



Planning Committee (North)

Tuesday, 30th April, 2019 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 5 March 2019 <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 - 16

Applications for determination by Committee:

6. **DC/17/2086 - Kennels and Rehoming Centre, Hammerpond Road, Plummers Plain** 17 - 26

Ward: Nuthurst

Applicant: Ms Elaine Barter

7. **DC/18/2002 - 89 - 91 Corsletts Avenue, Broadbridge Heath** 27 - 36

Ward: Broadbridge Heath

Applicant: Innes, Distin and Vaughan

8. **DC/18/1742 - 3 Chalice Walk, High Street, Rusper** 37 - 48

Ward: Rusper & Colgate

Applicant: Mr and Mrs Maynard

9. **DC/19/0355 - 50 Grebe Crescent, Horsham** 49 - 54

Ward: Forest

Applicant: Mr and Mrs A Burt

10. **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

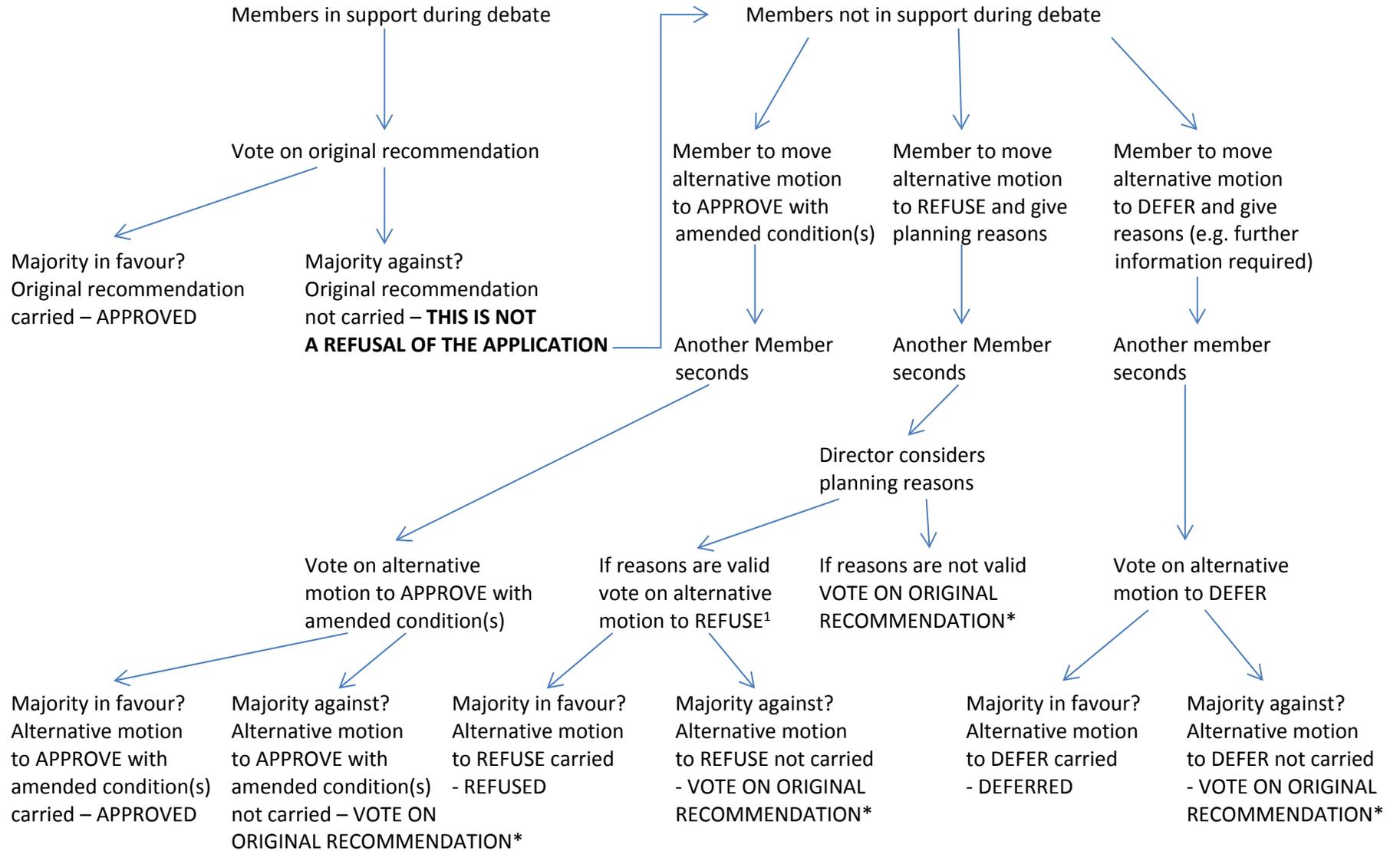
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(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)
5 MARCH 2019

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Peter Burgess, John Chidlow, Roy Cornell, Billy Greening, Tony Hogben, Adrian Lee, Christian Mitchell, Godfrey Newman, Brian O'Connell, David Skipp, Claire Vickers and Tricia Youtan

Apologies: Councillors: John Bailey, Christine Costin, Leonard Crosbie and Matthew French

Absent: Councillors: Alan Britten, Jonathan Dancer, Josh Murphy, Connor Relleen, Stuart Ritchie and Simon Torn

PCN/78 **MINUTES**

The minutes of the meeting of the Committee held on 8 January 2019 were approved as a correct record and signed by the Chairman.

PCN/79 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCN/80 **ANNOUNCEMENTS**

There were no announcements.

PCN/81 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted. The Chairman commended officers for the Council's appeals record.

PCN/82 **DC/18/2699 - OKASH AND WESTON, WORTHING ROAD, SOUTHWATER**

The Head of Development reported that this application sought permission for the demolition of a bungalow (Okash) and a two storey dwelling (Weston) and the erection of eight 2-bedroom flats in a two storey building, with parking and landscaping. Under this outline application all matters – layout, access, appearance, scale and landscaping – were reserved for future consideration. Indicative plans showed the building set back from Worthing Road with communal space to the rear and parking for 16 vehicles to the front.

The application site was located within the built-up area of Southwater and was accessed off Worthing Road. Southwater Infant Academy was beyond the eastern boundary and Southwater Children & Family Centre was to the south.

Planning permission DC/14/0590 which allowed the development of up to 540 dwellings, was under construction to the west of the site.

The site was directly south of a Texaco Petrol Station and a closed car showroom; Members were advised that since publication of the report, planning application DC/18/2355 for a convenience store on this site had been granted.

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. There had been 25 representations objecting to the scheme, including one from Southwater Infant Academy. One letter of support had been received. The applicant's agent 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 principle of development; character and appearance; its impact on neighbouring amenity; and highways considerations.

Members raised some concerns regarding road safety and access. It was noted that a road safety audit may be required at reserved matters stage, and that conditions relating the access, including any treatment to the hedge and visibility, would be applied to the reserved matters application.

In response to concerns regarding the impact of construction traffic during school opening and closing times officers agreed that, in addition to Condition 3 regarding construction site set-up details, an Informative should be added stating that the Construction Management Plan should include restrictions on lorry movements to and from the site during school arrival and departure hours.

RESOLVED

That planning application DC18/2699 be granted subject to the conditions as reported.

PCN/83 **DC/19/0074 - LITTLE HOMEFIELD, BRIGHTON ROAD, MANNINGS HEATH**

The Head of Development reported that this application sought Permission in Principle (PiP) for the demolition of outbuildings and the erection of three dwellings. This type of permission was limited to the principle of land use, location and the amount of development. Should the permission be granted the applicant would be required to apply for Technical Details Consent, including layout and scale, to become a planning permission.

The application site was located within the built-up area of Mannings Heath to the west of Brighton Road, south of residential development and directly adjacent to the site granted permission for eight dwellings under DC/16/1753 (land opposite the Dun Horse'). There were a number of outbuildings on the

site, which had been cleared of vegetation. It was to the rear of dwellings facing the road and there was a public footpath along the western boundary. Open countryside lay to the south, east and west of the site.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Parish Council raised no objection. There had been 56 representations objecting to the scheme received from 43 households, and one further letter of objection received after publication of the report. Two members of the public spoke in objection to the application and the applicant spoke in support of it. A representative of the Parish Council also spoke in support of the application.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was to establish whether it was acceptable in principle, having regard to the location, land use and number of dwellings. Application DC/18/1849 for six dwellings on the site had been refused by the Committee in December 2018 (Minute No. PCN/63 (04.12.18) refers).

The Local Member was concerned that the proposal had not overcome the reasons for refusing application DC/18/1849 and proposed an alternative motion to refuse on the grounds the proposal conflicted with Policy 33 of the HDPF, Policy 10 of the Nuthurst NP, and paragraph 70 of the NPPF. Members voted on this motion and it was dismissed.

It was noted that under a PiP a range of development was required and, after a discussion as to whether to restrict the number of units to 2 - 4, Members concluded that the recommended range of 3 - 4 dwellings, as recommended, was acceptable and would help ensure the dwellings were of a modest scale.

RESOLVED

That Permission in Principle DC/19/0074 be granted subject to the conditions as reported.

PCN/84 **DC/18/2131 - VEHICLE GARAGE, DUKES SQUARE, HORSHAM**

The Head of Development reported that this application sought permission for the demolition of a commercial garage and the erection of a 7-bedroom residential care home for people with physical and cognitive disabilities. The two storey building would have the same footprint as the existing building, with east and west wings with pitched roofs and a flat roofed centre and rear. There would be a small communal garden, and three car parking spaces were proposed.

The application site was part of Dukes Square car park, located within the built-up area of Horsham off Denne Road. It comprised a steel framed building, used by the Council for storage, and hardstanding along the northern boundary of the car park. Residential properties in Denne Parade were immediately to

the north. The first floor of 6 Denne Parade, a residential care home for young people with learning disabilities, directly overlooked the roof the building to be demolished. There was a mix of commercial, office and light industrial uses within the vicinity, including the Drill Hall to the west.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Neighbourhood Council raised no objection to the application. The Horsham Society had commented on the proposal. The applicant and the applicant's agent both addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; loss of employment use, and the proposed care home use; the design and appearance of the proposal; residential amenity; and highways.

Members welcomed the proposal, which would enhance Dukes Square and provide a valuable community benefit. In response to concerns regarding the colour of the render on the central part of the building, it was noted that details of materials used would be controlled through Condition 6.

RESOLVED

That planning application DC/18/2131 be granted subject to the conditions as reported.

PCN/85 **DC/18/2613 - BEACON HILL CROFT, TOWER ROAD, COLGATE**

The Head of Development reported that this application sought permission for the demolition of outbuildings, including a previous cattery, and the erection of a 3-bedroom single storey L shaped detached dwelling. The building would be a similar scale to permission DC/18/0249 for the conversion of the outbuildings into a dwelling. Six parking spaces and amenity space were proposed.

The application site was located in the country side and was part of the High Weald AONB. It was approximately 700 metres northwest of Colgate, with a gated entrance from Tower Road leading to old agricultural buildings and a yard. The dwelling Beacon Hill Croft was to the north. The site was well screened with vegetation.

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. No other public representations had been received. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of

development; external design and appearance of the proposal; amenity; and highways.

Members noted that the siting, scale and design of the proposal were very similar to the allowed conversion and agreed that it was acceptable.

RESOLVED

That planning application DC18/2613 be granted subject to the conditions as reported.

The meeting closed at 6.50 pm having commenced at 5.30 pm

CHAIRMAN

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Planning Committee NORTH

Date: 30th April 2019



Report on Appeals: 21/02/2019 – 16/04/2019

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/18/0846	Land North of Keatings, Nuthurst Street, Nuthurst, Horsham, West Sussex, RH13 6RG	06-Mar-19	Application Refused	N/A
DC/18/2501	Skylarks, Hermongers Farm, Hermongers, Rudgwick, Horsham, West Sussex, RH12 3AL	06-Mar-19	Application Refused	N/A
DC/18/2099	35 Oakhill Road, Horsham, West Sussex, RH13 5SD	13-Mar-19	Application Refused	N/A
DC/18/2671	Holmbush Manor Farm, Hayes Lane, Slinfold, West Sussex, RH13 0SL	26-Mar-19	Application Refused	N/A
DC/18/2697	202 Crawley Road, Horsham, West Sussex, RH12 4EU	04-Apr-19	Application Refused	N/A
DC/18/1924	Kissingate Brewery, The Pole Barn, Church Lane Estate, Church Lane, Plummers Plain, Horsham, West Sussex, RH13 6LU	05-Apr-19	Application Permitted	N/A
DC/18/1584	Stafford House, Bonnetts Lane, Ifield, Crawley, West Sussex, RH11 0NX	12-Apr-19	Application Refused	Application Refused

2. Live Appeals

The following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/17/2195	Copse, Worthing Road, Horsham, West Sussex, RH13 9AT	Written Representation	20-Mar-19	Application Refused	N/A
DC/18/0055	Enterprise House, 80 Lambs Farm Road, Horsham, West Sussex, RH12 4JH	Written Representation	22-Mar-19	Application Permitted	Application Refused
DC/18/0846	Land North of Keatings, Nuthurst Street, Nuthurst, Horsham, West Sussex, RH13 6RG	Written Representation	14-Mar-19	Application Refused	N/A
DC/18/1260	Packing Station, Holmbush Manor Farm, Hayes Lane, Slinfold, West Sussex	Written Representation	20-Mar-19	Application Refused	N/A
DC/18/1849	Little Homefield, Brighton Road, Mannings Heath, Horsham, West Sussex, RH13 6HZ	Written Representation	20-Mar-19	Application Refused	Application Refused
DC/18/2501	Skylarks, Hermongers Farm, Hermongers, Rudwick, Horsham, West Sussex, RH12 3AL	Written Representation	15-Mar-19	Application Refused	N/A

3. Appeal Decisions

HDC have received notice from the Ministry of Housing, Communities and Local Government that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/17/2605	Windacres Farm, Church Street, Rudgwick, West Sussex	Written Representation	Appeal Dismissed	Application Refused	Application Refused
DC/18/1563	Windacres Farm Development Site, Church Street, Rudgwick, West Sussex	Written Representation	Appeal Dismissed	Non-determination	Non-determination
DC/18/1389	9 Thistle Way, Southwater Horsham, West Sussex, RH13 9GX	Fast Track	Appeal Dismissed	Application Refused	N/A
DC/17/2524	Micklepage, Nuthurst Street, Nuthurst, West Sussex	Written Representation	Appeal Allowed	Application Permitted	Application Refused
DC/18/0307	Colt Farm, Burnthouse Lane, Lower Beeding, Horsham, West Sussex, RH13 6NN	Written Representation	Appeal Allowed	Prior Approval Required and refused	N/A
DC/17/2377	Swallow Ridge, Lynwick Street, Rudgwick, Horsham, West Sussex, RH12 3DG	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/2394	31 Depot Road, Horsham, West Sussex, RH13 5HE	Fast Track	Appeal Dismissed	Application Refused	N/A

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 30 April 2019

DEVELOPMENT: Retention of existing kennels and re-homing centre with ancillary overnight accommodation. Extension to existing detached outbuilding in connection with this use.

SITE: Kennels and Rehoming Centre Hammerpond Road Plummers Plain West Sussex RH13 6PE

WARD: Nuthurst and Lower Beeding

APPLICATION: DC/17/2086

APPLICANT: **Name:** Ms Elaine Barter **Address:** Highgate Kennels and Rehoming Centre Hammerpond Road Plummers Plain RH13 6PE

REASON FOR INCLUSION ON THE AGENDA:

More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

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 to regularise the existing use of the site as a kennels and re-homing centre. The activities on the site are carried out from former equestrian stables and tack rooms which have been reconfigured to provide kennels, storage and associated office / staff facilities. The activities on the site (and both the stabling and kennel activities) is undertaken by Arundawn Dog Rescue which, the supporting statement advises, is a dog rehoming centre which works to house and rehoming both strays and pound dogs; in addition, the site provides for rescued, sick or foaling horses.
- 1.3 The former tack room, a detached building to the eastern section of the site, is a single-storey building with mezzanine floor. The application also seeks retrospective consent for a timber clad extension to this building, which provides additional staff facilities. The mezzanine floor of this building provides overnight accommodation for staff present on the site in connection with the kennelling activities.

DESCRIPTION OF THE SITE

- 1.4 The application site comprises land to the south of Hammerpond Road within a countryside location. The site comprises a former stable building with abutting lean-to barn and a detached single-storey building arranged around a hardstanding with direct access onto Hammerpond Road. This upper level of the site features relatively well established vegetation to front and side boundaries. The land levels are lower to the southern section of the site, with this part of the site providing a paddock in association with the equestrian element of the use. The site is located between two residential properties, with the wider surroundings predominantly rural with sporadic residential and commercial 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:

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 9 - Employment Development

Policy 10 - Rural Economic Development

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 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

There is no made plan.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

LB/27/94

Erection of eight loose boxes

Application Permitted on
07.03.1995

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 Environmental Health:** There is a history of some noise complaints about dogs barking in this area, none are specifically alleging the noise was coming from this premises.

The establishment must have a procedure in place to deal with excessive noise from animals kept on site. There is no objection to the proposal provided that noise from the site is adequately controlled. There is no noise assessment included in the supporting documentation and no mention of how waste from the site will be dealt with.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** The proposal uses an existing access from Hammerpond Road, a C classified Road subject to 40mph speed restrictions. The access appears to be sufficient for the use, allowing two vehicles to pass and turning is available within the site. Parking standards are unchanged to that previously used on the site, although the applicant has not demonstrated where these 4 spaces are located, there appears ample room within the site for this to occur.
- 3.4 Visibility at the site entrance is limited to the West, however weight is given in this application to the fact that this access has served the site for many years with no Highways Accidents or Personal injury claims. It is noted that an agricultural use with horses exists at the site also which will require the use of horse boxes and delivery vehicles, these could generate a more intense use than the rehoming shelter its self.
- 3.5 **Southern Water:** There are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal.

PUBLIC CONSULTATIONS

- 3.6 15 representations have been received objecting to the proposal for the following reasons:-
- The proposal introduces a business into a predominantly residential location;
 - Activity at the site has intensified which has resulted in noise becoming more noticeable;
 - Instances of dogs escaping from the site;
 - The lack of parking impacts on Hammerpond Road;
 - There is a limit on forward visibility which increases risks of accidents;
 - The application does not specify the number of dogs to be housed on the site;
 - Question arrangements for foul and surface water drainage;
 - Question whether the use is regulated.
- 3.7 38 representations have been received supporting the proposal for the following reasons:-
- The use strikes a balance between helping dogs and how many can be realistically accommodated at the site;
 - The site is clean and the dogs content;
 - The site allows rescue dogs to be rehoused;
 - Noise is controlled;
- 3.8 **Parish Council:** Support the application, note the following:-
- We have assumed, have not committed to analyse, documentation and evidence that the site has been in use for the statutory period of 10 years described in the design and access statement. The Parish Council anticipates HDC planning officers will consider the accuracy and the appropriate level of proof and the 10year planning law relief for dog re-homing cited in the application;
 - The Parish Council did receive verbal testimony from local people that similar activity, if not to the scale currently undertaken, had been present on the site for more than 10 years;

- The application is for no expansion or alteration to the existing site, simply authorisation of the current use. We would anticipate that Horsham DC planning officers will consider whether extensions and alterations previously undertaken meet other planning requirements;
- Were the application not approved, the activity would need to finish under enforcement action and this would be a loss to the welfare of very needy animals both locally and more generally;
- The site is not in an ideal location due to its proximity to neighbouring houses and because "kennelling/rehoming" can have both extreme and variable noise levels;
- The site is also sharply sloping and would be expensive to adjust for a compromise location;
- Implementation of noise proofing may prove expensive and fruitless in light of the proximity to neighbours;
- The site is large and has been used for "natural" waste disposal. There is no specific dog waste removal or storage facility, an issue considered but not deemed sufficient to reject the current application. We anticipate planning officers will consider this;
- Horsham planning policies: this application meets many objectives and this was relevant to our decision.

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 The structures on the site were originally granted planning permission under ref: LB/27/94, which was for a stable block comprising 8 loose boxes and an adjoining detached building for use as a tack room; the layout of this development remains broadly the same as currently exists on the site. It is apparent that since 1994, when the applicant is understood to have taken ownership of the site, there has been an incremental change of use at the site from a stables to a mixed use of a stables and kennels, and while there remains an element of equestrian stabling on the site this is now ancillary to the primary use as a kennels.
- 6.2 As a result of the length of time the kennels have existed it is likely that a semblance of the use would be lawful by virtue of it being immune from enforcement action. This application does though seek to regularise the use of the site, as a 'kennels and re-homing centre', in recognition that the level of activity at the site has and does fluctuate depending on the number of dogs being accommodated and the level of the demand on their resources. This view is consistent with a number of objections which advise that the level and nature of activity on the site has changed and increased to that which currently exists present day.
- 6.3 The application site lies within a countryside location surrounded by sporadic residential dwellings and agricultural buildings, a further kennels and cattery is located approximately

110 metres to the south-west (Hammerpond Kennels). The presence of some element of a kennel / rehoming centre has been established on the site for a prolonged and continuous length of time, such that its presence would likely be considered lawful. It is therefore considered that any conflict with countryside protection policies within the HDPF, such as policy 26, would not amount to a sound reason to refuse planning permission since no enforcement action against the use would be possible.

- 6.4 Notwithstanding the above, policy 10 of the HDPF, Rural Economic Development, states that 'development which maintains the quality and character of the area, whilst sustaining its varied and production social and economic activity, will be supported in principle'. It is extremely unlikely that the use of the site could be carried out within a settlement boundary and the rehoming of dogs serves a clear social purpose for which, based on the information available, there is a need. It is therefore considered that Policy 10 would provide support for the principle of the proposed use in this location.
- 6.5 The detached building, which provides kennels, an office and washroom, also provides a mezzanine sleeping area for overnight accommodation in connection with the wider use of the site. It is understood that this arrangement started intermittently as and when there was a need. The accommodation does not provide the primary residence for the applicant and is clearly ancillary to the primary use of the site. On this basis there is no objection to this element of the scheme, which would not equate to the provision of a new dwelling in the countryside. It is considered that the overnight accommodation can be suitably controlled through condition to control its nature and extent, and this would ensure no conflict with Policies 3 and 4 of the HDPF.

Character and appearance

- 6.6 The use of the site is largely contained within pre-existing buildings and the visual impact of activities from within the site is largely negated by existing boundary screening along Hammerpond Road and the absence of adjoining publically accessible footpaths and land. The layout and appearance of the site is though largely as originally approved for an equestrian use, and as a result the overall character of the site is of a rural / agricultural nature rather than 'urban', 'suburban' or 'commercial'. When seen in relation to existing structures in the vicinity the use of the buildings does not therefore appear at odds with the rural context.
- 6.7 The application is seeking retrospective consent for a single-storey extension to the detached building on the eastern section of the site. This extension, which provides ancillary office / kitchen facilities, is of modest scale and proportions and is considered to have a neutral impact on the character and appearance of the site and wider surroundings. The impact on landscape character is therefore considered acceptable, and there is no conflict with relevant design policies of the HDPF.

Impact on neighbouring amenity

- 6.8 A number of representations have been received objecting to the application due to the generation of noise related to the kennelling of dogs on the site, and it is clear that use as kennels and rehoming has potential to create such disturbance.
- 6.9 The applicant has not provided a noise report assessing the impact of the use, primarily as they consider the presence on the site of a kennels and rehoming centre to be lawful. However, as part of the application process a Noise Management Plan has been provided setting out measures in place to minimise the potential for noise and disturbance from the site, and the presence of overnight accommodation is a clear benefit in this regard. The stated measures include, but are not limited to, the creation of a daily routine, which includes use of the outdoor area, and the monitoring and possible relocation of dogs (to other kennels).

- 6.10 While the Noise Management Plan could not be the subject of an enforceable condition it is considered sufficient to demonstrate measures are in place to reduce potential disturbance. In the event that such management failed, other statutory means exist to manage any nuisance which might arise, largely through Environmental Health legislation, and this has been the case throughout the existence of the use on the site. It is therefore considered that the impact of the proposal on noise would not be of such magnitude or weight as to justify the refusal of planning permission.
- 6.11 There are no reasons to consider that dog walking carried out in relation to the kennelling would generate significant amounts of noise, or indeed more noise than could be generated by unlimited numbers of members of the public who are able to walk dogs along local footpaths in the area.
- 6.12 In the context of existing traffic noise and movements, including that generated by surrounding uses, it is considered that any noise generated by vehicles accessing the site on a daily basis would be unlikely to cause an unacceptable degree of disturbance to neighbours.
- 6.13 A condition is recommended to remove permitted development rights for the erection of gates, fences, walls or other means of enclosure, and for the erection of buildings (as defined in Section 336 of the Town and Country Planning Act 1990). This condition would prevent the formation of further kennels on the site without the need for planning permission, thus ensuring the current level of activity on the site could not be continually increased.

Impact on highways

- 6.13 The site benefits from an existing access onto Hammerpond Road, which is a C classified road subject to a 40mp/h speed restriction. The width of the access would allow two vehicles to pass, should the need arise, and the site features an area of hardstanding immediately off this access. The Highway Authority has advised that there is sufficient space on site for any expected demand for parking and manoeuvring, and as the access has been used for many years with no accidents the visibility arrangement is sufficient. There are no reasons to take a different view to the Highway Authority, and there is no evidence to suggest that the level of activity associated with the current use of the site has impacted on the highway network. A condition is though recommended to secure details of the on-site parking arrangement to ensure sufficient space for vehicles to park and manoeuvre.

Other considerations

- 6.14 The planning system would not be responsible for matters relating to animal welfare; where there are other regulations that need to be complied with, it would be necessary for the applicant to address these independently of the planning application.
- 6.15 A number of representations have raised waste management as a concern. The applicant has advised that a contract exists for waste collection, including dog waste, with the Council's Waste Collection Team, and there is clearly sufficient space within the site for the storage of waste, and recyclables. It is not therefore considered that this concern amounts to harm.

7. RECOMMENDATIONS

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

- 1 A list of the approved plans
- 2 **Regulatory Condition:** Within 3 months of the date of this permission a scheme for the disposal of waste shall be submitted to the Local Planning Authority for its written approval. The scheme shall be implemented in accordance with the approved details within 1 month of such written approval being given. The scheme shall thereafter be retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** Within 3 months of the date of this permission details of on-site parking, turning and access facilities shall be submitted to the Local Planning Authority for its written approval. The on-site parking, turning and access facilities shall be provided in accordance with the approved details within 1 month of such written approval being given. The parking, turning and access facilities shall thereafter be retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure and no building as defined in Section 336 of the Town and Country Planning Act 1990 shall be erected on the site without express consent of the Local Planning Authority first being obtained.

Reason: To enable the Local Planning Authority to regulate and control the development of land having regard to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The hereby approved use shall comprise a kennels and rehoming centre, as set out in the Design and Access Statement dated September 2017, and shall not be used for any other purpose without the express consent of the Local Planning Authority.

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

- 6 **Regulatory Condition:** The overnight accommodation, within the building indicated on drawing no. 17006 P 001, shall not be used as a primary place of residence, and shall only be used in connection with the kennels and rehoming centre, as set out in the Design and Access Statement dated September 2017.

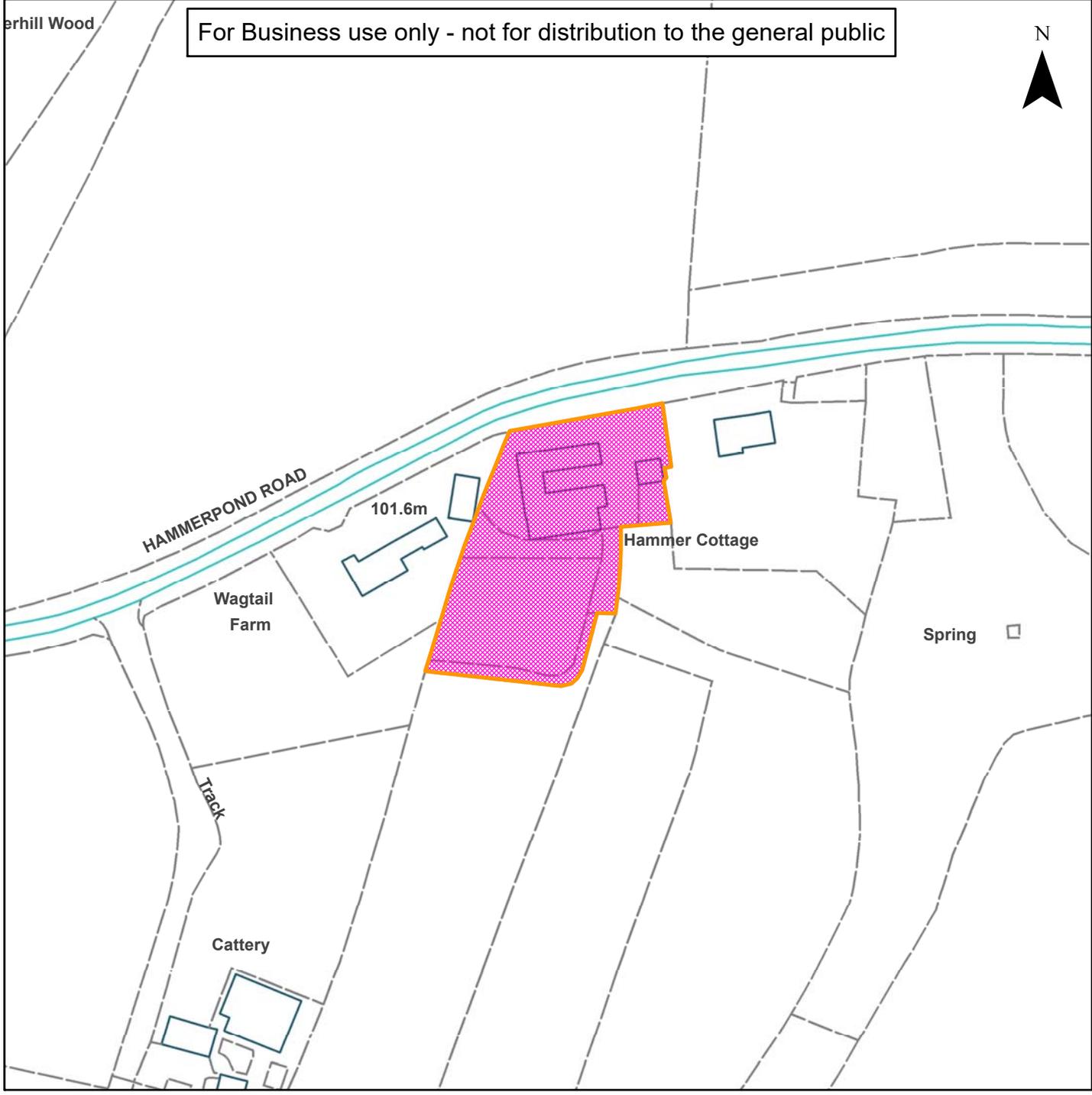
Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 1, 3, 4, 26 and 33 of the Horsham District Planning Framework (2015).

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Kennels and Rehoming Centre, Hammerpond

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Department	
Comments	
Date	16/04/2019
OS Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 30 April 2019

DEVELOPMENT: Erection of 1 x 4 bedroom dwelling and 1 x 3 bedroom dwelling with on site parking and associated landscaping.

SITE: 89-91 Corsletts Avenue Broadbridge Heath Horsham West Sussex RH12 3NY

WARD: Broadbridge Heath

APPLICATION: DC/18/2002

APPLICANT: **Name:** Innes, Distin and Vaughan **Address:** 89/91, Corsletts Avenue Broadbridge Heath RH12 3NY

REASON FOR INCLUSION ON THE AGENDA:

More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: Approve subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks consent for the erection of 2 detached two-storey dwellings; the southern dwelling would comprise a 3-bed, with the northern dwelling a 4-bed dwelling. The site would be accessed from an existing crossover onto Corsletts Avenue with a shared access created for the existing and proposed dwellings. The dwellings would incorporate a pitched roof with front and side gables with materials of mainly brick and tiles.

DESCRIPTION OF THE SITE

1.3 The application site is located within the Built up Area of Broadbridge Heath. The site is accessed from the south side of Corsletts Avenue and currently comprises residential garden areas associated with 89 and 91 Corsletts Avenue. These existing dwellings are located on a prominent bend and set well back from the road frontage. Given their positions the two dwellings and associated rear garden areas occupy larger than average plots than those of the neighbouring semi-detached dwellings to the North West and terraced dwellings to the north east of the application site which are relatively narrow.

- 1.4 There is a public footpath that runs along a south / north east axis to the rear of the application site (ROW1630) and a line of mature trees that are located adjacent to the boundary and along the footpath. The trees adjacent to the boundary are not subject to any TPO's although other specimens further along the footpath are. There is a large tree adjacent to the south west boundary of the application site.
- 1.5 The rear south west boundary of the application site forms the common boundary which separates the site from number 136 Shelley Drive, located within in the far east corner of a cluster of 5 dwellings on the east side of a small cul-de-sac.

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 15 - Strategic Policy: Housing Provision

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

There is no Neighbourhood Plan for the Parish of Broadbridge Heath.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/2137	Outline planning application for the erection of 2 x 4 bedroom dwellings with associated parking. All matters reserved except for access, layout and scale.	Under consideration
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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
- 3.2 **WSCC Highways:** No Objection, do not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework, and that there are no transport grounds to resist the proposal. Should the LPA be minded to approve this proposal, the following should be sealed via condition.
- 3.3 **WSCC Rights of Way:** Public Right of Way (PROW) Bridleway 1630 runs to the east of the proposed development, beyond the red line of the planning application boundary. It is understood that the application does not propose any alteration to the PROW.

- 3.4 **Southern Water:** Comment that the exact position of foul sewers must be determined on site, it may be possible to divert the sewer. A formal application for a connection to the foul sewer would be required to be made by the applicant or developer.

PUBLIC CONSULTATIONS

- 3.5 61 representations have been received objecting to the proposal for the following reasons:-

- Principle
- Back land / garden grabbing development
- Unwelcome precedent
- Parking and traffic
- Drainage and sewer issues
- Height / design
- Noise
- Increased housing density
- Overcrowding
- Access arrangements
- Overlooking
- Overshadowing
- Loss of private and visual amenity
- Impact on character of the area
- Over development
- Proximity to existing dwellings
- Vehicle movements and highway safety

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle

- 6.1 Policy 3 (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), and 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 within the built-up area boundary of Broadbridge Heath, the provision of two dwellings would be appropriate to the scale and function of the settlement and would therefore accord with the above policy. The principle of development is therefore considered acceptable.

Character and Appearance:

- 6.2 The application site is within an established residential location where existing dwellings are variable in form, siting and design. The layout of streets in this location comprises a number of cul-de-sacs with dwellings sited in plots of variable size and orientation. The location is not considered to be so sensitive to change that infill development would necessarily result in significant harm to the prevailing character or appearance of the locality, subject to detailed considerations.
- 6.3 The proposal would introduce two dwellings on the site which would broadly reflect the building line of adjoining properties on the eastern side of Corsletts Avenue. This approach would extend the line of dwellings beyond that which currently exists and would result in the loss of amenity space currently associated with 89 and 91 Corsletts Avenue. While these properties benefit from sizeable plots this is not immediately apparent from the road and is not fundamental to the overall character of the area. As such there is no objection to the loss of this openness on design grounds.
- 6.4 The proposal would change the street pattern in this location but this is not in itself considered objectionable, particularly given the wider visual impact would be limited by the siting of the dwellings in a location where public views would be limited. The proposal would create plot sizes comparable to those which exist elsewhere in the immediate surroundings, with the proposed layout and separation between buildings similarly reflecting the arrangement of existing dwellings in this locality. On plan form it is considered that the layout would provide sufficient space for the existing and proposed dwellings and that appropriate separation distances would be provided to prevent an unduly cramped or incongruous appearance.
- 6.5 The proposed dwellings would reflect the building heights, form and materials of adjoining development along Corsletts Avenue, and would therefore be sympathetic to the prevailing character of the area. The submitted plans provide an indication of soft and hard landscaping across the site and further details are sought through condition.
- 6.6 For the reasons outlined, while the concerns raised in representations are noted, it is considered that the proposal would not cause harm to the character of the area and as such is considered to be acceptable. The scale and mass (derived from the height, depth and footprint) of the proposed dwellings and the impact on the visual amenities of the site and wider surrounds are therefore considered to accord with policies 32 and 33 of the HDPF.

Impact on neighbouring amenity

- 6.7 It is acknowledged that the siting of the proposed dwellings has potential to impact upon neighbouring amenity, particularly for the adjoining property to the east no. 91 (which forms part of the application site). The design of the proposed dwellings has though resolved a number of possible issues, with the siting of window openings and use of obscured glazing preventing any intrusive or harmful views of adjoining properties. While additional views would be created by the development these would primarily be over the curtilages associated with each dwelling, with the relationship with adjoining properties not unexpected or unusual in an established residential location such as this.
- 6.8 The built-form resulting from the proposed development would be between approximately 8.2 metres and 9.3 metres from the side boundary of no. 91. This clearly represents a change for occupants of no. 91 but the separation coupled with the modest scale of the proposed dwellings, which decreases toward the rear of no. 91, is considered sufficient to ensure any loss of light or outlook would not amount to significant harm for existing or future occupants of this neighbouring property. The resulting arrangement between no. 91 and the proposed dwellings is therefore considered acceptable.

- 6.9 The proposed siting would retain sufficient separation between the development and neighbour to the south, on Shelley Drive, to prevent any significantly harmful loss of light or outlook, and it is noted that established planting along this boundary would provide meaningful screening between the buildings.
- 6.10 The formation of an additional two dwellings in a mixed use location would not be expected to generate significant or harmful levels of noise or disturbance for adjoining occupants.

Highways Impacts:

- 6.11 The proposed layout would provide two off-street parking spaces for each existing and proposed dwelling, with the scheme making use of an existing crossover which would be adapted to provide the proposed access arrangement. There is no evidence to suggest the existing arrangement is operating unsafely, and the proposed layout would allow for vehicles to enter and leave the site in a forward gear. The submitted plan indicates appropriate visibility over Corsletts Avenue with a condition recommended to secure the provision of such splays.
- 6.12 The proposed level of parking is considered acceptable in this location and there is potential for informal visitor parking without the need to park on the street. While representations raising concerns on the availability of on-street parking are noted, for the above reasons the proposal would not be expected to result in displaced vehicles creating additional demand. It is therefore considered that the proposal would not create a safety hazard or create a harmful demand for on-street parking.
- 6.13 The Highway Authority has raised no objections to the proposal, noting that the proposal would not have a 'severe' impact on the highway network, and that there are no transport grounds to resist the proposal. For the reasons outlined above there are no reasons to take a different view in this instance and the proposal is considered acceptable on highway grounds.

Other considerations

- 6.14 The comments of Southern Water, relating to the presence of foul sewers crossing the site, and of the need for a formal application to connect to existing infrastructure, are noted. These matters would though require further agreement with Southern Water before any works could take place on the site, with the applicant to be advised of this by way of an informative.

Conclusions

- 6.15 The proposals for 2 detached dwellings on the site are considered acceptable and complies with relevant local and national planning policies.

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	236.4	0	236.4
		Total Gain	236.4
		Total Demolition	0

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

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

1 **A list of the approved plans**

2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition:** No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

5 **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).

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** The dwellings hereby permitted shall not be occupied until the windows at first floor level to the north-west (front) and south-west (side) elevations, as shown on drawing nos. PL145/13D and 15C, have been fitted with obscured glazing. No part of those windows that are 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).

- 8 **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).

- 9 **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 existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

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. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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).

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number PL145/11J. 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).
- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number 18219 S122 A. 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).
- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number PL145/11 J. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

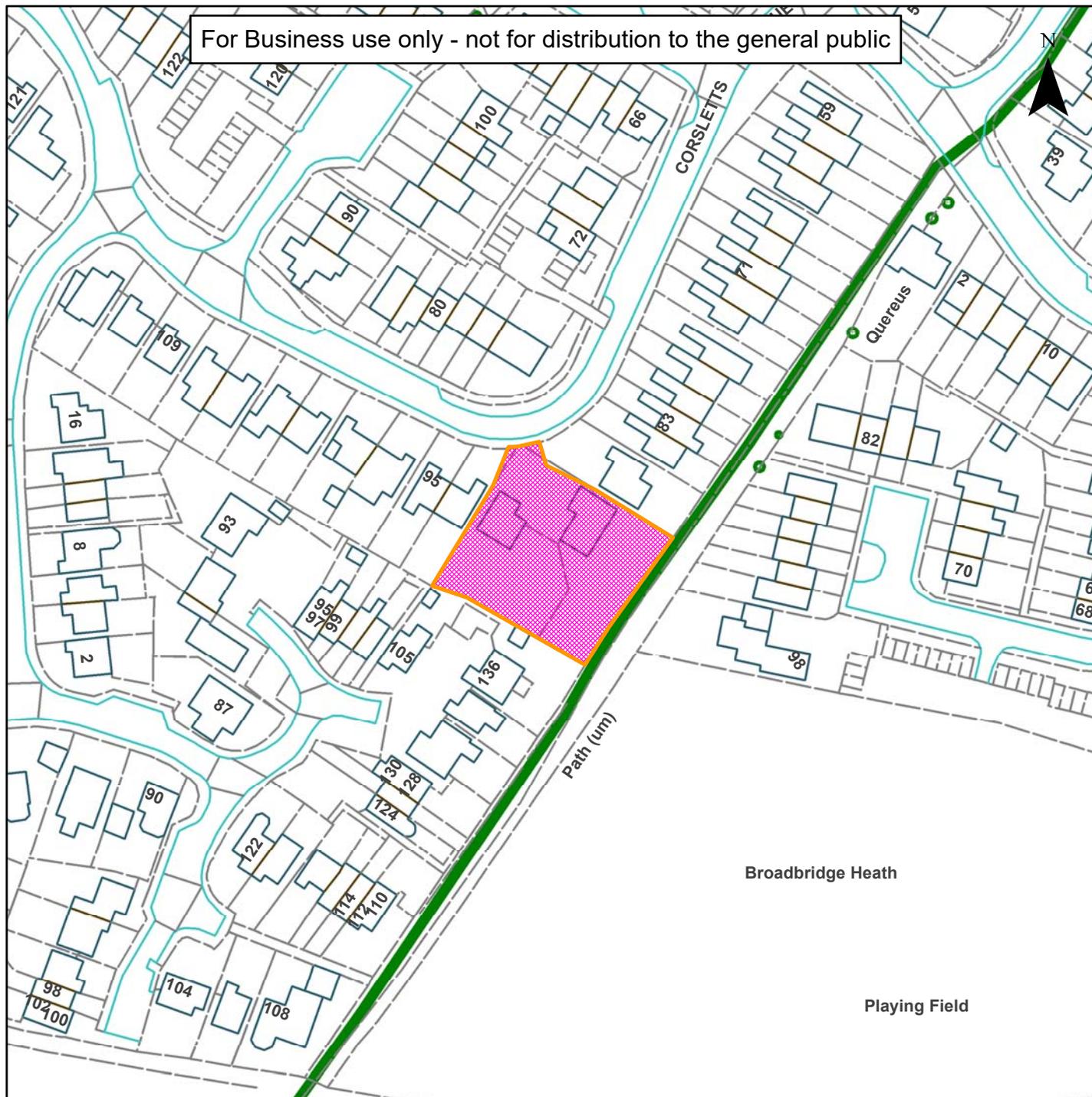
Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 14 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Corsletts Avenue in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed. Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 15 **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 or 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 and neighbouring amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).



89-91 Corsletts Avenue, Broadbridge Heath

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Date	16/04/2019
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee
BY: Head of Development
DATE: 30 April 2019
DEVELOPMENT: Erection of a single storey side extension
SITE: 3 Chalice Walk High Street Rusper Horsham West Sussex RH12 4FA
WARD: Rusper and Colgate
APPLICATION: DC/18/1742
APPLICANT: **Name:** Mr and Mrs Maynard **Address:** 3 Chalice Walk Rusper West Sussex RH12 4FA

REASON FOR INCLUSION ON THE AGENDA: To update Members following the resolution of the Committee at its meeting on 4 December 2018

RECOMMENDATION: To approve planning permission

1. INTRODUCTION

- 1.1 At Planning Committee North on 4 December 2018 Members discussed the scale of the proposed extension and were concerned that it would have a detrimental impact on the neighbouring property through loss of light because of the height of the extension. The ridge height of the extension was also considered out of keeping with the existing development and likely to have a detrimental impact on the setting of the neighbouring Grade I Listed church. It was therefore resolved that the application be deferred to allow discussions with the Applicant in respect of a reduction in the height of the proposed extension.
- 1.2 Discussions have taken place with the agent and an amended plan has been received which have reduced the ridge height of the extension by approximately 1 metre; this has been achieved by reducing the front and rear roof pitch of the extension. These plans have been re-consulted upon, and an additional representation was received as set out below.
- 1.3 Rusper Parish Council strongly objects to this application for the following reasons:
 - This will impact the view from the neighbouring Grade I listed church.
 - This extends the current building line by 2m towards the church, which will imbalance the view of the houses and impact on the hedgerow.
 - This is a sensitive conservation area and the view of it from the churchyard will be impacted.
- 1.4 A further neighbour representation was received, objecting to the proposal for the following reasons:-

- The scale of drawing for the proposed plan is vague and does not indicate the actual dimensions for the height of the extension/roof height;
- The proposed plan is also inaccurate as the front elevation drawing shows no front living room window whereas the ground floor plan shows one (*N.B. This has since been corrected through the submission of a corrected floor plan*);
- The impact the proposed roof design and height in relation to overshadowing and loss of light;
- Impact of the roof height and design on outlook from the perspective of the listed church next door.

1.5 The impact of the proposed extension on the character and appearance of the site and surroundings was considered in the preceding committee report. As part of this it was noted that:-

“While the extension is larger than that that is currently to the side elevation of the property, it is considered to be of a scale that would not overly dominate or overwhelm the existing property or adversely affect its character and appearance. The plot is of a size that can comfortably take an extension of the size proposed without appearing as an overdevelopment of the plot and as such it is considered to represent a sympathetic and appropriate addition to the property.

Given its location within a small courtyard development, the proposal, which would not be seen from the wider public vantage points, is not considered to have an adverse impact on either the setting of the adjacent grade I listed church or the conservation area. The Council’s Conservation Officer has raised no objection to the application. The extension will be seen within the context of the main house and wider modern courtyard development and there is mature planting between the site and the adjoining churchyard. As such it is considered that there would be no adverse impact, as a result of the extension of the property, on setting of the adjacent listed building and the conservation area.”

1.6 The reduction in height of the extension results in a lesser visual impact than that previously considered and as such the above considerations would apply equally to the amended scheme. In respect of the concern raised in relation to the submitted plans, these are sufficiently clear and drawn to a recognised scale so as to allow the scheme to be properly considered.

2. CONCLUSION

2.1 It is considered, as set out in the previous committee report (attached below), that the proposed development would not harm the character of the existing dwelling or of the street scene, and would preserve the character and appearance of the Conservation Area, in compliance with policies 32, 33 and 34 of the HDPF.

2.2 It is therefore recommended that the application is approved subject to the conditions set out in section 7 of the original committee report, as set out below:-

1 A list of the approved plans

2 Standard Time Condition: The development hereby permitted shall begin 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 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).

Background Papers: DC/18/1742
Case Officer: Pauline Ollive



TO: Planning Committee
BY: Head of Development
DATE: 4 December 2018
DEVELOPMENT: Erection of a single storey side extension
SITE: 3 Chalice Walk High Street Rusper Horsham West Sussex RH12 4FA
WARD: Rusper and Colgate
APPLICATION: DC/18/1742
APPLICANT: **Name:** Mr and Mrs Maynard **Address:** 3 Chalice Walk Rusper West Sussex RH12 4FA

REASON FOR INCLUSION ON THE AGENDA: At the request of the Parish Council.

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 planning permission for a single storey side extension to the north side of the house following the demolition of the existing lean-to extension.

1.3 The proposed extension would project from the side of the dwelling by a further 3 metres when compared to the existing lean-to extension and would be set back by a minimal amount from both the front and rear elevations of the existing property.

1.4 The existing extension has a mono-pitch roof, with the extension proposed to have a gable end roof form, with an increased height to the ridge of some 1.2 metres. The proposal would increase the habitable living space of the dwelling at single storey level.

DESCRIPTION OF THE SITE

1.5 The application property is one of a semi-detached pair that lies within a relatively new courtyard development of 3 bedroomed dwellings. Access to the courtyard is from the High Street via an undercroft. The application dwelling is a one and a half storey building with first floor accommodation built into the roof space. The property has dormer windows to the front and rear elevations and is constructed of stock brick, with weatherboarding to the first floor and elements of the existing extension, with a clay tiled roof.

- 1.6 The property is located within the built up area boundary of Rusper and within the Rusper Conservation Area. To the north of the site is St Mary Magdalene's Church, a grade 1 ecclesiastical listed building, which is screened by a mature vegetative boundary between the Church and the Chalice Walk. To the west of the property is the extended graveyard and to the east is 4 Chalice Walk. To the south of the property is the other half of the building (2 Chalice Walk) and to the southeast and east are the remaining properties within the Chalice Walk courtyard development.

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:

2.3 **National Planning Policy Framework**

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

- 2.5 Supplementary Planning Guidance:
N/A

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The Parish of Rusper was designated as a Neighbourhood Development Plan Area on 18 February 2016 however to date there is no 'made' neighbourhood plan for the Parish.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.7 The most recent and relevant planning history relating to the site is as follows:

DC/13/0657	Demolition of existing garages and erection of 4 new houses with associated parking and amenity space (Full Planning)	Application on 17.06.2014	Permitted
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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 Conservation:** No Objection.
No additional harm would result on the Conservation Area or the setting of the listed Church due to the position of the extension in the context of the main house and the boundary treatment between the graveyard and the dwelling.

PUBLIC CONSULTATIONS

- 3.3 4 emails/letters of objection, from 1 household, have been received objecting to the application on the following grounds;
- Loss of light and overshadowing.
 - Loss of privacy.
 - Overly dominant.
 - Loss of view.

PARISH COUNCIL

- 3.4 **Rusper Parish Council:** Object.
- Impact on neighbouring property
 - Impact on St Mary Magdalene's Church

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 are the principle of the development in the location and the effect of the development on:
- The character of the dwelling and the visual amenities of the area
 - The amenities of the occupiers of adjacent properties

Impact on the character of the dwelling and the visual amenities of the area

- 6.2 Policy 33 of the Horsham District Planning Framework (HDPF) states, amongst other criteria, that extensions should have regard to their natural and built surroundings in terms of their design, scale and character. An extension should be of a scale which is sympathetic to and does not overpower the original building.
- 6.3 The application would involve the erection of a pitch roofed extension to the side of the house that is 3 metres wide and 7.9 metres deep and would replace an existing lean-to extension. The proposed extension would be set back by a minimal distance from both the front and rear elevations of the existing property and would be sited approximately 4 metres from the northern side boundary of the property which adjoins St Mary Magdalene's Church which is grade I listed.
- 6.4 Whilst the proposed extension is larger than that that is currently to the side elevation of the property, it is considered to be of a scale that would not overly dominate or overwhelm the existing property or adversely affect its character and appearance. The plot is of a size that can comfortably take an extension of the size proposed without appearing as an

overdevelopment of the plot and as such it is considered to represent a sympathetic and appropriate addition to the property.

- 6.5 Given its location within a small courtyard development, the proposal, which would not be seen from the wider public vantage points, is not considered to have an adverse impact on either the setting of the adjacent grade I listed church or the conservation area. The Council's Conservation Officer has raised no objection to the application. The extension will be seen within the context of the main house and wider modern courtyard development and there is mature planting between the site and the adjoining churchyard. As such it is considered that there would be no adverse impact, as a result of the extension of the property, on setting of the adjacent listed building and the conservation area.

Amenities of the occupiers of adjacent properties

- 6.6 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.
- 6.7 The extension to the property will be constructed to the side elevation and therefore the neighbour most affected by the proposal will be 4 Chalice Walk. The application property and the adjoining neighbour are set at right angles to each other and there is a distance of some 8 metres between the properties. 4 Chalice Walk does not have any windows within its side elevations and is separated by a close boarded timber fence. The proposed extension will have no windows within its front elevation which faces towards 4 Chalice Walk.
- 6.8 Given the relationship of the properties it is not considered that the relationship as currently experienced by both properties would alter significantly and there would be no loss of privacy as a result of the proposal.
- 6.9 Whilst it is acknowledged that there would be a change in the relationship between the two properties in terms of the extent of development within the side garden area of 3 Chalice Walk, it is not considered that the extension as proposed will result in a loss of light or have an overbearing impact on the occupiers of the adjacent property.
- 6.10 It is therefore considered that the extension as proposed is acceptable in terms of its impact on neighbouring amenity and would not result in any significant or material adverse impact on the residential amenities of the occupiers of the adjacent property sufficient to warrant refusal of the application.

Conclusion

- 6.11 For the reasons outlined above, it is considered that the proposed single storey side extension would not adversely affect the character and appearance of the existing property or its setting within the wider streetscene, would not result in harm to the setting of the adjacent listed building or the conservation area and would not significantly affect the privacy or amenity of the occupiers of the neighbouring property. The application is therefore considered to comply with the relevant policies as set out in the HDPF and is therefore recommended for approval.

7. RECOMMENDATIONS

- 7.1 It is recommended that the application is approved subject to appropriate conditions as set out below:

- 1 A list of the approved plans

- 2 **Standard Time Condition:** The development hereby permitted shall begin 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 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).

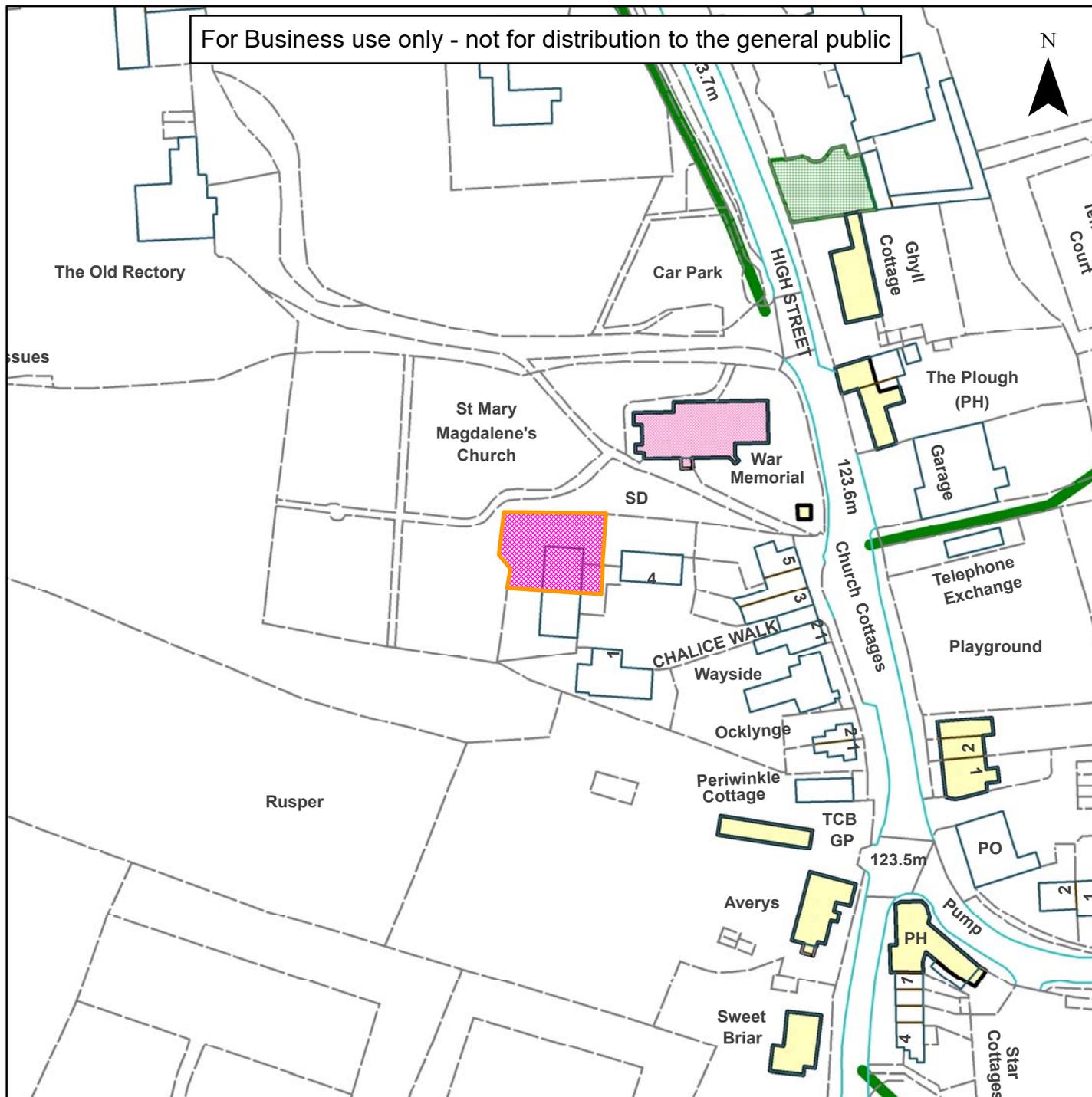
Background Papers: DC/18/1742

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3 Chalice Walk, Rusper

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Organisation	Horsham District Council
Department	
Comments	
Date	16/04/2019
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development

DATE: 9 April 2019

DEVELOPMENT: Erection of a part two storey side extension/part first floor side extension over existing, a single storey rear extension, canopy to front and new fenestration and external finishes

SITE: 50 Grebe Crescent Horsham West Sussex RH13 6ED

WARD: Forest

APPLICATION: DC/19/0355

APPLICANT: **Name:** Mr and Mrs A Burt **Address:** 50 Grebe Crescent Horsham West Sussex RH13 6ED

REASON FOR INCLUSION ON THE AGENDA: The applicant is an immediate family member of a District councillor

RECOMMENDATION: To approve subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application DC/19/0355.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the erection of a part two storey, part first floor side extension (with part over an existing single storey element), and the erection of a single storey rear extension. Also, for the erection of a canopy over the front door and new fenestration and external finishes.
- 1.3 The proposal consists of a first floor side extension on top of the garage and this extension maintains a straight roof ridge line with the main house. As part of the application process the width of the first floor extension has been reduced by 1.5 metres to increase the separation from the side boundary. This first floor side extension also extends to the rear of the garage so that it becomes level with the rear elevation of the main house, thus requiring a part two storey extension behind the garage.
- 1.4 In addition, there is also proposed an additional single story extension to the rear. The projection behind the rear elevation is approximately 2.9m and has a width across the rear elevation of approximately 9.9m. The full width of the rear elevation of the whole property is 15.9m approx. The ground floor extension would facilitate an extended kitchen/dining area, and a new play room and utility area. On the ground floor rear elevation there would be sliding/folding doors to the dining room and two new windows to the play room.

- 1.5 At the front elevation a canopy is proposed extending over the front door and across the front of the house over the garage with a projection outwards of 1.7m approx.
- 1.6 A white coloured render is proposed on part of the front and rear of the dwelling, and timber cladding to part of the front. The proposed new roofing would have materials to match those existing.

DESCRIPTION OF THE SITE

- 1.7 The application site is situated at the southern end of Grebe Crescent on its northern side. There are neighbouring properties to the sides and behind, but to the front is open space and trees along the Horn Brook.
- 1.8 The site accommodates a two storey detached dwelling and an attached double garage to the right side. The site is level. There is no boundary fencing to the front garden. To the rear a 1.8m high timber boarded fence runs along the north, west and east boundaries together with trees and shrubs along the east boundary.
- 1.9 Grebe Crescent is a residential road comprising mainly of two storey detached dwellings with no properties on the other side of the road. The properties to the west and north of the application site are positioned such that their respective rear amenity spaces abut the application site creating satisfactory separation distances from the application dwelling. The property on the east side of the site is positioned on common side boundary but the dwelling is set further back from the street than the application dwelling

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Status - Horsham District Council has approved the designation of Horsham Blueprint as a Neighbourhood Forum as of June 2015.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

HR/151/86 Extension to porch (From old planning history). Application permitted on 11/09/1986

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 Forest Neighbourhood Council: No Objection
- 3.3 No representation letters have been received

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

Character and appearance

- 6.1 This section of Grebe Crescent is primarily characterised by detached two-storey dwellinghouses with side garages with appreciable separation from the highway and front gardens, which are either open or enclosed by established planting. This creates a spacious environment which is supplemented by the absence of development to the south of the site.
- 6.2 The application site is set considerably further forward than the adjoining property to the east and this reflects the layout of the highway in this section of Grebe Crescent. As a result the proposed side extension would be relatively prominent in views from the public realm and from the neighbouring property. It is though considered that the proposed form, scale and design would be sympathetic to the existing dwelling, and the increased separation from the side boundary, as secured through amended plans, would be sufficient to ensure no harmful loss of openness between the application site and neighbouring property. The extensions to the rear of the property would be clearly subservient to the main building and, although not visible from the public realm, in views from adjoining properties would not appear unduly dominant or incongruous.
- 6.3 It is noted that adjoining properties in the immediate surroundings feature a mixture of brick, render and tile hung external elevations, and in this context the proposed use of cladding and render is considered acceptable, and would have a neutral impact on the prevailing character and appearance of the site and wider surrounds.
- 6.4 The visual impact of the proposed development is therefore considered to accord with relevant local and national planning policies.

Impact on Neighbouring Amenity

- 6.5 The property most likely to be affected by the proposed development would be no. 48 which adjoins to the east. As set out above, this neighbouring property is set considerably further back than the application site, and as result the proposed extension would be visible from ground and first floor window openings. It is though considered that the increased separation, of approximately 1.5 metres, from the shared boundary would be sufficient to ensure no significant or harmful loss of light or outlook would result from the proposed side

extensions. The siting of the proposed extension would prevent any harmful impact on side and rear facing windows and the rear garden area of this adjoining property.

- 6.6 The scale and siting of the single-storey rear extension would be such that no significant impact on neighbouring amenity would result.
- 6.7 The siting of the neighbouring property, no. 48, would be sufficient to prevent any views from new first floor openings over the rear garden area. The windows would primarily front the rear of the application site, and while front facing windows (to no. 48) would be in close proximity any views would be extremely acute, and the relationship between openings would not lead to intrusive or significant loss of privacy for occupants of either property. The resulting arrangement would not therefore be expected to result in any harmful overlooking, with the relationship between properties not uncommon or unexpected in a location such as this.
- 6.8 The proposed first floor extension would increase the number of bedrooms from 4 to 5, however it is considered that the parking available on site consisting of a double garage and double width drive at three car lengths would mean that there wouldn't be any detrimental impact on the neighbouring parking amenity.

7. RECOMMENDATIONS

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

1 A list of the approved plans

2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

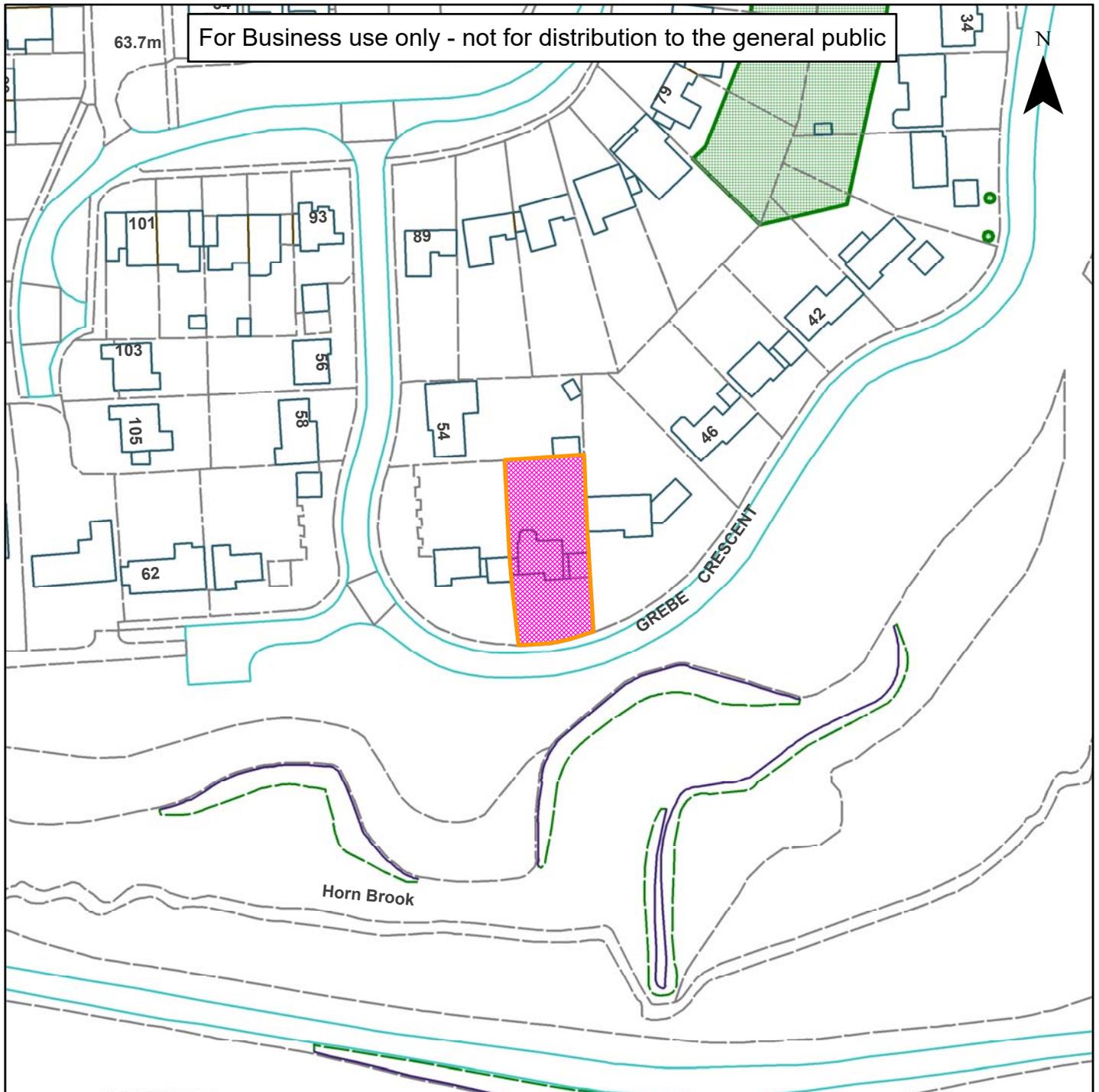
3 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match those indicated on the application form and approved plans.

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

Background Papers: DC/19/0355



50 Grebe Crescent, Horsham



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