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Planning Committee (North)

Tuesday, 10th January, 2017 at 6.00 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

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

You are summoned to the meeting to transact the following business

Agenda

Page No.

1. **Apologies for absence**
2. **Minutes**
To approve as correct the minutes of the meeting held on 6th December 2016 (to follow)
3. **Declarations of Members' Interests**
To receive any declarations of interest from Members of the Committee
4. **Announcements**
To receive any announcements from the Chairman of the Committee or the Chief Executive

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

5. **Appeals** 3 - 4

Applications for determination by Committee:

- | | | |
|-----|---|---------|
| 6. | DC/16/1961 - Land at Station Yard, Christs Hospital, Horsham
(Ward: Southwater) Applicant: Ms S Poulter | 5 - 20 |
| 7. | DISC/16/0324 - Demolished Twigs, Bashurst Hill, Itchingfield (Ward:
Itchingfield, Slinfold & Warnham)
Applicant: Duncan Jagger and Pippa Bugby | 21 - 26 |
| 8. | DC/16/0318 - Demolished Twigs, Bashurst Hill, Itchingfield
(Ward: Itchingfield, Slinfold & Warnham)
Applicant: Duncan Jagger and Pippa Bugby | 27 - 34 |
| 9. | DC/16/2370 - Demolished Twigs, Bashurst Hill, Itchingfield (Ward:
Itchingfield, Slinfold & Warnham)
Applicant: Duncan Jagger and Pippa Bugby | 35 - 44 |
| 10. | DC/16/1011 - 15 St Leonards Road, Horsham (Ward: Forest) Applicant: Mr
& Mrs Watson | 45 - 52 |
| 11. | 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

Planning Committee (North)

Date: 10th January 2017



Report by the Development Manager: APPEALS
Report run from 24/11/2016 to 20/12/2016

1. Appeals Lodged

I have received notice from the Department of Communities and Local Government that the following appeals have been lodged:-

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/16/0992	Monks Gate Cottage Brighton Road Monks Gate Horsham West Sussex RH13 6JD	2 nd December 2016	Refuse	
DC/16/1567	Westacre Rusper Road Ifield Crawley West Sussex RH11 0LN	5 th December 2016	Refuse	
DC/16/2039	North Gates The Mount Ifield Crawley West Sussex RH11 0LF	5 th December 2016	Refuse	
DC/16/1746	Amberley Chesworth Close Horsham West Sussex RH13 5AL	16 th December 2016	Refuse	

2. Live Appeals

I have received notice from the Department of Communities and Local Government that the following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
EN/15/0454	Ifield Court Hotel Charlwood Road Ifield Crawley West Sussex RH11 0JY	Written Reps	8 th December 2016	Enf Notice for Material Change of Use	
EN/15/0454	Ifield Court Hotel Charlwood Road Ifield Crawley West Sussex RH11 0JY	Written Reps	8 th December 2016	Enf Notice for Operational Development	

DC/16/0149	Land To The Rear of 94 Brighton Road Horsham West Sussex RH13 5DE	Written Reps	5 th December 2016	Refuse	
DC/16/0827	Land To The Rear of 76 - 78 Rusper Road Horsham West Sussex	Written Reps	1 st December 2016	Refuse	
DC/16/1102	Lyons Farm Lyons Road Slinfold West Sussex	Written Reps	24 th November 2016	Refuse	
DC/16/1186	73 Eversfield Road Horsham West Sussex RH13 5JS	Written Reps	5 th December 2016	Refuse	
DC/16/1662	47 Blakes Farm Road Southwater Horsham West Sussex RH13 9GH	Written Reps	24 th November 2016	Permit	

3. Appeal Decisions

I have received notice from the Department of Communities and Local Government that the following appeals have been determined:-

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/16/1028	70 Friday Street Warnham Horsham West Sussex RH12 3QX	Fast Track	DISMISS	Refuse	
DC/15/1984	Forest House Forest Road Horsham West Sussex RH12 4HL	Written Reps	DISMISS	Refuse	Refuse
DC/15/2036	Woodland Farm Shaws Lane Southwater Horsham West Sussex RH13 9BX	Informal Hearing	DISMISS	Refuse	
DC/16/1215	4 Fir Cottages Forest Road Colgate Horsham West Sussex RH12 4SZ	Written Reps	DISMISS	Refuse	



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 10 January 2017

DEVELOPMENT: Reserved matters submission seeking approval of appearance, landscaping, layout and scale following planning approval DC/13/1412, and the agreement of details submitted to satisfy 6, 9, 12, 15, 16, 17, 18, 28, 32, 33, 34, 35, 39 & 42 of planning permission DC/13/1412.

SITE: Land at Station Yard Christs Hospital Horsham West Sussex

WARD: Southwater

APPLICATION: DC/16/1961

APPLICANT: Ms S Poulter

REASON FOR INCLUSION ON THE AGENDA: By Request of the Development Manager

RECOMMENDATION: To delegate authority to the Development Manager to grant planning permission subject to the completion of a Deed of Variation to the original S106 agreement, and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application follows a hybrid planning permission (reference DC/13/1412) for the development of vacant, predominantly previously developed land within the built-up area boundary at Station Yard, Christ's Hospital. The permission granted outline planning permission for 40 residential dwellings on land served by access from King Edward Close and an extension to the station car park, and full planning permission for the conversion of the existing goods yard building on the site into 7 affordable rent residential units (in addition to the 40 units proposed in outline). Access to the full planning element is to be taken from the existing access point onto Station Road. The outline permission only secured access arrangements, with the appearance, landscaping, layout and scale being reserved by condition 1 of the permission.

1.3 This application seeks to agree the reserved matters for the outline aspect of the permission, and to agree the details reserved by a number of pre-commencement conditions applied to both aspects of the development. The proposal would retain 47 residential units as per the hybrid permission, of which 15 would continue to be affordable units. A single s106 Legal Agreement completed in connection with DC/13/1412 requires the provision of 15 affordable units across the site and includes the 7 affordable rented units in the full planning permission element and a further 8 affordable units in the outline part of the site. This application proposes a variation to the signed s106 agreement to alter

the agreed tenure split from 60% affordable rent/40% intermediate shared ownership to 46% affordable rent/54% intermediate shared ownership. This would retain the 7 affordable rent units within the converted goods yard building as current, and include 8 intermediate shared ownership units within the remaining development. The proposed affordable housing split and allocation is as follows:

No. Units	Dwelling Type	Tenure
5	3-bed terrace	Shared Ownership
3	2-bed terrace	Shared Ownership
4	1-bed flat	Affordable Rent
3	2-bed flat	Affordable Rent

- 1.4 Amendments have been made from the layout plans submitted with the hybrid application to make minor alterations to the new road into the site from King Edward Close, to improve pedestrian links through the site, increase car parking for residents and visitors, and alter the design of the housing to better relate to the scale and form of the existing housing in the area. Further alterations have been made to the unit mix, with minor amendments to the housing layout, and the repositioning of the play area. The revised unit mix is as follows:

Dwelling size	No Units DC/13/1412	No. Units now proposed
1-bed flat	4	4 (all affordable rent)
2-bed flat	3	3 (all affordable rent)
2-bed house	23	3 (all shared ownership)
3-bed house	13	30 (5 shared ownership)
4-bed house	4	7

- 1.5 The proposals have increased the number of parking spaces within the outline part of the development to 97 (including 2 disabled spaces and 8 visitor spaces), set in allocated spaces to the front of each dwelling. The converted goods yard building retains the 11 spaces approved under the hybrid permission. The dwellings are of a traditional design variously between 2 and 3 storeys in height and with a palette of materials (brick, tile hanging and tile) that complements the existing housing stock in the area.

DESCRIPTION OF THE SITE

- 1.6 The application site relates to an elongated parcel of land within the settlement of Christ's Hospital (defined as a Small Village within Policy 3 of the HDPF). The land immediately abuts a railway line along its longest north-western boundary, with a station car park to the north east, its access road (Station Road) to the southeast and dwellings to the southwest. The site has an area of 1.96 hectares. It is constrained by a Tree Preservation Order that cuts into the site from along Station Road. The Downs Link public right of way links into the site in the northeast part.
- 1.7 Since the closure of part of the railway line in the 1960s, the original station yard land and buildings have been used for storage and workshop purposes. These have now vacated and the site lies largely derelict. The important building in respect of the existing context of the site is the old goods yard building, which is positioned at the northern end of the site. The remainder of the site is largely used for open storage purposes and is consequently of little amenity value. The old goods yard building has full planning permission to be converted into 7 affordable rent units as part of a wider re-development of the site under the hybrid planning permission DC/13/1412. The remaining parts of the site are largely unkempt.

- 1.8 To the south of the application site is the residential development of King Edward Close, which is characterised by a low-medium density area of housing. To the north of the application site is Christ's Hospital Station, and the site borders onto the main station car park. To the east of Station Road is an area referred to as 'The Green', which is an undefined area of amenity open space, with the Bluecoat Pond estate beyond characterised by brick and tile dwellings.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

National Planning Policy Framework:

- NPPF4 - Promoting sustainable transport
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment

Technical guidance to the National Planning Policy Framework

Planning Practice Guidance

RELEVANT COUNCIL POLICY

Horsham District Planning Framework (HDPF 2015)

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF15 - Strategic Policy: Housing Provision
- HDPF16 - Strategic Policy: Meeting Local Housing Needs
- HDPF24 - Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF31 - Green Infrastructure and Biodiversity
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF35 - Strategic Policy: Climate Change
- HDPF36 - Strategic Policy: Appropriate Energy Use
- HDPF37 - Sustainable Construction
- HDPF39 - Strategic Policy: Infrastructure Provision
- HDPF40 - Sustainable Transport
- HDPF41 - Parking
- HDPF43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.2 The site is within the Parish of Southwater. The parish was designated a Neighbourhood Development Plan Area on the 25th February 2014, and subsequently amended on 16th May 2016. To date, no further stages of the neighbourhood plan formation process have commenced.

PLANNING HISTORY

DC/13/1412	A hybrid planning application comprising: A detailed application for the conversion of the Goods Yard Building for the development of residential units and associated access, car parking, landscaping and ancillary works. An outline application for residential development of up to 40	PER
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units including reuse of the former railway goods building, extended station car park, new roadways and footpaths and associated landscaping

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 INTERNAL CONSULTATIONS

HDC Arboricultural Officer: No objection.

HDC Public Health And Licensing (Env. Health): No objection.

HDC Housing Department: No objection to revised tenure split.

HDC Landscape Architect Officer: No objection.

HDC Parks and Countryside: No objection.

HDC Property Services - Drainage: No objection subject to condition.

HDC Waste Services Manager: No objection

3.3 OUTSIDE AGENCIES

Southwater Parish Council: No Objection.

WSCC Highways: No Objection.

WSCC Public Rights of Way: No Objection

Ecology: No Objection

No objection to the Reserved Matters Application with regards to ecology or to the discharge of Conditions 16, 17, 33 and 34. Conditions 18 & 35 require minor amendments to the wording of the ecology report, otherwise no objection. [amendments now received]

WSCC Surface Water Drainage (SWD): No comment received

Environment Agency: No comment received

Southern Water: No Objection subject to conditions

Sussex Police: No Objection.

Natural England: No Objection.

Network Rail: No Objection.

West Sussex Fire and Rescue Service: No Objection

3.4 PUBLIC CONSULTATIONS

4 letters of objection have been received from local residents. The summarised grounds of objection are as follows:

- Displaced parking from Station Road during construction works into the wider estate
- Parking on Station Road will not be addressed by the enlarged Station pay car park
- Insufficient parking on the estate leading to overspill parking elsewhere
- Residents will inevitably use The Green which is paid for by service charges by existing residents only
- Conversion of the goods yard building will preclude alternative proposals for it to be used as additional station parking provision and a railway museum [NB there are no planning applications or permissions for this]

1 letter of comment has been received, stating:

- No parking restrictions should be placed on Station Road until the car park extension is opened

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 principle of the provision of up to 47 dwellings on the site and the expansion of the station car park has been established by way of the extant hybrid planning permission DC/13/1412 which was granted consent on 20 November 2014. This permission also established all matters relating to the conversion of the goods yard building into 7 dwellings, as this element was considered in full. As set out above, this application seeks approval for the reserved matters relating to the remaining 40 dwellings and the extension to the station car park, for which outline planning permission was granted, and agreement of matters reserved by condition across the wider development. The key considerations in relation to this application therefore comprise the following:

- a) Layout, scale and appearance,
- b) Landscaping,
- c) Housing mix
- d) Affordable housing
- e) Section 106 contributions
- f) Impact on amenity
- g) Highways and parking
- h) Other matters (drainage, ecology, lighting, refuse)
- i) The acceptability of the details submitted to satisfy conditions 5, 6, 7, 9, 12, 13, 15, 16, 17, 18, 19, 20, 22, 24, 26, 28, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41 & 42 of hybrid planning permission DC/13/1412.

Layout, scale and appearance

- 6.2 The layout of the scheme broadly follows that indicatively shown on the outline application drawings, with the main access from King Edward Close leading to a short run of semi-detached and detached houses and then onto a long terrace of houses. The route of the access road has though been altered to place the playspace closer to the woodland fronting Station Road and to route the access road around the goods yard building to allow for an emergency exit point. The plans also show the re-orientation of the terraced dwellings to face towards the access road rather than away.
- 6.3 Overall the proposed layout makes an efficient and effective use of the site retaining a strong green link through the protected woodland to the playspace, which itself is overlooked by a number of dwellings and the roadway. The positioning of the dwellings relates positively to the existing dwellings on King Edward Close and King Edward Road continuing their respective building lines into the site and private gardens proportionate in size to those in the wider area.
- 6.4 In terms of scale, the proposals include a mix of 2, 2.5 and 3 storey dwellings. The two storey dwellings are located adjacent to the existing two storey dwellings on King Edward Close allowing for a suitable transition to the taller 2.5 storey dwellings within the site. The 3 storey dwellings are located as three semi-detached pairs fronting Station Road. These dwellings are a storey taller than those adjacent and are visible in views along the main approach from the east. They do however continue the rhythm of the houses adjacent in terms of footprint, building line and garden size and are of a form and design that complements the facing dwellings on Barnes Wallis Avenue across The Green to the east. Furthermore, the transition in storey height is appreciably tempered by their position on lower ground level such that they would not appreciably jar with the 2 storey properties adjacent.
- 6.5 The design of the dwellings follows the general palette of materials and forms to Barnes Wallis Avenue, including yellow/brown brickwork with red brick detailing, red/brown tile hanging and clay tiled roofs, gable and barn-ended roof forms, and small dormer windows. Consequently the development would assimilate well into its local context and re-enforce the positive local characteristics of the area as defined by the Bluecoat Pond estate opposite and in accordance with Policies 32 and 33 of the HDPF.

Landscaping

- 6.6 The site does not benefit from any particular landscape character designations, and there are no important views in, out or across the site that warrant specific protection.
- 6.7 A Landscape Masterplan has been submitted with the application, along with details of how the footpaths will be laid, trees protected and details of the play equipment proposed within public areas. These details have been amended during the course of the application to respond to feedback from the Council's Landscape Architect and Parks and Countryside Officer. The revisions to the site layout from those considered indicatively at outline stage have enabled greater soft landscaping opportunities through the site, with the Downs Link extension, protected trees and play area now linked together as a continuous green corridor into the site.
- 6.8 The Masterplan follows broadly that submitted with the hybrid application. The plan shows the retention of the area protected by the TPO, with a public footpath extending through from the proposed site access road to the Downs Link via an enlarged raised central area of grassland. The footpath is lined by various pieces of formal and informal play equipment including a slide, swing, see-saw, train seat and log stepping stones. The footpath provides linkage from the Downs Link and station through the site to King Edward Close, including around and between dwellings for best permeability. Further soft landscaping is detailed around the fringes of the site and beside the parking spaces. Final details of this planting remain secured by condition within the hybrid permission.

Trees

- 6.9 The layout changes have resulted in minor amendments to the tree protection plan and numbers of trees to be removed detailed within the hybrid submission. Whilst the plans show a number of trees are to be removed within the area covered by the TPO, these are in the main located on the periphery of the woodland and are of the poorest quality. The plans detail that the more mature and higher quality trees are to be retained, and the layout has been arranged in order to maximise this. The public footpath through the woodland will allow access into an area which dense undergrowth currently makes inaccessible, thereby enhancing the quality and usability of this space.
- 6.10 The Council's Arboricultural Officer remains of the view that the proposed tree works across the site are acceptable, retaining the most prominent and high value trees within the TPO area. In particular the Arboricultural Officer notes that the revised roadway has an improved impact on T74, a large oak tree that will be prominent in views along King Edward Close.
- 6.11 The Arboricultural Officer and Landscape Architect have both identified that the large row of conifers rear of plots 36-40 should be removed given their overgrown condition and dominant impact on these proposed dwellings. It is agreed that this row would be harmful to outlook and light, particularly to plots 36 & 37 given their shallow rear gardens, and that the proposed 30% cut back would not be sufficient to overcome this given both the remaining size of the trees and their likely quick regrowth. In the event the trees are to remain there would likely be strong pressure from future occupiers to remove them given the scale of their impact therefore it is considered appropriate to seek a suitable replacement screen as part of this submission. The Landscape Masterplan now details that this row of trees will be replaced with a 2m high native species instant hedge, which is considered to be an appropriate and acceptable revision.
- 6.12 The proposed tree works remain suitably protected by the planning condition attached to the hybrid permission, which requires tree protection works to be implemented to BS 5837 (2012) throughout works and any alterations to the submitted plans to be submitted to the LPA for approval. This ensures that the trees scheduled for retention will continue to be adequately protected during the course of the development in accordance with HDPF Policy 31.
- 6.13 Overall the landscaping proposals will protect the trees of greatest amenity value and enhance the appearance of the site to the benefit of the development and amenities of the wider area, in accordance with Policies 24, 25, 31 & 32 of the Horsham District Planning Framework (2015). The requirement for the submission, agreement and implementation of the final details of the landscaping prior to first occupation remains secured under conditions 8 and 27 of the hybrid permission

Housing Mix

- 6.14 The application proposes an amended housing mix from that submitted at outline stage as set out below:

Dwelling size	No Units DC/15/1412	No. Units now proposed
1-bed flat	4	4 (all affordable rent)
2-bed flat	3	3 (all affordable rent)
2-bed house	23	3 (all shared ownership)
3-bed house	13	30 (5 shared ownership)
4-bed house	4	7

- 6.15 The main alteration is to increase the number of three-bedroom houses from 13 to 30 and reduce the number of two-bedroom houses (23 to 3). It is noted that at this stage no preferred mix for market accommodation is specifically set out in the HDPF. A recent

background study (Market Housing Mix, dated November 2016) does though calculate that 45% of new build dwellings should be two-bed and 35% three-bed. The report does though qualify these figures by stating that they are not prescriptive and are variable to individual site specific considerations. In this instance whilst 6 of the total 47 units (13%) is considered to represent a lower level of two-bedroom units, the general established character of the area is though one of largely family homes, therefore this lower level of two-bedroom units and increase of three-bedroom units is considered acceptable in this context and in accordance with Policy 16.

Affordable Housing

- 6.16 The hybrid planning permission secured a provision of 32% affordable housing on the site, secured within the s106 to be 60% affordable rent as a minimum and 40% shared ownership as a maximum. This equated to 15 affordable units split 9 affordable rent and 6 shared ownership. A viability assessment was submitted with the application and independently verified to agree this quantum and tenure split.
- 6.17 This submission seeks to alter the tenure split to 46% affordable rent (7 units) and 54% shared ownership (8 units), retaining the agreed 32% overall provision. The applicant's case is centred on national changes to social housing rents since permission was granted which is impacting on the ability of Housing Associations to viably provide schemes with high proportions of affordable rent accommodation. The applicants have also requested a provision in an amendment to the original s106 to allow the intermediate shared ownership to be switched to intermediate market rent accommodation in the event there is found to be no demand for the shared ownership units.
- 6.18 Housing officers have agreed to the alteration to the tenure split, accepting that Government changes to reduce rents have impacted on the ability of Registered Providers to provide affordable rent units. Whilst alterations to the tenure split can potentially have an impact on the overall levels of affordable housing a scheme can viably provide, in this instance given the small scale of the alteration and the weight to be given to the guidance set out to Planning Authorities by Ministerial letter dated 9 November 2015 (which advises Planning Authorities not to re-open viability appraisals where the quantum of affordable housing remains the same but the tenure mix changes), it is not considered appropriate in this instance to revisit the overall levels of affordable housing the scheme could potentially provide. The mix of dwelling sizes broadly accords with the priorities set out in the Strategic Housing Market Assessment 2015.
- 6.19 It is noted that the affordable housing provision is 3% lower than the current policy requirements, however, given this level was agreed at outline stage previously (where this was then 8% lower than the previous policy requirement), given the other contributions secured, this is considered acceptable in weighing up the planning balance.
- 6.20 In terms of switching the intermediate shared ownership to intermediate market rent accommodation in the event they have not been sold within 6 months of completion, this new provision is accepted. A deed of variation to the s106 to secure these changes is currently under negotiation. Subject to this deed of variation the proposal will remain compliant with the objectives of Policy 16 of the HDFP.

Section 106 contributions

- 6.21 The alterations to the housing mix have required a re-calculation of the contributions secured within the s106 for the hybrid permission. Based on the housing mix now proposed, the contributions have changed as follows:

	Hybrid permission s106	Reserved Matters	Difference
WSCC Transport Access Demand	£98,286	£148,800	+£50,514
WSCC Education (Primary)	£99,561	£147,981	+£48,420
WSCC Education (Secondary)	£107,154	£159,265	+£52,111
WSCC Libraries	£11,421	£16,439	+£5,018
Fire and Rescue	£4,152	£5,150	+£998
HDC Community Centre & Halls:	£14,364	£16,329	+£1,965
HDC Open Space and Recreation:	£58,065	£66,098	+£8,033
WSCC Total:	£320,574	£477,635	+£157,061
HDC Total:	£ 72,429	£82,427	+£9,998
Total	£393,003	£560,062	+£167,059

6.22 The applicants have confirmed that they provisionally accept the inclusion of the revised contributions within the Deed of Variation to the s106 agreement. The revised contributions are to remain compliant with paragraph 123 of the CIL Regulations.

Impact on Amenity

6.23 The proposed dwellings are all of a good size that comply with the Nationally Described Space Standards and provide for a good standard of natural light, outlook, privacy and private amenity spaces proportionate to that prevalent in the immediate area. A noise assessment has been submitted which demonstrates that the dwellings would not be unduly impacted by noise or vibration from the nearby railway line subject to modest levels of mitigation. This includes some of the units providing for alternative means of ventilation to avoid the need for open windows. A suitably worded condition will secure the recommendations set out in the noise assessment. Units 19 & 20 have been relocated further away from the railway line as these were identified in the hybrid application as being most detrimentally impacted by potential railway noise.

6.24 Plots 30-35 are set rear of 11-16 King Edward Road and provide at their narrowest a separation of 17.6m between elevations. Although amongst the shortest separation in the area, this is not considered so harmful to levels of privacy as to warrant the refusal of permission. Whilst some concern was raised at outline stage that some units on the indicative layout suffered from a lack of garden amenity space and close proximity to the adjacent railway line, the amendments have to some degree overcome this harm to the point that the overall scheme is now considered acceptable in accordance with Policy 33 of the HDPF.

Highways and Parking

6.25 The acceptability of the access arrangements for the site have been established within the hybrid permission, being from King Edward Close for the majority of the dwellings, and from Station Road for the station car park extension. The amendments to the route of the access road and provision of an emergency vehicle escape link have raised no objection from WSCC highways officers and are considered acceptable. In terms of parking, the overall levels of private, visitor and disabled spaces provided within the outline part of the development has been increased to 97 (in excess of 2 per dwelling) which exceeds the standards set out by WSCC highways and is considered acceptable in this location.

6.26 Dedicated cycle parking stores are provided beside each dwelling and are considered acceptable subject to a condition requiring the approval of their elevations and external materials.

- 6.27 Station Car Park Extension
The principle of providing an extension to the station car park on the northern part of the site has been established by the hybrid planning permission. Final details of the access/exit arrangements and overall specification have been provided for this 39 bay extension as required under conditions 40 & 41 of the hybrid permission, and remain under consideration of WSCC Highways at the time of writing.
- 6.28 The purpose of the car park is to better cater for the existing commuter parking on Station Road fronting 'The Green'. This follows extensive dialogue which has taken place between the applicant and West Sussex County Council to address concerns raised by local residents over the degree of commuter parking, and to ensure that this parking problem is not exacerbated by the proposed development. As stated the development provides 97 on-site parking spaces for the 47 dwellings, therefore it is not considered that any appreciable overspill parking along Station Road in connection with the proposed dwellings would be likely.
- 6.29 The increased capacity of the station car park will enable the potential introduction of parking restrictions along Station Road and other areas within the wider area to reduce levels of commuter parking and improve safety. This is identified within the Road Safety Audits and Traffic Management Plan submitted with the application. WSCC Highways have advised that restrictions could include limited double yellow lines to keep accesses and sightline clear, and more formalised verge parking bay hardstandings on Station Road and King Edward Road with the agreement of all stakeholders (including the Parish Council and Christ's Hospital Foundation). Such restrictions would be achieved by way of a Traffic Regulation Order granted by WSCC as the Highway Authority in consultation with statutory consultees, stakeholders and third parties.
- 6.30 Members should note that the implementation of any such restrictions falls outside of the jurisdiction of the Local Planning Authority and the scope of this application (as no overspill parking risk has been identified from this development) and it is a matter for WSCC Highways to pursue in negotiation with the applicants and Parish Council.
- Other matters**
- 6.31 Drainage
Details of the existing and proposed site drainage have been submitted which the Council's Drainage Engineer and Southern Water have raised no objection to subject to final detailed designs to be secured by condition. Southern Water have identified that local infrastructure will require improvement to avoid flooding and capacity risks, and have advised that this can be achieved by condition. Condition numbers 13 and 31 covering this issue are attached to the hybrid permission and remain in need of compliance prior to development commencing.
- Ecology
- 6.32 As required by conditions 18 and 35 of the hybrid permission, details of ecological enhancements to the site have been provided. These include bird and bat boxes, log piles and appropriate planting to encourage wildlife. Appropriate measures to mitigate against any harm to bat and reptile habitats have also been submitted as secured under conditions 16, 17, 33 and 34 of the hybrid permission, all to the satisfaction of the council's ecology consultant.
- Lighting
- 6.33 As suitable bat sensitive lighting scheme for the development has been submitted to the satisfaction of the council's ecology consultant and county highways officers. The scheme will not result in significant light spillage and would not otherwise harm the amenities of existing neighbouring residents or proposed occupiers of the development.

Refuse and recycling

- 6.34 Stores for refuse and recycling facilities are to be provided to the front of each dwelling. The Waste Services team have advised that this space should include space for three bins not two, therefore further details are required, which are to be secured by condition. The Waste Services team are satisfied with the proposed road widths for refuse vehicles to access the site.

Consideration of details reserved by pre-commencement conditions of the Hybrid Application

- 6.35 This application seeks the approval of details for a number of pre-commencement conditions attached to the original hybrid permission DC/13/1412, relating to both the outline and full planning elements of the consent. The Council's procedures do not require public consultation on applications for approval of details pursuant to conditions, but in this instance the Applicant has submitted the details as a single package with their application for approval of Reserved Matters. As such, it is necessary to review the submitted details.
- 6.36 Comments have been received from the relevant consultees on the submitted details sufficient to enable the agreement of the details secured by conditions 5 (footpaths and lighting of footpaths- outline element), 6 (materials- outline element), 9 (tree protection- outline element), 12 (levels- outline element), 15 (land quality- outline element), 16 (bat sensitive lighting- outline element), 17 (bat and reptile mitigation- outline element), 18 (ecological enhancement- outline element), 28 (tree protection- full element), 32 (land quality- full element), 33 (bat sensitive lighting- full element), 34 (bat and reptile mitigation- full element) and 35 (ecological enhancement- full element), 39 (fire hydrants- both full and outline elements), and 42 (fire hydrants- both full and outline elements).
- 6.37 Insufficient information has been submitted at this stage to satisfy the requirements of conditions 7 (construction management plan- outline element), 13 (foul and surface water drainage- outline element), 19 (full details of roads and footways- outline element), 20 (highway works- outline element), 22 (road safety audit for junction of Station Road and station car park- full element), 24 (refuse and recycling storage- full element), 26 (construction management plan- full element), 31 (foul and surface water drainage- full element), 36 (details of roads and footways- full element), 37 (highway works- full element), 40 (lighting and other ancillary structures for car park- both full and outline elements), and 41 (surfacing and barriers of car park- both full and outline elements).
- 6.38 These conditions remain relevant and applicable and development is restricted until such time as the Local Planning Authority issues written approval of details pursuant to them.

Conclusion

- 6.39 The details submitted in respect of this Reserved Matters submission closely follow the principles and illustrative plans set out on the hybrid planning permission. The scheme layout, scale, appearance and landscaping is considered acceptable having regard to the context of the site, and would make an efficient, effective and sustainable use of the site. The design of the dwellings reflects the design of the existing dwellings within the Bluecoat Estate opposite the site to the east, whilst the landscaping suitably retains the protected trees with the greatest amenity value and provides for a good play area and links to the Downs Link and Station. The provision of the station car park extension will benefit the wider area by providing an alternative to parking on Station Road.
- 6.40 Many of the details submitted in respect of the pre-commencement conditions attached to the hybrid planning permission are considered acceptable following consultation and amendments, and are recommended for approval
- 6.41 The application is therefore compliant with the matters secured under the hybrid planning permission and relevant policies of the HDPF, NPPF and PPG, as set out above.

7. RECOMMENDATIONS

- 7.1 To delegate authority to the Development Manager to grant permission subject to the completion of a Deed of Variation to the original S106 agreement to secure the change to affordable housing tenure, and appropriate conditions:
1. A condition listing the approved drawings
 2. The noise mitigation measures set out in the Acoustic Report (7th Wave Acoustics dated 22 August 2016) shall be implemented in full prior to first occupation of each relevant dwelling and shall thereafter be retained at all times.
Reason: In the interests of amenity and to ensure the use of the building does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 3. No development above ground floor slab level of any part of the development hereby permitted shall take place level until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.
Reason: In order to address the impacts of the location of the development within an area of serious water stress in accordance with Policy 37 of the Horsham District Planning Framework (2015).
 4. The dwellings hereby permitted shall not be occupied until their respective covered and secure cycle parking spaces/facilities have been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained at all times solely for that purpose.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies including Policy 40 of the Horsham District Planning Framework (2015).
 5. The dwellings hereby permitted shall not be occupied until their respective refuse and recycling storage facilities have been fully implemented and made available for use in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 6. Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet shall be provided.
Reason: To ensure a sustainable development that meets the needs of future occupiers and in compliance with the provisions of the National Planning Policy Framework, particularly paragraph 42 and Policy 37 of the Horsham District Planning Framework (2015).
 7. Prior to first occupation of the development, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall have been submitted to and approved in writing by the Local Planning Authority. If the SuDS system could pose a Health and Safety risk, the verification report should also include a Health and Safety audit to check that the local community, visitors and operation and maintenance operatives will not be put at risk.
Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance with the

National Planning Policy Framework (NPPF) & Planning Practice Guidance (PPG) plus the Local Planning Policies 35 & 38 of the Horsham District Planning Framework (2015).

Notes to Applicant:

1. Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. The applicant is advised that the plans and documents submitted are sufficient to satisfy the requirements of conditions 6, 9, 12, 15, 16, 17, 18, 28, 32, 33, 34, 35, 39 & 42 of planning permission DC/13/1412.
3. The applicant is advised that the landscape details required under conditions 8 & 27 of planning permission DC/13/1412 should include the ecological enhancement measures set out in the approved Ecological Enhancement Scheme Survey (The Ecology Partnership, dated November 2016) received on 05 December 2016 as secured under conditions 18 & 35 of planning permission DC/13/1412.
4. The applicant is advised that the development shall be carried out in full accordance with the verification plan detailed within the Remediation Strategy and Verification Plan document (Ashdown Site Investigations: C16-11539/rs dated July 2016) received on 1 September 2016 as secured under conditions 15 & 32 of planning permission DC/13/1412.
5. The applicant is advised that the development shall be carried out in full accordance with the bat sensitive lighting scheme (drawing no. 12812-1-A) received on 1 September 2016, and in full accordance with the mitigation and enhancement measures set out in the Bat Survey (The Ecology Partnership, dated November 2016) and Reptile Survey (The Ecology Partnership, dated June 2016, including separate translocation letter dated 14 October 2016) received on 10 November 2016, as secured under conditions 16, 17, 33 & 34 of planning permission DC/13/1412.
6. The applicant is advised that the development hereby permitted shall be carried out in full accordance with the ground and finished floor level details detailed on drawing nos P0324 1001 revision 1 & P0324 1002 revision 0 received on 1 September 2016 as secured under condition 12 of planning permission DC/13/1412.
7. The applicant is advised that the development shall be carried out in full accordance with the measures set out in the Arboricultural Impact Assessment (SJ Stephens Associates dated 24 November 2016) received on 05 December 2016 as secured under conditions 9 & 28 of planning permission DC/13/1412.
8. The applicant is advised that the fire hydrant approved under conditions 39 and 42 will need to be installed tested and operational for firefighting.

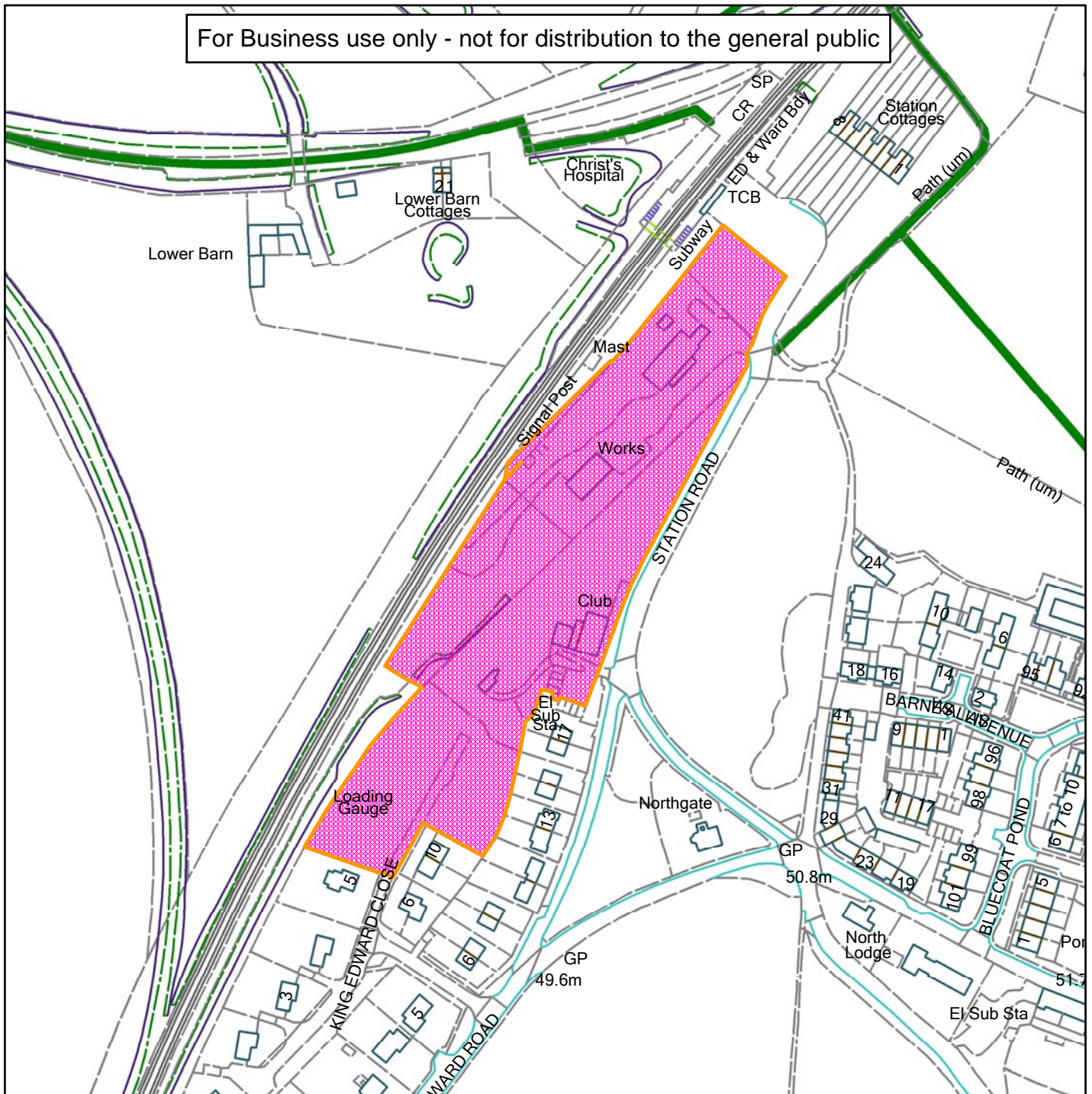
Background Papers: DC/13/1412 & DC/16/1961

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Land at Station Yard

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SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 10 January 2017
DEVELOPMENT: Approval of details reserved by condition 18 to approved application DC/15/1888
SITE: Demolished Twigs Bashurst Hill Itchingfield West Sussex
WARD: Itchingfield, Slinfold and Warnham
APPLICATION: DISC/16/0324
APPLICANT: Duncan Jagger and Pippa Bugby

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Youtan and Councillor Ritchie

RECOMMENDATION: To approve the discharge of condition 18 attached to DC/15/1888

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

1.1.1 Members will recall that at the Development Management Committee (North) meeting on 2 August 2016 where the retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store was considered, a condition requiring a schedule of materials to be used for the exterior of the garage/carport to be submitted to and agreed in writing by the Local Planning Authority was imposed.

1.1.2 The application seeks approval of the materials to be used in the construction of the garage/carport as required by condition 18 attached to DC/15/1888. The building is proposed to be of an oak framed construction, with 2 courses of grey engineering bricks (Staffordshire Blue), above which the walls will be clad in timber (softwood). The roof of the garage/carport will be natural Spanish slate to match the roof of the dwelling. The windows and doors will be constructed from timber.

1.2 DESCRIPTION OF THE SITE

1.2.1 The application site comprises a square-shaped residential plot, on which a two storey property has recently been constructed following the demolition of the bungalow that existed on the site. The plot is located on the west side of Bashurst Hill in a countryside location. Bashurst Hill is characterised by large detached dwellings set in very generous plots.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

NPPF 7 – Requiring good design

2.3 RELEVANT COUNCIL POLICY

2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 32 – Strategic Policy: The Quality of New Development

Policy 33 – Development Principles

2.4 NEIGHBOURHOOD PLAN

2.4.1 The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015.

2.5 PLANNING HISTORY

2.5.1 The site has a long and complex history which is outlined below:

DC/07/2210 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Withdrawn 03.12.2007

DC/08/0659 – Demolition of existing bungalow and erection of a 3-bed dwelling and detached double garage – Refused 20.05.2008

DC/08/1523 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Permitted 05.09.2008

DC/11/0682 – Renewal of unimplemented permission Ref DC/08/1523 (Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage) – Permitted 09.06.2011

DC/13/2058 – Replacement of existing bungalow with chalet dwelling and detached garage – Permitted 23.12.2013

DC/14/0626 – Non-Material amendment to previously approved DC/13/2058 (Replacement of existing bungalow with chalet dwelling and detached garage) comprising alterations to windows, roof and minor design changes – Permitted 28.08.2014

DC/14/2285 – Material amendment to planning permission DC/13/2058 comprising of alterations to the roof – Permitted 06.01.2015

DC/15/0989 – Variation of plans compliance condition on DC/14/2285 to amend the siting and design of the proposed garage – Permitted 02.08.2016.

DC/15/1888 – Retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store – Permitted 02.08.2016.

DC/16/2370 – Removal of condition 14 following approval of application DC/15/1888 Relating to changing an opaque window to a transparent window – To be considered by Committee

DISC/16/0318 – Approval of details reserved by condition 16 on DC/15/1888 – To be considered by Committee

DC/16/2567 – Retrospective application for the erection of an oak framed pergola to the southern elevation of the property, black painted metal fencing and gates to the front of the property, and formation of earth bund adjacent to stream at front of the site – Under consideration

DC/16/2568 – Retrospective application for the tarmacking of existing hardstanding area between stream and highway to front of site – Under consideration

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 PARISH/NEIGHBOURHOOD COUNCIL

3.2.1 No comments received to date.

3.3 MEMBER COMMENTS

3.3.1 Councillor Youtan and Councillor Ritchie have requested that the application is heard before Committee.

3.4 PUBLIC CONSULTATIONS

3.4.1 No comments received to date.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks approval of the materials to be used in the construction of the garage/carport as required by condition 18 attached to DC/15/1888.
- 6.2 The building is proposed to be of an oak framed construction, with 2 courses of grey engineering bricks (Staffordshire Blue), above which the walls will be clad in timber (softwood). The roof of the garage/carport will be natural Spanish slate to match the roof of the dwelling. The windows and doors will be constructed from timber.
- 6.3 It is considered that the materials proposed are acceptable and in keeping with the semi-rural character of the surrounding area. No comments have been received from the occupiers of the surrounding properties. It is recommended that condition 18 attached to DC/15/1888 is discharged subject to satisfactory implementation.

7. RECOMMENDATIONS

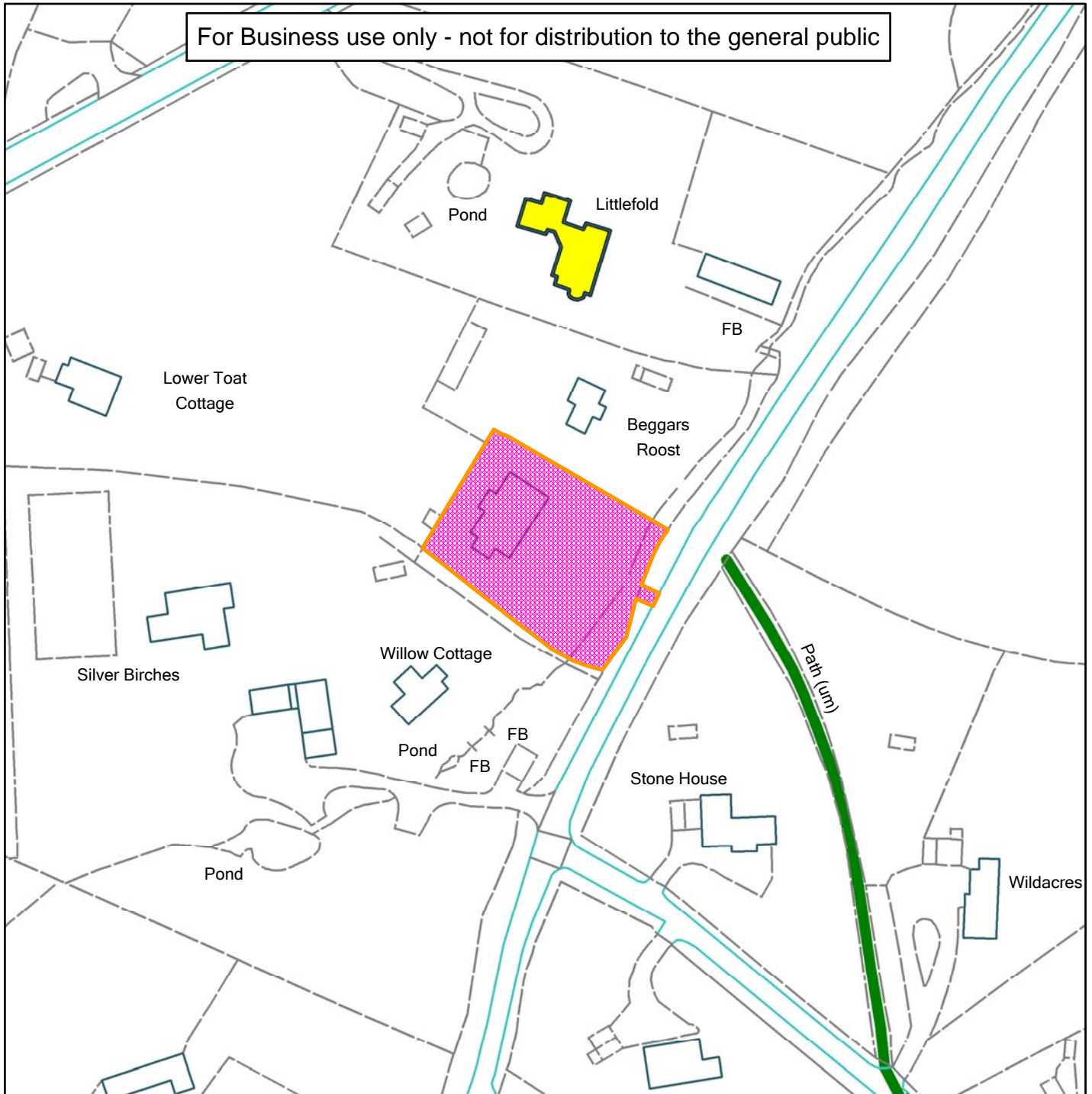
- 7.1 It is recommended that condition 18 attached DC/15/1888 is discharged.

Background Papers: DC/13/2058, DC/14/0626, DC/14/2285, DC/15/0989 and DC/15/1888



Twigs, Bashurst Hill

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 10 January 2017
DEVELOPMENT: Approval of details reserved by condition 16 on DC/15/1888
SITE: Demolished Twigs Bashurst Hill Itchingfield West Sussex
WARD: Itchingfield, Slinfold and Warnham
APPLICATION: DISC/16/0318
APPLICANT: Duncan Jagger and Pippa Bugby

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Youtan and Councillor Ritchie

RECOMMENDATION: To approve the discharge of condition

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

- 1.1.1 Members will recall that at the Development Management Committee (North) meeting on 2 August 2016 where the retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store was considered, a condition requiring an additional landscaping scheme for the site to be submitted to and agreed in writing by the Local Planning Authority, including details of mature trees to be planted around the boundaries of the site, was imposed.
- 1.1.2 The application seeks approval of the landscaping details for the site as required by condition 16 attached to DC/15/1888. A Leylandii hedge has been planted along a section of the northern boundary of the site with Beggars Roost, Bamboo has been planted along the remainder of the northern boundary and the rear boundary of the site, and the existing Yew hedge along the southern boundary with Willow Cottage has been retained. Internally, a Laurel hedge has been planted to delineate between the gravelled access/car parking area and the grassed garden area.
- 1.1.3 Following concerns raised by neighbours, the applicant has agreed to plant a number of semi-mature trees within the site. An amended landscaping scheme showing these trees is to be submitted imminently and will be reconsulted on, with any comments received being verbally presented to Members.

1.2 DESCRIPTION OF THE SITE

- 1.2.1 The application site comprises a square-shaped residential plot, on which a two storey property has recently been constructed following the demolition of the bungalow that existed on the site. The plot is located on the west side of Bashurst Hill in a countryside location. Bashurst Hill is characterised by large detached dwellings set in very generous plots.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

NPPF 7 – Requiring good design

2.3 RELEVANT COUNCIL POLICY

- 2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 32 – Strategic Policy: The Quality of New Development

Policy 33 – Development Principles

2.4 NEIGHBOURHOOD PLAN

- 2.4.1 The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015.

2.5 PLANNING HISTORY

- 2.5.1 The site has a long and complex history which is outlined below:

DC/07/2210 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Withdrawn 03.12.2007

DC/08/0659 – Demolition of existing bungalow and erection of a 3-bed dwelling and detached double garage – Refused 20.05.2008

DC/08/1523 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Permitted 05.09.2008

DC/11/0682 – Renewal of unimplemented permission Ref DC/08/1523 (Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage) – Permitted 09.06.2011

DC/13/2058 – Replacement of existing bungalow with chalet dwelling and detached garage – Permitted 23.12.2013

DC/14/0626 – Non-Material amendment to previously approved DC/13/2058 (Replacement of existing bungalow with chalet dwelling and detached garage) comprising alterations to windows, roof and minor design changes – Permitted 28.08.2014

DC/14/2285 – Material amendment to planning permission DC/13/2058 comprising of alterations to the roof – Permitted 06.01.2015

DC/15/0989 – Variation of plans compliance condition on DC/14/2285 to amend the siting and design of the proposed garage – Permitted 02.08.2016.

DC/15/1888 – Retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store – Permitted 02.08.2016.

DC/16/2370 – Removal of condition 14 following approval of application DC/15/1888 Relating to changing an opaque window to a transparent window – To be considered by Committee

DISC/16/0324 – Approval of details reserved by condition 18 to approved application DC/15/1888 – To be considered by Committee

DC/16/2567 – Retrospective application for the erection of an oak framed pergola to the southern elevation of the property, black painted metal fencing and gates to the front of the property, and formation of earth bund adjacent to stream at front of the site – Under consideration

DC/16/2568 – Retrospective application for the tarmacking of existing hardstanding area between stream and highway to front of site – Under consideration

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 PARISH/NEIGHBOURHOOD COUNCIL

3.2.1 No comments received to date.

3.3 MEMBER COMMENTS

3.3.1 Councillor Youtan and Councillor Ritchie have requested that the application is heard before Committee.

3.4 PUBLIC CONSULTATIONS

3.4.1 10 letters/emails of objection have been received from 7 households which raise the following concerns:

- The condition requires mature planting around the boundaries of the site to protect the privacy of neighbouring properties
- A screen of tall trees must be planted around all the boundaries of the site so that the adjoining properties cannot be overlooked from the windows of Twigs
- The Concise Oxford Dictionary define “mature” as “complete in natural development”

- A well respected local supplier of trees advised that they consider a mature tree to “have a 6 foot clear stem with a head of foliage up to 10-12 feet high, with further growth to come”
- The scheme submitted shows planting that has already been undertaken and does not show any additional landscaping or items to be planted
- There is no proposal to plant any mature trees
- A 2.5m high Yew hedge (along the boundary with Willow Cottage) does not satisfy the definition of mature trees
- No planting proposed along the boundary with Beggars Roost behind the proposed garage
- The Leylandii hedge along the northern boundary is only circa 2m high
- The bamboo hedge along the western boundary is only circa 2m high
- No planting proposed on the eastern boundary other than small shrubs on the left hand side of the drive entrance

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks approval of the landscaping details for the site as required by condition 16 attached to DC/15/1888.
- 6.2 A Leylandii hedge has been planted along a section of the northern boundary of the site with Beggars Roost, Bamboo has been planted along the remainder of the northern boundary and the rear boundary of the site, and the existing Yew hedge along the southern boundary with Willow Cottage has been retained.
- 6.3 Following concerns raised by neighbours, the applicant has agreed to plant a number of semi-mature trees within the site. An amended landscaping scheme showing these trees is to be submitted imminently and will be reconsulted on, with any comments received being verbally presented to Members.
- 6.4 The planting of Bamboo and Leylandii would not have been Officer’s preference given that they are not native species and can cause a nuisance if not properly maintained however they are relatively fast growing species once established. It is acknowledged that the scheme as submitted does not show any ‘mature’ trees being planted around the boundaries of the site however given the nature of the site, it is considered that the planting of mature species of trees along all four boundaries of the site would be inappropriate and would be unlikely to achieve the level of privacy that the occupiers of the neighbouring properties seek to achieve. The applicant has indicated his willingness to plant a number of semi-mature trees within the site however, with the exception of one tree which has already been planted in the northern corner of the site close to the boundary with Beggars Roost, these are unlikely to be within the rear garden area given the size of the rear garden and

the fact that the rear boundary is made up of a retaining wall with insufficient space to plant 'mature' trees.

- 6.5 In the circumstances, it is considered that the landscaping as undertaken on site to date is acceptable and it is therefore recommended that condition 16 attached to DC/15/1888 is discharged.

7. RECOMMENDATIONS

- 7.1 It is recommended that condition 16 attached DC/15/1888 is discharged.

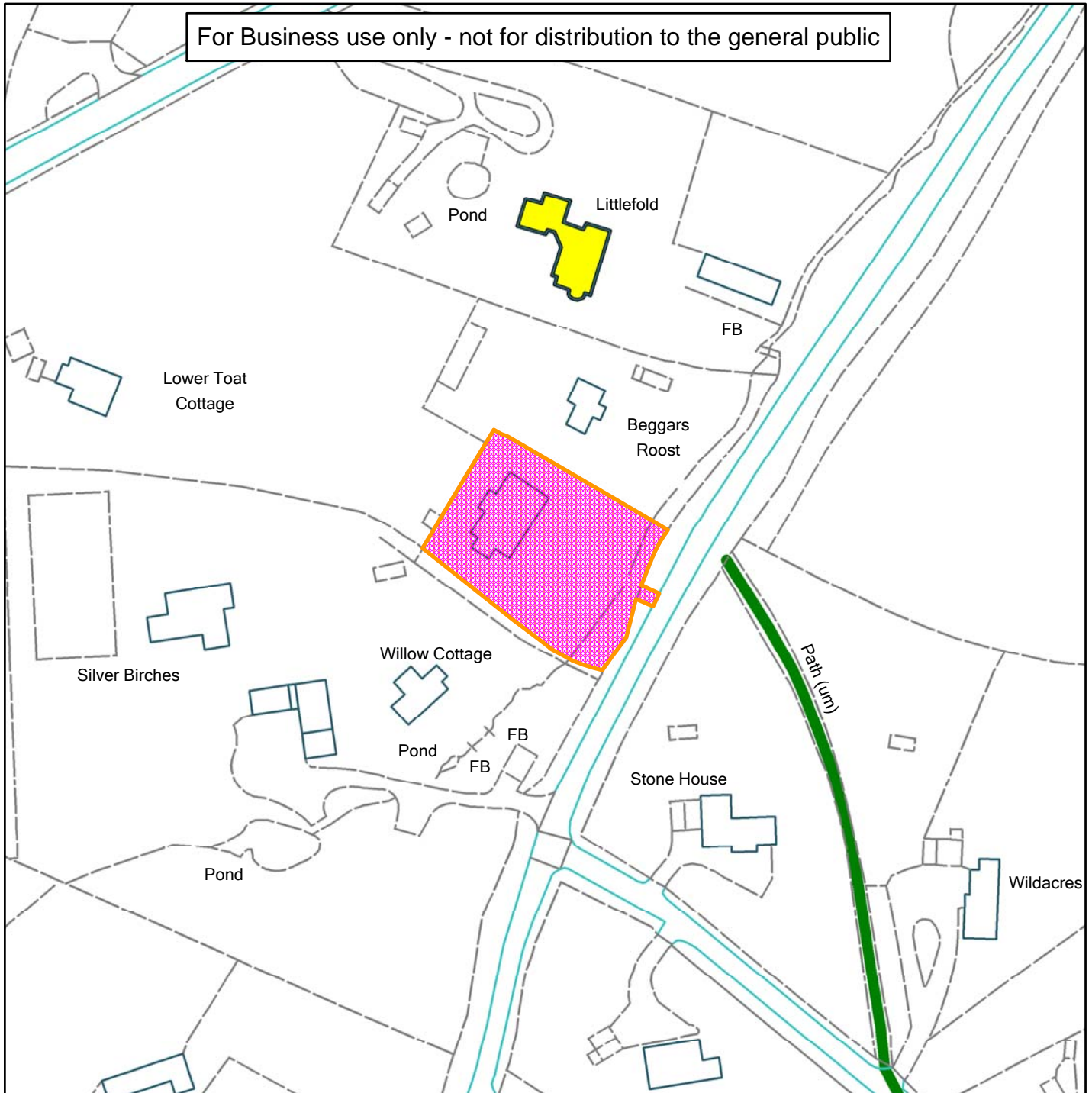
Background Papers: DC/13/2058, DC/14/0626, DC/14/2285, DC/15/0989 and DC/15/1888

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Twigs, Bashurst Hill

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 10 January 2017

DEVELOPMENT: Removal of condition 14 following approval of application DC/15/1888. Relating to changing an opaque window to a transparent window.

SITE: Demolished Twigs Bashurst Hill Itchingfield West Sussex

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/16/2370

APPLICANT: Duncan Jagger and Pippa Bugby

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation and by request of Councillor Youtan and Councillor Ritchie.

RECOMMENDATION: To approve the removal of condition 14 attached to DC/15/1888 and grant planning permission subject to the conditions as set out in paragraph 7 and the determination of DISC/16/0318 and DISC/16/0324

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1.1 DESCRIPTION OF THE APPLICATION

1.1.1 Members will recall that at the Development Management Committee (North) meeting on 2 August 2016 where the retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store was considered (DC/15/1888), a condition requiring the two triangular windows within the side elevation of the property facing Willow Cottage to be obscure glazed was imposed.

1.1.2 The application seeks to remove the condition imposed on DC/15/1888 which requires the two triangular windows within the side elevation of the property facing Willow Cottage to be obscure glazed. If the application is permitted this will allow the clear glazing to remain in the two triangular windows.

1.2 DESCRIPTION OF THE SITE

1.2.1 The application site comprises a square-shaped residential plot, on which a two storey property has recently been constructed following the demolition of the bungalow that existed on the site. The plot is located on the west side of Bashurst Hill in a countryside

location. Bashurst Hill is characterised by large detached dwellings set in very generous plots.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

NPPF 7 – Requiring good design

2.3 RELEVANT COUNCIL POLICY

- 2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 32 – Strategic Policy: The Quality of New Development

Policy 33 – Development Principles

2.4 NEIGHBOURHOOD PLAN

- 2.4.1 The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015.

2.5 PLANNING HISTORY

- 2.5.1 The site has a long and complex history which is outlined below:

DC/07/2210 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Withdrawn 03.12.2007

DC/08/0659 – Demolition of existing bungalow and erection of a 3-bed dwelling and detached double garage – Refused 20.05.2008

DC/08/1523 – Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage – Permitted 05.09.2008

DC/11/0682 – Renewal of unimplemented permission Ref DC/08/1523 (Demolition of existing bungalow and erection of a 4-bed dwelling and detached double garage) – Permitted 09.06.2011

DC/13/2058 – Replacement of existing bungalow with chalet dwelling and detached garage – Permitted 23.12.2013

DC/14/0626 – Non-Material amendment to previously approved DC/13/2058 (Replacement of existing bungalow with chalet dwelling and detached garage) comprising alterations to windows, roof and minor design changes – Permitted 28.08.2014

DC/14/2285 – Material amendment to planning permission DC/13/2058 comprising of alterations to the roof – Permitted 06.01.2015

DC/15/0989 – Variation of plans compliance condition on DC/14/2285 to amend the siting and design of the proposed garage – Permitted 02.08.2016.

DC/15/1888 – Retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store – Permitted 02.08.2016.

DISC/16/0318 – Approval of details reserved by condition 16 on DC/15/1888 – To be considered by Committee

DISC/16/0324 – Approval of details reserved by condition 18 to approved application DC/15/1888 – To be considered by Committee

DC/16/2567 – Retrospective application for the erection of an oak framed pergola to the southern elevation of the property, black painted metal fencing and gates to the front of the property, and formation of earth bund adjacent to stream at front of the site – Under consideration

DC/16/2568 – Retrospective application for the tarmacking of existing hardstanding area between stream and highway to front of site – Under consideration

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 INTERNAL CONSULTATIONS

3.2.1 **Environmental Health** – No comments.

3.3 PARISH/NEIGHBOURHOOD COUNCIL

3.3.1 *“Itchingfield Parish Council uphold the wishes of the 11 neighbours who have objected and strongly object to this condition being removed. Itchingfield Parish Council therefore objects to this application for condition 14 to be removed.”*

3.4 MEMBER COMMENTS

3.4.1 Councillor Youtan and Councillor Ritchie have requested that the application is heard before Committee.

3.5 PUBLIC CONSULTATIONS

3.5.1 11 letters/emails of objection have been received from 9 households which raise the following material considerations:

- The use of frosted glass was one of the four conditions set in August when the retrospective planning permission was granted.
- The condition was supported by an overwhelming majority of council members who voted in favour of the condition after seeing photographs depicting and documenting the window in question.

- Council members deemed that the window be a breach of privacy and intrusive for the residents of Willow Cottage, and requested that it be replaced with opaque frosted glass
- While it was acknowledged that the window is above head height, the scale of the window and close proximity to our boundary was deemed by Members to be intrusive and an invasion of privacy.
- The occupants of Twigs will need to clean the window regularly as it is a shower room – this may be done using only a small pair of steps and in the process the occupants will look out over Willow Cottage.
- The architect has stated that "*the high coniferous hedge screens neighbouring private garden areas used for amenity, so it would make even the perception of overlooking from Willow Cottage very unlikely*" – the hedge is not high enough to screen the house and garden of Willow Cottage.
- The triangular window has become even higher and more obtrusive since the original planning permission was granted because the roof ridge and the window below it have been raised 0.5 meters.
- Without the opaque frosted glass required by Condition 14, the large triangular window in question would cause unacceptable harm with respect to the privacy and amenity of the occupants of Willow Cottage.
- The removal of the condition would be contrary to Horsham District Planning Framework Policy 33.

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 Members will recall that at the Development Management Committee (North) meeting on 2 August 2016, where the retrospective application for the erection of a four bed chalet bungalow together with the erection of a detached garage with accommodation above and external air source heat pumps and erection of a cycle store was considered, a condition requiring the two triangular windows within the side elevation of the property facing Willow Cottage to be obscure glazed was imposed.

- 6.2 This current application seeks to remove condition 14 attached to DC/15/1888. If permitted this will allow the clear glazing to remain in the two triangular windows. Condition 14 states:

14 Within two months of the date of this decision, the triangular windows within the south west elevation shall be fitted with privacy level 5 obscure glazed glass. The windows shall be obscure glazed in perpetuity.

Reason: To prevent the perception of overlooking to the neighbouring property in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6.3 Policy 33 of the Horsham District Planning Framework requires new development to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.
- 6.4 As outlined by Officers at the Development Management Committee (North) meeting on 2 August 2016, the windows the subject of this application are within ensuite shower rooms, with the bottom of the windows (sill level) being over 2 metres from floor level. From a recent site visit undertaken, it can be confirmed that the sill level (bottom) of both windows when measured from the bottom of the shower tray is just over 2.3 metres with the window being recessed from the wall forming the side of the shower by just under 0.3 metres. The height of an average door is 2 metres.
- 6.5 It should be noted that these triangular windows were approved in this location and without a requirement for them to be obscure glazed on the previous permissions, including the initial application in 2013. Whilst neighbours have commented that these windows are now larger than shown on the original scheme for the site, in a different position due to alterations to the design of the dwelling and therefore allow for more opportunities for overlooking, it is considered that it would be unreasonable to require these windows to be obscure glazed given the height of the sill level of the windows. Neighbours are concerned that the occupiers of the property will be able to overlook the garden area of Willow Cottage when cleaning the windows, however given that this is likely to be carried out relatively infrequently and is likely to be carried out relatively quickly, it is not considered reasonable to refuse the removal of the condition for this reason.
- 6.6 Given the above, it remains Officers considered opinion that there are no reasonable planning grounds to continue to require these windows to be obscure glazed as there would be no overlooking from the windows and therefore no loss of privacy to the neighbouring property. It is recommended that the condition should therefore be removed.

7. RECOMMENDATIONS

- 7.1 It is recommended that condition 14 attached DC/15/1888 is removed and planning permission be granted subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the first floor side elevations of the development, unless otherwise agreed with the Local Planning Authority through the submission of a planning application.

Reason: To protect the amenities of adjoining residential properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forwardmost part of any proposed building which fronts onto a highway, unless otherwise agreed with the Local Planning Authority through the submission of a planning application.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 to the order shall be erected, constructed or placed within the curtilage of the dwelling hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling or the garage/carport, unless otherwise agreed with the Local Planning Authority through the submission of a planning application.

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

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

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

5. The approved facilities for the parking, loading and unloading of vehicles and the storage of materials and equipment associated with the building works as agreed with the Local Planning Authority on 28th January 2015 and shown on drawing number 2657/1000 Rev B shall be retained and available for use throughout the period of work required to implement the development hereby permitted unless alternative details are agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety and/or in the interests of amenity and in accordance with Policy 40 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6. The approved vehicle wheel-cleaning facility as agreed with the Local Planning Authority on 28th January 2015 and shown on drawing number 2657/1000 Rev B shall be provided in working order and operated throughout the period of any construction work on the site to ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which causes a nuisance, hazard or visual intrusion from material deposited on the road system in the locality.

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

7. No burning of materials in association with the construction works shall take place on the site.

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

8. The hard and soft landscaping works as agreed with the Local Planning Authority on 28th January 2015 and shown on drawing number 2657/1000 Rev B shall be fully implemented in the first planting season following occupation of the dwelling hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season

with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

9. The provision for the storage of refuse/recycling bins which were agreed with the Local Planning Authority on 28th January 2015 and shown on drawing number 2657/1000 Rev B shall be retained in perpetuity.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10. The parking spaces and cycle parking facility shown on the submitted plan forming part of application DC/15/1888 shall be maintained in accordance with the approved details.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles and cycle clear of the highways in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11. The vehicle turning space as shown on the approved site plan forming part of application DC/15/1888 shall be maintained in accordance with the approved details.

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

13. The window within the north west elevation of the garage hereby approved shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the obscure glazing retained in perpetuity.

Reason: To protect the amenities of adjoining residential properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14. The restrictor fitted to the first floor window on the north east elevation to prevent the window opening more than 5cm shall be retained in perpetuity.

Reason: To protect the privacy of the occupiers of the neighbouring property in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15. The additional landscaping scheme for the site as detailed in application DISC/16/0318 shall be completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy of the occupiers of the neighbouring property in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16. The tree located on the boundary with Beggars Roost labelled as 'Conifer (Multi-bole)' on drawing no. 2657/100 Rev M submitted in respect of DC/15/1888 shall not be wilfully damaged or uprooted, felled/removed, topped or lopped without the prior approval of the Local Planning Authority.

Reason: To protect the privacy of the occupiers of the neighbouring property in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17. The garage/carport shall be carried out strictly in accordance with the schedule of materials as agreed by application DISC/16/0324.

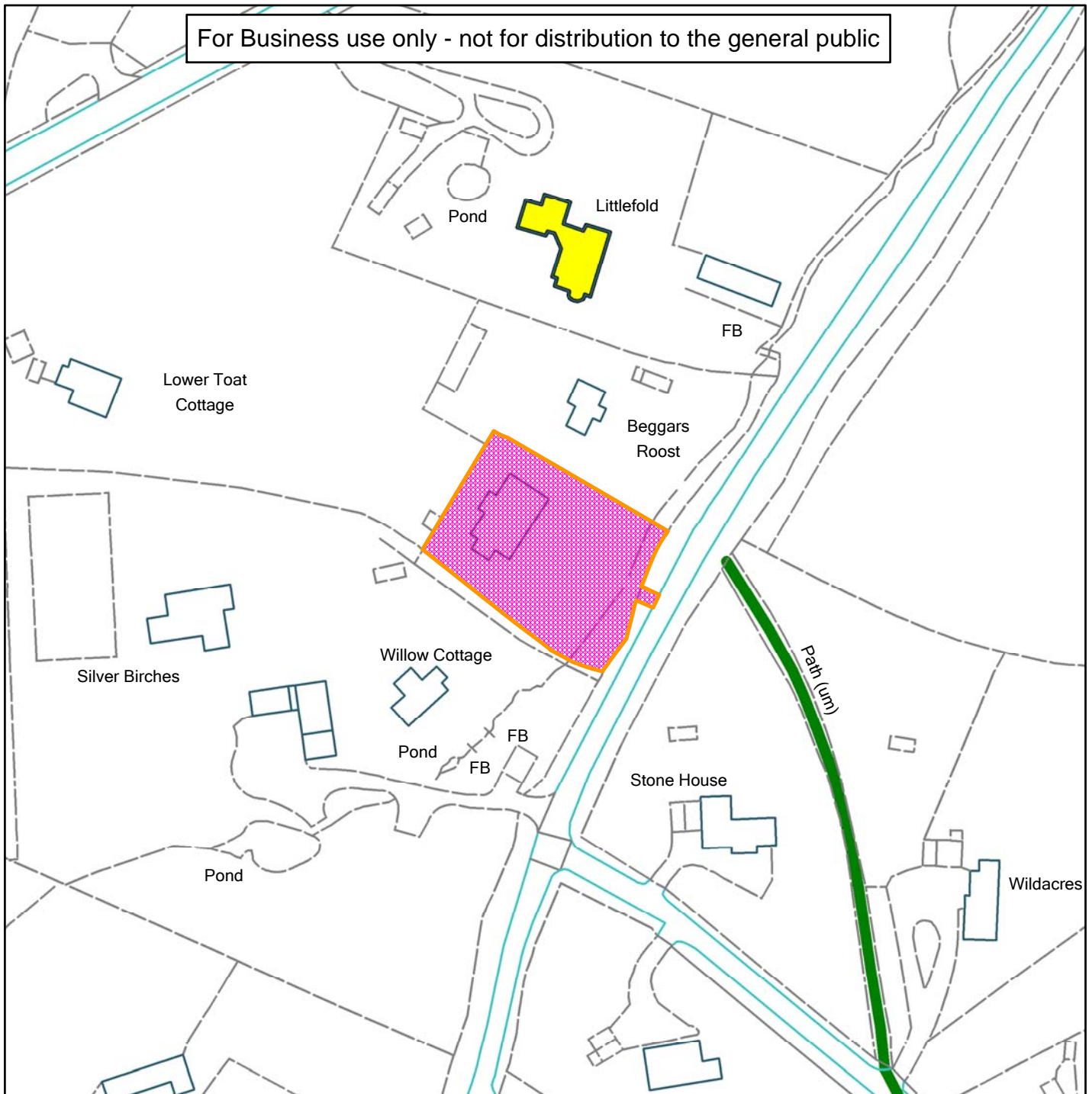
Reason: In the interests of the visual amenity of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/13/2058, DC/14/0626, DC/14/2285, DC/15/0989 and DC/15/1888



Twigs, Bashurst Hill

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BSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 10 January 2017
DEVELOPMENT: Conversion ground floor shop and ancillary area to form 2 x 2 bed flats
SITE: 15 St Leonards Road Horsham West Sussex RH13 6EH
WARD: Forest
APPLICATION: DC/16/1011
APPLICANT: Mr & Mrs Watson

REASON FOR INCLUSION ON THE AGENDA: Eight or more letters of representation contrary to the Officer's recommendation have been received

RECOMMENDATION: To approve the application, subject to conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposed development is for the conversion of a ground floor shop and ancillary area to form 2 x 2 bed flats. The development as submitted was for three flats. In response to consultation responses received the application was amended to a conversion to 2 flats. The external works proposed are alterations to doors and windows in the front and rear elevation, alteration and insertion of new windows and doors in the west elevation and the demolition of a car port.

DESCRIPTION OF THE SITE

1.3 The site is located in St Leonards Road, approximately 1 mile from Horsham town centre. St Leonards Road is mainly residential however at the entrance to St Leonards Road, approximately 30 metres west of the development site, is a Tesco Extra outlet. The buildings in the street vary in age and character and there is no particular vernacular. To either side of the site are two storey semi-detached dwellings. The development property is detached and comprises a ground floor shop with ancillary storage to the rear. The first floor of the site is an existing residential flat that will not be altered by the proposed development. The property has been extended over time back to its rear boundary. In the rear boundary wall there are windows serving the property, along with garage doors and a pedestrian access leading directly into Higgins Way Car Park at the rear of the site (Higgins Way Car Park is HDC land). The existing "garage" doors provide access to a store and a

spiral staircase leading to the first floor of the site. To the north of the car park is Bennett's Field recreation ground. The only part of the site that is not already built on is the passage way running down the west side of the property. On this side, a timber fence separates the site from No 13. The east elevation of the property forms the site boundary with No 17. There are existing first floor and ground floor windows in this side elevation of the development property that look directly into the rear garden of No 17.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

National Planning Policy Framework:

NPPF2 - Ensuring the vitality of town centres

NPPF4 - Promoting sustainable transport

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

2.3 RELEVANT COUNCIL POLICY

Horsham District Planning Framework (HDPF 2015)

HDPF2 - Strategic Policy: Strategic Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF5 - Strategic Policy: Horsham Town

HDPF9 - Employment Development

HDPF12 - Strategic Policy: Vitality and Viability of Existing Retail Centres

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF34 - Cultural and Heritage Assets

HDPF40 - Sustainable Transport

HDPF41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

The site is within the Forest Neighbourhood Council area and is part of the Horsham Blueprint Neighbourhood Forum; this Neighbourhood Development Plan is not yet in its pre-submission stage.

2.5 PLANNING HISTORY

HU/206/78	Store room under car port. (From old Planning History)	Application Permitted on 24.08.1978
HU/277/76	Formation of habitable room in roof space. (From old Planning History)	Application Permitted on 14.12.1976
HU/201/76	Room in roof. (From old Planning History)	Application Refused on 05.07.1976
HU/283/75	Car port. (From old Planning History)	Application Permitted on 17.11.1975

HU/205/73	Alt to shop and new shop front and garage. Comment: And b. regs. (From old Planning History)	Application Permitted on 24.04.1973
HU/419/72	Extension to shop and new front. Comment: Appeal withdrawn. (From old Planning History)	Application Refused on 12.09.1972
HU/217/62	Alterations and improvements. Comment: And b. regs. (From old Planning History)	Application Permitted on 17.07.1962

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 Property - HDC Owned Land/Property: Comment that the property backs onto HDC land at Higgins Way and the owner has no legal right of vehicular access over Higgins Way.
- 3.3 Services Manager, Env Management, Waste and Cleansing: Comment that the requirements for the application is 1 x 660 litre refuse bin together with 1 x 1100 litre recycling bin

OUTSIDE AGENCIES

- 3.4 WSCC Highways: No objection subject to conditions. The level of parking provision is considered sufficient and there would be no undue impact on the local highway network.
- 3.5 Southern Water: No objection

PARISH COUNCIL

- 3.6 Forest Neighbourhood Council
First consulted on the 16 May 2016 on the original 3 flat development, Forest Neighbourhood Council commented that it is concerned about the amount of natural light available to the middle of the three flats in this proposal. The Council was re-consulted on amended plans for a 2 flat development on the 9 August 2016 and again on the 18 November 2016. There was no response to these re-consultations at the time of report preparation.

MEMBER COMMENTS

- 3.7 Cllr Newman objects to the principle of the change of use together with parking concerns.

PUBLIC CONSULTATIONS

- 3.8 9 letters of representation were received objecting to the development proposal which raised the following issues:
- There is a lack of parking in the area. 3 Flats will make the situation worse.
 - Conversion to three flats is too many; flats would be too small.
 - Council are already concerned about residents [of St Leonards Road] using Bennett's Field car park.
 - Additional cars parked would jeopardise highway safety.
 - There is a need for a high-end local store.
 - Redevelopment may harm the character of the area.
 - The prevailing character of the area is housing not flats
 - Side passage may become a thoroughfare to Bennett's Field
 - Increased use of the passage may harm security
 - A valuable community asset would be lost.
 - The development would cause a loss of privacy and light to neighbouring properties.
 - Increased noise arising from the intensification of the residential use.
 - Loss of privacy caused by new windows in east elevation
 - If ground floor windows on east elevation are replaced with clear glass or are opening this will affect our privacy [No 17].
 - The proposed window in the centre of the west elevation will look directly into a bedroom [of No 13).
 - Smells from extraction fans will vent towards neighbours property.

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The principle of the development

The application site is within the Built-up Area Boundary of Horsham. As such the principle of developing the site for flats is in accordance with the Horsham District Planning Framework (HDPF) Policy 3 "Development Hierarchy", subject to compliance with the other policies of the Framework.

6.2 Loss of A1 retail space

The last use of the former A1 retail unit was as a grocers and post office trading as Mace. Following the recent conversion of nearby St Leonards Arms public house into a Tesco Extra, the applicant states that the Mace store became unable to compete and closed due to the trade lost to the Tesco Extra. The applicant has provided evidence that the vacant property has been marketed since March 2016 and states that it attracted no interest in its current Use Class or in a Use Class that would be appropriate in a residential area; the only expressed interest to date being from a dance studio. The Horsham District Planning

Framework does not require any demonstration that a premises is no longer needed or viable for employment use. In the particular circumstances of the site, being remote from other retail areas in Horsham, located in a residential street and close to the recently opened Tesco Extra, it is considered that the marketing of the property is adequate and that extending the marketing period is unlikely to generate any interest in the property as a retail outlet. It is clear that the local area will continue to have good access to a convenience store. As such it is considered that sufficient evidence has been provided to demonstrate that the retail premises is no longer viable for employment use.

6.3 The character of the dwelling and the visual amenity of the street scene

The proposed external changes to the property are relatively minor. The principle changes are; at the front the entrance porch would be reconfigured and the car port demolished, at the rear the garage doors leading on to Bennett's Field car park will be replaced with windows above a brick infill and a small window would be in-filled. On the west side elevation of the property a bin store would be constructed and alterations and additions made to the fenestration and doors. The minor alterations are such that the property would retain much of the character of its former retail use. As such it is considered that the proposed development will not have a significant effect on the character of the street or the visual amenity of the street scene.

6.4 Effect of the development on the amenity of the occupiers of adjoining properties

The development property is not being extended as part of the proposed development and therefore no harm to the amenity of neighbours would be caused in terms of loss of light or outlook. The original proposal had new windows in the east elevation overlooking the rear garden of No 17. In response to concerns raised, these additional windows have been removed from the plans. However, there are existing east side elevation windows in the ground floor of the development; these windows are currently obscure glazed and appear to be non-opening. Because these windows would no longer be to storerooms but instead to bathrooms, the potential for overlooking the garden of No 17 from these windows could be increased if the application is approved. Therefore, a condition is recommended ensuring that these windows remain obscure glazed and non-opening below 1.7 metres above floor level. Concerns were also raised by the occupants of No 13, the dwelling to the west, that new windows proposed for the west side elevation of the development would overlook a bedroom window that faces the site. However, any mutual overlooking between facing windows would be from a very steep angle upwards or downwards, preventing overlooking of any significant distance into these rooms. Notwithstanding this point there is already very significant overlooking between existing upper floor windows in the facing side elevations of No 13 and No 15, in comparison to which, the minor overlooking caused by the proposed development would be insignificant. As such it is considered that the proposed development will not have a significantly harmful effect on the amenity of neighbours in terms of loss of privacy.

6.5 The quality of the resulting residential environment for future occupiers

The proposed flats would provide a reasonably generous living space, with the main outlook being on to St Leonards Road for the front flat and towards Higgins Way Car Park and Bennetts Field for the rear flat. The windows to habitable rooms will receive adequate natural light. It is considered that the proposed development does provide an acceptable level of amenity overall.

6.6 Effect on the existing parking and traffic conditions in the area

There is space to park two vehicles on-site at the front of the property. The Local Highway Authority (LHA) states in its consultation response that the reduction in the quantum of development from three to two flats ensures there is no objection. The Local Highway

Authority has requested that a condition that secures cycle storage is included if the development is approved, in order to reduce vehicular movements.

7. RECOMMENDATIONS

7.1 To permit the application, subject to the following conditions:

1. A condition listing the approved plans.
2. 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. The ground floor windows in the east elevation of the development hereby approved shall at all times be glazed with obscured glass that is obscure to level 3 and non-opening below 1.7 metres above the finished floor level of the rooms served by these windows and shall be maintained as such at all times.

Reason: To protect the amenities and privacy of the adjoining property and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. The windows and doors of the development hereby approved shall match in all respects those of the existing building.

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

5. The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6. The development shall not be occupied until the parking facilities have been provided in accordance with the plans hereby approved and the parking facilities shall thereafter be retained solely for that purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015).

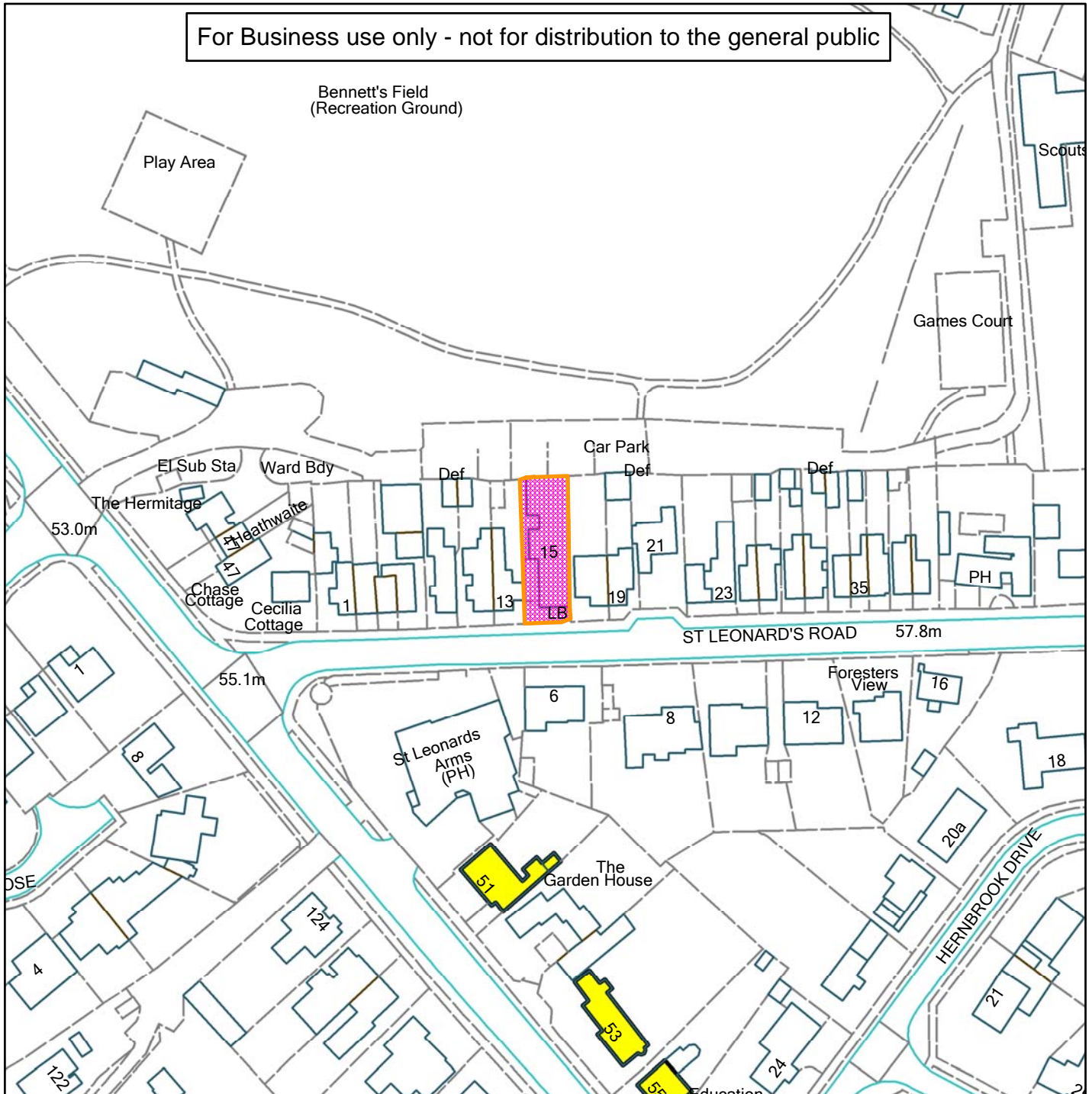
7. Before the implementation of the development hereby approved, details of the provision of facilities for the parking of cycles shall be submitted to and approved by the Local Planning Authority and the facilities so provided shall be thereafter retained solely for that purpose.

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).



15 St Leonards Road

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