensive curtilages. Access to this site is provided directly from Church Street (B2128) which binds the site to the south-east. Boundary treatments surrounding the site are mainly made up of hedgerows with a number of interspersed mature and semi-mature trees. It is noted that a number of trees and hedgerows have been removed from the front boundary of the site.

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 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 37 - Sustainable Construction

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

2.4 RELEVANT NEIGHBOURHOOD PLAN

Status - Rudgwick Parish has been designated as a Neighbourhood Development Area as of June 2016.

2.5 Rudgwick Parish Design Statement

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DISC/17/0243	Approval of details reserved by conditions 3 and 4 to approved application DC/16/2925	Application Permitted on 28.07.2017
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DC/16/2925	Demolition of existing house and construction of 2 new two storey 5 bedroom houses, with associated amenity and parking	Application Permitted on 21.04.2017
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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 **HDC Landscape Architect:** The landscaping proposals are considered to be acceptable following submission of amended/additional information.

PUBLIC CONSULTATIONS

- 3.3 **Parish Council:** No objection following the submission of amended/additional information.
- 3.4 A total of 16 letters of objection from 12 separate households have been received for this application. The nature of these objections can be summarised as follows -
- Loss of mature trees to front of site not in accordance with approved plans
 - Impact on amenity due to removal of trees
 - Impact on street due to loss of trees and hedging

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

Design, appearance and siting

- 6.1 The amendments to the buildings include a very slight alteration to the positioning of the dwellings, the provision of 2no additional rooflights, a sun tunnel and solar panels. The revised positioning of the dwellings is considered to be very modest in nature and does not fundamentally alter their locations within the curtilage. The proposed rooflights would be of a similar design and size to a previously approved light positioned to the front elevation of the approved properties. The additional rooflights, together with the sun tunnel and solar panels would be positioned to the side roofslopes and as such, would not be clearly visible or prominent additions from the front of the properties or from a public vantage point from Church Street.
- 6.2 It is considered that the proposed alterations and considered to be modest in nature and would not fundamentally alter the appearance or character of the approved dwellinghouse. As such these changes, together with the internal re-configuration works, are considered to be acceptable.
- 6.3 Following consultation with HDC's Landscape Architect the proposed hard and soft landscaping provision is considered to be acceptable. As stated above, trees and hedging have been removed from the front boundary of the site, contrary to the approved tree plan and tree statement. As such, the amended soft landscaping proposals include the provision of new trees as well as replacement hedging to the front boundary, re-instating the mature landscaped appearance of the front boundary. Whilst these provisions would serve to partially screen the proposed dwellings from views from Church Street, as per the previous front boundary treatments prior to implementation of the approved application, it is noted that the soft landscaping should be allowed to mature in order to be fully affective.

- 6.4 The proposed materials to be used for the hard landscaping works are appropriate for this location. Overall, the amended hard and soft landscaping proposals submitted are considered to be acceptable and appropriate conditions are recommended to ensure that the details are adhered to and maintained as such following implementation. The proposed access gates and entrance point amendments are also considered to be acceptable. The amendments are therefore considered to be in accordance with policies 32 and 33 of the Horsham District Planning Framework.

Impact on Amenity

- 6.5 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. Given the nature of the proposed amendments, no issues of overlooking, overshadowing, or overbearing is envisaged to the adjoining and neighbouring properties. The amendments are therefore considered to be acceptable on amenity grounds.

Conclusion

- 6.6 Overall, the amendments to the approved scheme would be modest in nature, maintaining the appearance and character of the approved design, as well as providing an acceptable scheme with regards to hard and soft landscaping. The amendments would not have a detrimental impact on neighbouring amenity and as such, this variation of condition application is recommended for approval.

7. RECOMMENDATIONS

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

1 Approved Plans

- 2 Pre-occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved drawing numbers - Hard Landscaping Plans 945/111 REV 00 & 945/113 REV 00, received 20 February 2018 . 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).

- 3 Pre-occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the access facilities shall be implemented in accordance with the approved details as shown on the following - Hard Landscaping Plans 945/111 REV 00 & 945/113 REV 00, received 20 February 2018 and the Proposed Entrance Gate Plan 945/155 REV 00, received 10 May 2018; and shall be thereafter retained as such.

Reason: To ensure adequate access is available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 Regulatory Condition:** The hard and soft landscaping proposals shall be fully implemented and completed in accordance with the approved details as shown on the following - Hard Landscaping Plans 945/111 REV 00 & 945/113 REV 00, received 20 February 2018, Soft Landscaping Plans 945/110 REV 02, 945/112 REV 02 & Tree Staking Detail 945/156 REV 01, received 29 May 2018 and the Landscaping Supporting Statement, received 20 February 2018 approved details.

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development 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).

- 5 **Regulatory Condition:** No existing trees on the site, shown on approved drawing numbers - Soft Landscaping Plans 945/110 REV 02 & 945/112 REV 02, received 29 May 2018, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the prior written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. These trees, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). The fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The materials and finishes and colours to be used for external walls, windows and roofs shall conform to the approved details submitted and approved under planning reference DISC/17/0243, decision date 19 June 2017.

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 **Regulatory Condition:** The requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day shall be upheld, in accordance with the approved details submitted and approved under planning reference DISC/17/0243, decision date 19 June 2017.

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 **Regulatory Condition:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority

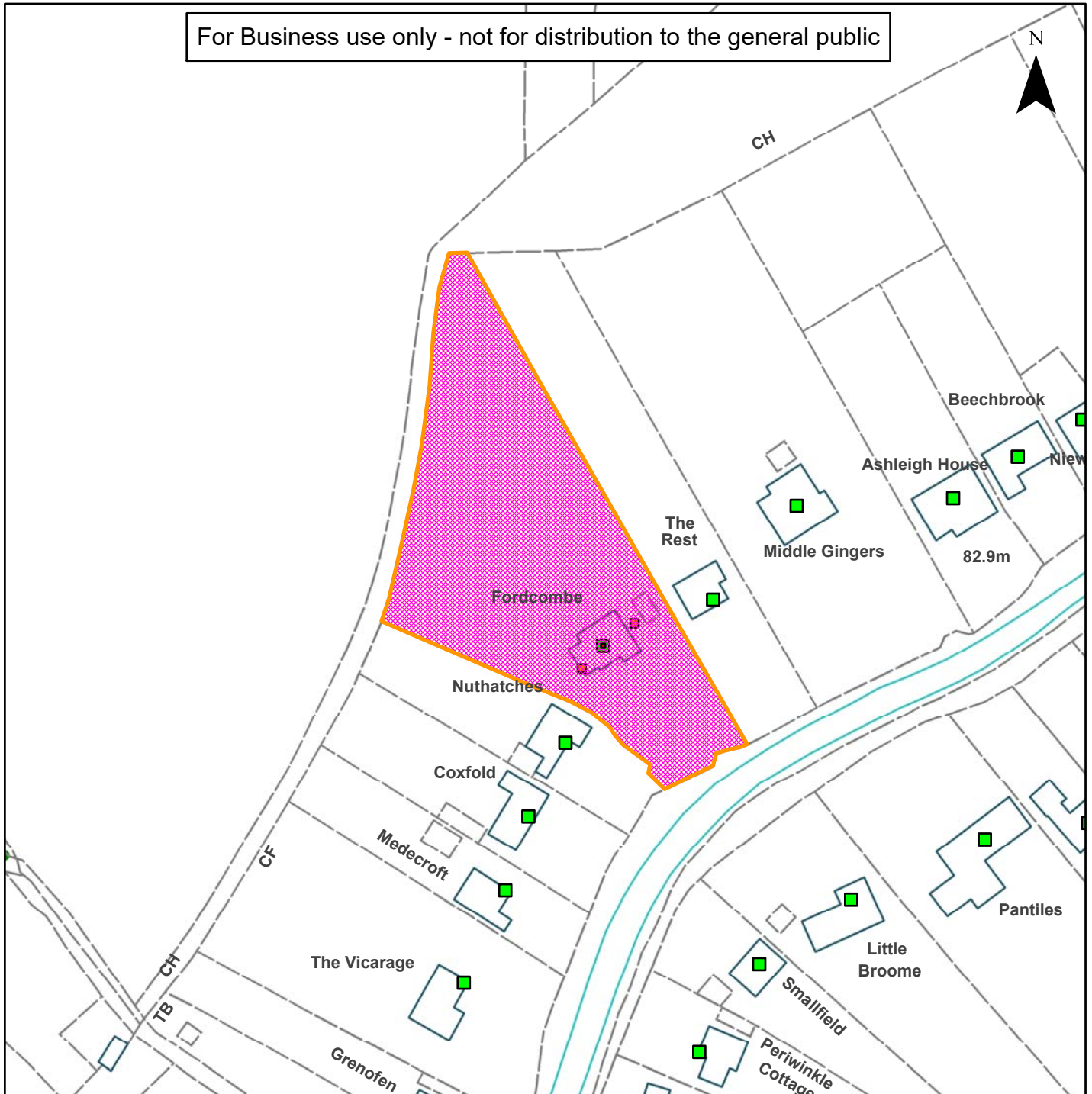
Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2424



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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/08/2018
BSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 September 2018

DEVELOPMENT: Variation of condition 1 to previously approved application DC/16/2668 (Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works). Minor-material amendments to approved floor plans, elevations, boundary treatments and site plan.

SITE: Farnbrakes Church Street Rudgwick West Sussex RH12 3EJ

WARD: Rudgwick

APPLICATION: DC/18/0150

APPLICANT: **Name:** Cranfold Developments Ltd **Address:** Unit 4 Sterling Barns Knowle Lane Cranleigh Surrey GU6 8JP

REASON FOR INCLUSION ON THE AGENDA: To update Members following the resolution of the Committee at its meeting on 6 February 2018

RECOMMENDATION: That the application be approved subject to the conditions set out in the Officer's report of 05 June 2018

1. INTRODUCTION

1.1 To summarise the history of the application to date:

- Application initially permitted (ref: DC/16/2668) for the demolition of the existing dwellinghouse and erection of two semi-detached dwellings.
- Application for variation to the approved drawing numbers condition to allow for various alterations to the approval (ref: DC/18/0150) originally reported to Committee on 5 June 2018. Members resolved that the application be determined by the Head of Development with a view to approval in consultation with the Local Members, Chairman and Vice-Chairman following further consideration of the rear fence. The Head of Development also advised that the Compliance Team would review the height of the building as built.

1.2 After the Committee resolution, the following has been undertaken:

- Planning Compliance visited the site on two occasions to measure the building.
- Planning Officer also met the developers on site to discuss the fence.
- Further discrepancies were identified by Planning Compliance with the as built buildings and the previously submitted plans (considered by Planning Committee on 7 June 2018). These additional changes are as follows:-

- a Alterations to the width and position of the chimneys to the side elevations
- b Fenestration changes to the north elevation allowing for two additional windows at ground floor level and reduction in size to the rear central ground floor windows

- c The removal of a parapet wall to the centre of a mono pitched roof at ground floor level
- d The amendment to the rear/side roof form to show a half hipped roof

Amended plans have been submitted which now accurately reflect the building as built on site.

- 1.2 Neighbours and Rudgwick Parish Council have been re-consulted on the amended plans. At the time of formulating this report no additional comments, objections or supports have been received. Any further comments will be reported verbally at the Committee meeting. The representations detailed within Appendix A Section 3 also form part of the material considerations in the assessment of this application.
- 1.3 As per the resolution at planning committee on the 05 June 2018, The Committee Chair, Vice-Chair and Local Ward Member have all been consulted. At the time of formulating this report, Cllrs Burgess and Bailey raised no objection in writing and verbally respectively. Any further comments will be reported verbally at the Committee meeting.

2. PLANNING ASSESSMENTS

- 2.1 At Planning Committee North on 5 June 2018 Members resolved that the application should be 'determined by the Head of Development with a view to approval in consultation with the Local Members, Chairman and Vice-Chairman in order further consider the rear and side fence/boundary treatments and to ascertain the as built height of the building'. A copy of the previous committee report is attached at Appendix A.
- 2.2 The case officer has been to site to meet with the developers to discuss a solution to the rear and side boundary fencing. Objections were raised during the initial consideration of the application in relation to the close boarded fence with gravel boarding and how this was not approved under the original application, reference DC/16/2668. Objections were also raised in relation to the overall height of the building and that the height had increased from that on the approved plans.
- 2.3 In order to address these concerns, the Council's planning compliance team visited the site on two occasions to measure the building as built. They confirmed that the overall height from the front elevation from ground level top ridge measured 8.5m, which corresponds with the latest plans submitted under this current application.
- 2.4 At the time of taking these measurements, the planning compliance team also noticed some minor discrepancies with the submitted plans and the as built dwellings. These included; the width and position of the chimneys, fenestration changes to the north and east elevations at ground floor level, the removal of a rear parapet wall at ground floor level and the amendment to the rear/side roof form to show a half hipped roof. The amended plans received now accurately reflect the building as built on site.
- 2.5 It is considered that the minor alterations to the building detailed above have not significantly altered the overall form, design or appearance of the dwellings in comparison to the approved plans. As the changes to the building are predominantly to the sides and rear, it is considered that they have not resulted in any detrimental impact on the street scene. In terms of impact on neighbouring amenity, with particular reference to the fenestration changes, given that these are located at ground floor level, it is considered that overall, the alterations would not have a detrimental impact on neighbouring amenity.

- 2.5 It has been confirmed by the developers that the difference in height to the ridge of the building as built compared with the neighbouring property to the north at 4 Freshwoods measures 0.6m and the difference in height when compared to the neighbouring property to the south at Gimbals measures 1.5m. The developer has also confirmed that the ground was dug down by 275mm in order to accommodate the building.
- 2.6 With regards to the rear and side fence, this has been reduced to a maximum height of 2m when viewed from the outside which is in line with current permitted development regulations. It is further noted that there are examples of other timber fencing within the vicinity and planting has also been provided to the outside of the fence which would, in time, aid to soften its appearance. This amendment is considered to be acceptable.

3. CONCLUSION

- 3.1 As set out in the Officer's report of the 05 June 2018, it is considered that the amendments to the dwellings are considered to be acceptable in terms of their appearance and relationship with the street scene and do not result in an unacceptably adverse impact on the amenity of occupiers of nearby properties. The further clarification of the height of the building, the amended height of the rear and side fence and regularisation of the as built form of the dwellings have resulted in an acceptable form of development. Officers are of the view that the points raised by Members within the previous committee resolution have been addressed. The application is therefore recommended for approval subject to the conditions set out in Appendix A, section 7.

APPENDIX A



**Horsham
District
Council 05.06.2018**

TO: Planning Committee North

BY: Head of Development

DATE: 05 June 2018

DEVELOPMENT: Variation of condition 1 to previously approved application DC/16/2668 (Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works). Minor-material amendments to approved floor and elevation plans.

SITE: Farnbrakes Church Street Rudgwick West Sussex RH12 3EJ

WARD: Rudgwick

APPLICATION: DC/18/0150

APPLICANT: **Name:** Cranfold Developments Ltd **Address:** Unit 4 Sterling Barns Knowle Lane Cranleigh Surrey GU6 8JP

REASON FOR INCLUSION ON THE AGENDA: Number of representations received contrary to officer recommendation.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 A variation is sought to the approved drawing numbers condition under planning reference DC/16/2668 to allow for alterations to the approved scheme. The alterations include amendments to the levels of the buildings in relation the access drive to the site. Looking from the south of the buildings, there is an approximate increase from ground level to ridge height of 0.9m, resulting in an overall ridge height of 9.4m from this perspective. The proposed buildings would still measure 8.5m when measured from the principal front elevation to ground level. It is noted that the approved drawings under planning reference DC/16/2668 and showed that the access road to the south was at a lower level to the dwellings, resulting in an overall ridge of approximately 9m from this southern side perspective. As such, the amendments would represent an overall increase in height of the building of approximately 0.4m when viewed from the existing access road to the south.

- 1.3 Other alterations include the replacement of the approved rear garden wall with close boarded fencing and the erection of palisade fencing to the front of the properties; amendments to the bay window and porch roof designs and as well as the creation of a pitched roof over a front facing window. There are no alterations to overall design, form or bulk of the permitted dwellings.

1.4 DESCRIPTION OF THE SITE

- 1.3 The application site is located on the eastern side of Church Street within the built-up area boundary of Rudgwick. The former bungalow on site was sited towards the centre of the plot set back approximately 25m from the road. The former bungalow has been replaced by a pair of semi-detached dwellings which were approved under planning reference number DC/16/2668. From a case officer site visit carried out as part of the consideration of this application, it was evident that the construction of the dwellings had been completed.

- 1.4 The site was formerly part of a much larger plot which has been sub-divided following the approval of two detached dwellings at the rear with a new access road parallel with the southern boundary. This neighbouring development was approved under ref: DC/15/1066 and has been completed. A development of four detached properties, 'Freshwoods', is sited immediately to the north, on the site of a former single dwellinghouse. Another detached property 'Gimbals' lies to the south-west, separated from the application site by the aforementioned access road. It is noted that both permitted dwellings also benefit from detached double garages. The western side of Church Street, opposite the application site, includes a series of five detached Grade II Listed Buildings.

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:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

Rudgwick Parish Design Statement

RELEVANT NEIGHBOURHOOD PLAN

- 2.2 Status - Rudgwick Parish has been designated as a Neighbourhood Development Area as of June 2016.

Principle

- 6.2 Policy 3 (Development Hierarchy) of the HDPF states that the district has a distinct settlement pattern which should be retained and enhanced. It states that development will be permitted within towns and villages which have a defined built up area boundary (BUAB) where any development will be required to 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 set out within the policy. The application site is located within the defined built up area of Horsham and is therefore considered to be appropriate development
- Character and appearance**
- 6.3 Horsham District Planning Framework (HDPF) Policies 32 and 33 seek to promote development of high quality and inclusive design for all development in the district, ensuring that it is complementary of local distinctive character and heritage, integrating with their surroundings. Furthermore, these policies ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant, relates sympathetically with the built surroundings.
- 6.4 As noted, the overall design, form and bulk of the approved dwellings remains as permitted within the approved application, reference DC/16/2668. The amendments pertaining the bay windows and roof canopies, as well as the addition of a pitched to a front facing window are considered to be acceptable. The alterations relating to the rear boundary treatments, with the permitted walls replaced with close boarded fencing are also considered to be acceptable given the built up area location. It is noted that there are other examples of close boarded fencing within the close vicinity and given the location to the rear of the dwellings, would not have a detrimental impact on the street scene with regards to Church Street. The palisade fencing would be low level and set approximately 22m away from the front boundary of the site. As such, it is considered that this addition would not have a detrimental impact on the street scene and would not appear as a prominent feature within the site. The low level retaining wall to the south of the buildings is also considered to be acceptable.
- 6.5 In considering the increase in height of the buildings, on balance, it is viewed that the increase of approximately 0.4m would not be greatly disproportionate to the originally approved ridge height or when compared to neighbouring development. From long views along Church Street, the dwellings do not appear unduly dominant and remain appropriately set away from the front boundary of the site. Again, taking into account the built up location, it is considered that the amendments would not harm the existing street scene or the character of the area in accordance with policies 32 and 33 of the HDPF in this respect.

The amenities of the occupiers of adjoining properties

- 6.6 Policy 33 of the Horsham District Planning Framework (HDPF) document seeks to ensure that new development does not cause unacceptable harm to the amenity of occupiers and/or users of neighbouring properties, particularly through overlooking or noise.
- 6.7 The neighbouring dwelling to the south-west, Gimbals, is on a similar building line to the development and separated from the site by an access drive which creates approximately 15 metres separation between buildings. This separation is sufficient to prevent any harmful loss of light or outlook.
- 6.8 The buildings remain set approximately 3 metres from the shared side boundary with no. 4 Freshwoods, which adjoins to the north, with 7 metres between buildings. While no. 4 has side facing windows and doors these are secondary windows and are not the primary source of light or outlook for habitable rooms. The additional projection beyond the front and rear

of no. 4 is mitigated by the separation between buildings, which is sufficient to ensure no harmful loss of light or outlook to front and rear window and door openings.

- 6.9 The separation between the facing elevations of the dwellings and the dwellings at the rear of the site, at approximately 24 metres, is sufficient to ensure that the dwellings would not have a substantially harmful effect on outlook, light and privacy for future occupants of these dwellings. Overall, it is considered that the amendments to the development would not create any harmful overlooking beyond that of the original permission and beyond that which would be expected in a built up, residential location such as this.

The existing parking and traffic conditions in the area

- 6.10 The Highways Authority has stated no objections to the development in terms of its effect on highway safety or parking. The previously approved parking arrangements Overall, the proposal is considered to be acceptable on highway and transport grounds, subject to appropriate conditions to be attached, in accordance with policies 40 and 41 of the HDPF.

Conclusion

- 6.11 For the reasons outlined above, it is considered that the amendments to the dwellings are considered to be acceptable in terms of their appearance and relationship with the street scene and do not result in an unacceptably adverse impact on the amenity of occupiers of nearby properties.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development. However, the proposal is considered to be non-changeable as the application has been submitted under a section 73 application.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to the following conditions -

Conditions:

- 2 **Regulatory Condition:** The first floor windows to the north and southern (side) elevations shall remain obscurely glazed with no part of those windows that are less than 1.7 metres above the floor of the room in which it is installed capable of being opened. Once installed the obscured glazing shall be retained permanently thereafter.

Reason: To protect the privacy of Gimbals and 4 Freshwoods in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, B, C, E and F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the

development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the relationship of the site with adjoining properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The car parking spaces serving the development shall be constructed in accordance with approved details and thereafter 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).

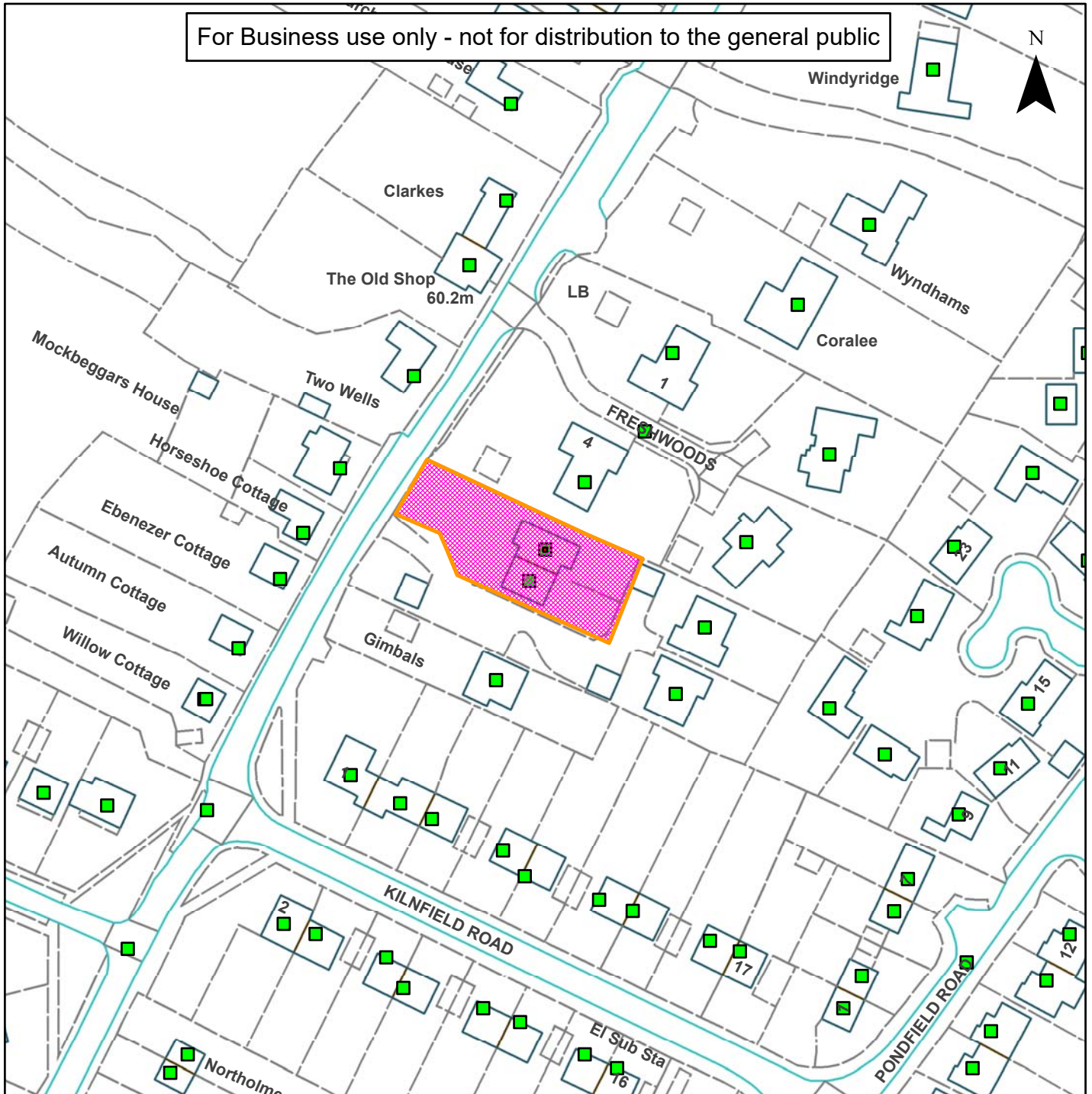
Background Papers: DC/18/0150

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/08/2018
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