



Email: [committeeservices@horsham.gov.uk](mailto:committeeservices@horsham.gov.uk)  
Direct line: 01403 215465

# Planning Committee (South)

Tuesday, 17th January, 2017 at 2.30 pm

Main Conference Room, Parkside, Chart Way, Horsham

Councillors:	Brian O'Connell (Chairman)	
	Paul Clarke (Vice-Chairman)	
	John Blackall	Gordon Lindsay
	Jonathan Chowen	Tim Lloyd
	Philip Circus	Paul Marshall
	Roger Clarke	Mike Morgan
	David Coldwell	Kate Rowbottom
	Ray Dawe	Jim Sanson
	Brian Donnelly	Ben Staines
	David Jenkins	Claire Vickers
	Nigel Jupp	Michael Willett
	Liz Kitchen	

You are summoned to the meeting to transact the following business

## Agenda

	Page No.
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	3 - 10
To approve as correct the minutes of the meeting held on 20 <sup>th</sup> December	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
<b>To consider the following reports of the Development Manager and to take such action thereon as may be necessary:</b>	
5. <b>Appeals</b>	11 - 12
Applications for determination by Committee:	
6. <b>DC/16/2388 - Parsons Field Stables, Pickhurst Lane, Pulborough (Ward: Pulborough &amp; Coldwaltham) Applicant: Mr Jack Cole</b>	13 - 24

7. **DC/14/2694 - Burgess and Randall Ltd, Station Road, Pulborough  
(Ward: Pulborough & Coldwaltham) Applicant: Mr A Stally** 25 - 40
8. **DC/16/1664 - Crosswinds, Hampers Lane, Storrington (Ward: Chantry)  
Applicant: Mr Merrick** 41 - 50
9. **DC/16/2279 - West Winds, Brighton Road, Woodmancote  
(Ward: Bramber, Upper Beeding & Woodmancote)  
Applicant: Mr and Mrs Ross and Sharon Douglas** 51 - 60
10. **DC/16/2538 - The Piggery, West End Lane, Henfield (Ward: Henfield)  
Applicant: Mr and Mrs Lee McCatty** 61 - 70
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 (South)**  
**20 DECEMBER 2016**

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, Roger Clarke, David Coldwell, Ray Dawe, Brian Donnelly, David Jenkins, Nigel Jupp, Liz Kitchen, Tim Lloyd, Paul Marshall, Mike Morgan, Jim Sanson and Claire Vickers

Apologies: Councillors: Gordon Lindsay, Kate Rowbottom, Ben Staines and Michael Willett

DMS/73 **MINUTES**

The minutes of the meeting of the Committee held on 15<sup>th</sup> November were approved as a correct record and signed by the Chairman.

DMS/74 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/16/2016 – Councillor Jonathan Chowen declared a personal interest because he knew the applicant.

DMS/75 **ANNOUNCEMENTS**

There were no announcements.

DMS/76 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted. The Development Manager advised that the Council would formally challenge the decision to allow DC/15/0193 (land east of Threats Lane, West Chiltington).

DMS/77 **DC/16/0543 - HOMELANDS NURSING HOME, HORSHAM ROAD, COWFOLD (WARD: COWFOLD, SHERMANBURY & WEST GRINSTEAD) APPLICANT: MEDICREST LIMITED**

The Development Manager reported that this application sought permission for the construction of a dementia care home for 32 residents in the grounds of Homelands Nursing Home. This would replace an existing annex used as a dementia care unit for 15 residents. The application had been deferred by the Committee in October so that additional information could be submitted by the applicant to justify the need for the facility in this location, and to allow for improvements to the design of the proposed building (Minute No. DMS/56 (18.10.16) refers).

The application site was located outside the built-up area and comprised Homelands Nursing Home which accommodated 35 residents plus the 15 residents in the annex. The site was about one kilometre north of Cowfold and was accessed from the A281 along a drive that was shared with five properties.

Members were referred to the previous report which contained details of the location, relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal. The applicant's agent spoke in support of the proposal, and the Director of the care home also spoke in support of it.

Members considered the consultation response from West Sussex County Council Care Services, which supported the proposal.

Members considered the applicant's statement outlining justification for the development and the revised plans, together with the officers' planning assessment and concluded that the applicant had not adequately addressed the concerns regarding design that had been expressed by the Committee in October.

With regards to the need of such a facility, Members were satisfied that there was a need in principle, but were concerned that the amended design was overbearing and detrimental to the countryside setting outside the built-up area.

The Development Manager confirmed that he would be able to attend a meeting with the designer with a view to negotiating a more sympathetic design.

#### RESOLVED

That planning application DC/16/0543 be determined by the Development Manager, with a view to approval, subject to an amended design to be agreed in consultation with Ward Members, and relevant conditions.

DMS/78 **DC/16/1877 - LAND AT WEST END LANE, HENFIELD (WARD: HENFIELD)**  
**APPLICANT: MR ROB PHILLIPS**

The Development Manager reported that this application sought to remove Condition 15 attached to DC/13/0787 for the development of 160 dwellings, associated landscaping, open space and access. This condition related to the pre-commencement requirement for full construction details of a traffic calming scheme on West End Lane, adjacent to the site entrance, to be submitted and approved by the Local Planning Authority.

The Highway Authority had advised that Condition 15 should be withdrawn from the proposal and, in response to surveys and consultations regarding the need and scope for traffic calming, the applicant considered that traffic calming, as required under Condition 15, was no longer required; safe access could be achieved by an amended access design.

The application site was located outside the built-up area to the west of the village of Henfield on the northern side of West End Lane. Construction works had already commenced.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

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

The Parish Council raised no objection to the application. Seven letters of objection and two letters of support had been received. A further 11 letters either commenting on the scheme, or not material to this particular application, were also received

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the proposal; landscape and townscape impact; and highway safety.

Members concluded that the proposal would limit the urbanising effect of the development on West End Lane without having a detrimental impact on highway safety in the vicinity.

It was also noted that Condition 18 regarding Code Level 3 for Sustainable Homes was no longer relevant due to changes in legislation and would therefore also be removed.

#### RESOLVED

- (i) That a legal agreement, in the form of a Deed of Variation, be entered into to amend the legal agreement attached to DC/13/0787.
- (ii) That on completion of (i) above, planning application DC/16/1877 be determined by the Development Manager.

DMS/79 **DC/16/1860 - THE ANCHORAGE, COOMBELANDS LANE, PULBOROUGH (WARD: PULBOROUGH & COLDWALTHAM) APPLICANT: MR NICK WYATT**

The Development Manager reported that this application sought a variation of Condition 1 to previously approved application DC/15/1547 for the erection of a 32 bed dementia care home on land to the rear of The Anchorage Residential Home. The proposed variation related to amendments to the approved plans and included; changes to the design and height of the roof of the building to facilitate the creation of additional first floor space for three self-contained 2-bedroom staff accommodation units (to replace the approved five bedrooms with shared facilities); elevational alterations; changes to external finishing materials; and amendments to landscaping.

The application site was located to the north of Pulborough Railway Station, south-west of the Anchorage care home, which was within a Conservation Area.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

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

The Parish Council objected to the application. Three letters of objection from two households had been received. One member of the public and a representative of the Parish Council both spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal was whether the proposed amendments were acceptable in terms of design, appearance and visual impact.

Members considered aspects of the proposal, in particular the increased height, and discussed aspects of the approved scheme, including the Local Member's concerns regarding parking on the site. Members concluded that the amendments did not significantly alter the approved scheme.

#### RESOLVED

That planning application DC/16/1860 be granted, subject to the conditions and reasons as reported.

DMS/80 **DC/16/1722 - MEADOWSWEET, PENLANDS CLOSE, STEYNING (WARD: STEYNING) APPLICANT: MR M EATON**

The Development Manager reported that this application sought permission for the demolition of a dwelling and the erection of two pairs of 4-bedroom semi-detached dwellings, parking and landscaping.

The application site was located within the built-up area of Steyning to the west of Penlands Close and was accessed along a private lane that served a number of detached and semi-detached properties of various designs.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

The responses from statutory external consultees, as contained within the report, were considered by the Committee. Members were advised that the widths of the proposed plots were 8.2 metres and 6.5 metres, rather than those as set out in the report.

The Parish Council objected to the application. 18 letters of objection, from 14 households, had been received. Three members of the public spoke in objection to the application. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character and appearance of the proposal; its impact on neighbouring amenity; and parking and traffic.

Members concluded that the proposal was of an acceptable scale and design for its plot and its siting would not have a detrimental impact on neighbouring properties. It was noted that concerns regarding construction traffic would be addressed through Condition 5.

#### RESOLVED

That planning application DC/16/1722 be granted subject to the conditions and reasons as reported.

DMS/81 **DC/16/1866 - MORALEE FARM, HAGLANDS LANE, WEST CHILTINGTON  
(WARD: CHANCTONBURY) APPLICANT: MS CLAIRE HOLLOWAY**

The Development Manager reported that this application sought permission for a temporary rural workers dwelling, the erection of an agricultural building and alterations to access. A section of a public footpath would also be resurfaced where it crossed a culvert.

The building would have a variety of uses including a fodder and equipment store, farm workshop and for shearing/ veterinary attention when required. The building would also be used in connection with a small vineyard that was proposed on part of the site. The workers dwelling would be a 1-bedroom mobile home with temporary permission for three years.

The application site was located in a rural location on the northern side of Haglands Lane, where it was a country lane with hedgerow and trees. A Grade II Listed Building, Old Haglands, was to the west, and a public footpath ran along the western boundary. To the north were open views across grassland.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. It was reported at the meeting that the Council's Ecologist raised no objection to the proposal.

The Parish Council objected to the application. A total of 74 letters of objection had been received, and there had been three letters of support. The applicant's agent had written two letters abutting assertions that the business plan was

flawed. Two members of the public spoke in objection to the application, and a representative of the Parish Council also spoke in objection to it. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the suitability of the proposed barn and its impact on the amenity of nearby properties and countryside views from the site; whether the workers dwelling was essential to its location; highways; and ecology.

Members considered aspects of the proposal, in particular the proposed location of the barn and the viability of the proposed business and concluded that the application should be deferred so that clarification could be sought from the applicant.

#### RESOLVED

That planning application DC/16/1866 be deferred to allow for additional information to be submitted by the applicant in relation to:

- (i) justification for the particular location within the site chosen for the agricultural barn;
- (ii) further information and clarification on the business plan.

DMS/82 **DC/16/2151 - LAND AT NEW HALL LANE, SMALL DOLE (WARD: BRAMBER, UPPER BEEDING & WOODMANCOTE) APPLICANT: MR & MRS PETER AND DIANA SAVAGE**

The Development Manager reported that this application sought permission for the erection of a 3-bedroom detached dwelling with attached garage on the south side of New Hall Lane. It would be T shaped and incorporate a cat-slide roof with an overall height of eight metres. There would be a number of dormer windows on the front and rear elevations.

The application site was located within the designated built-up area of Small Dole within a ribbon of residential development, with a single storey dwelling to the east, separated by mature hedging, and a two storey dwelling to the west. There was post and rail fencing around the perimeter of the site and open agricultural fields to the south.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

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

The Parish Council raised no objection to the application. Sixteen letters of objection, from eleven households, had been received. The Local Member had



raised no objection though had commented that the proposed structure was large. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character and appearance of the proposal; its impact on neighbouring amenity; highways;

Members concluded that the proposed dwelling was of a scale and design that would not have a detrimental impact on the character of the area or surrounding landscape and that the proposal was acceptable

RESOLVED

That planning application DC/16/2151 be granted, subject to the conditions and reasons as reported.

DMS/83 **DC/16/2016 - CALCOT FARM, HORSHAM ROAD, STEYNING (WARD: STEYNING) APPLICANT: MR RICHARD JESSE**

The Development Manager reported that this application sought permission for the erection of a polytunnel and storage building for agricultural aquaponics. The polytunnel would be 12 metres long with an overall height of 3.6 metres and be just to the north of the proposed timber clad storage building. The aquaponics business would grow the root vegetable wasabi, and farm trout in a symbiotic relationship. The proposal was part of a farm diversification programme.

The application site was located in the open countryside western of Horsham Road, between Ashurst and Steyning. The wider farm was accessed off Horsham Road via a private track shared with the adjoining residential property at Calcot Bungalow. Other dwellings were approximately 100 metres north of the site.

The site formed part of a larger farming enterprise across three sites: Calcot Farm; New Wharf Farm; and Northover Farm, and was to the north of Calcot Farm adjacent to a number of agricultural buildings.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. Relevant planning history, including buildings on land adjacent to the site, was also noted.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. It was noted that Condition 4, as printed in the report, should be amended to read "There shall be no delivery or dispatch occurring at the site **outside** the hours of:"

The Parish Council objected to the application. Letters of objection from three households had been received. One member of the public spoke in objection to the application. The applicant and the applicant's agent both addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; amenity of adjoining properties; and parking and highway safety.

Members noted that the applicant had agreed to move the polytunnel five metres further south from the northern boundary, and that the proposal would result in a minimal increase in activity.

Members concluded that the farm diversification programme was a sustainable form of development which would not cause material harm to the character of the surrounding area or neighbouring amenity, and was therefore acceptable.

RESOLVED

That planning application DC/16/2016 be granted, subject to the conditions and reasons as reported.

*The meeting closed at 4.40 pm having commenced at 2.30 pm*

CHAIRMAN

## Development Management Committee (South)

Date: 17<sup>th</sup> January 2017



Report by the Development Manager: APPEALS  
Report run from 8/12/16 to 4/1/17

### 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/16/1252	Little Thatch Veras Walk Storrington Pulborough West Sussex RH20 3JF	13 <sup>th</sup> December 2016	Permit	Refuse
DC/16/1908	Longbury Hill House Veras Walk Storrington Pulborough West Sussex RH20 3JF	13 <sup>th</sup> December 2016	Refuse	Refuse
DC/16/1702	Little Paddocks Crays Lane Thakeham Pulborough West Sussex RH20 3ER	15 <sup>th</sup> December 2016	Refuse	Refuse
DC/16/1036	Lock Farm Lock Partridge Green Horsham West Sussex RH13 8EG	19 <sup>th</sup> December 2016	Refuse	
DC/16/1415	1 Woodcot New Road Billingshurst West Sussex RH14 9DS	19 <sup>th</sup> December 2016	Refuse	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
DC/16/1628	The Domain Greyfriars Lane Storrington Pulborough West Sussex RH20 4HE	Fast Track	16 <sup>th</sup> December 2016	Refuse	
DC/16/0915	Land South West of Catholic Cemetery School Lane Storrington West Sussex	Written Reps	22 <sup>nd</sup> December 2016	Invalid on Receipt	

## 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/14/0588	Sandgate Nursery West End Lane Henfield West Sussex	Public Inquiry	Dismissed	Refuse	Refuse
DC/14/1695	Land South of Ashington House London Road Ashington West Sussex	Public Inquiry	Withdrawn	Refuse	Refuse
DC/15/2706	Land at Harbolets Road West Chiltington West Sussex	Written Reps	Withdrawn	Refuse	



**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Development Manager

**DATE:** 17 January 2017

**DEVELOPMENT:** Change of use of land to caravan site for stationing of up to three caravans for occupation by gypsy-traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)-part retrospective

**SITE:** Parsons Field Stables Pickhurst Lane Pulborough West Sussex

**WARD:** Pulborough and Coldwaltham

**APPLICATION:** DC/16/2388

**APPLICANT:** Mr Jack Cole

**REASON FOR INCLUSION ON THE AGENDA:** Member request (Councillor Clarke), Parish Council request and more than eight letters of representation contrary to the Officer's recommendation have been received

**RECOMMENDATION:** To grant temporary planning permission until 31.12.2019 subject to conditions

### **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the change of use of the land to a caravan site for the stationing of up to three caravans to be occupied by a gypsy/traveller family. The application also includes the provision of a timber utility shed, utility trailer, septic tank and hard standing.
- 1.2 The application seeks to extend the red edged application site granted under application DC/09/2130, and would result in a rearrangement of the site to include the provision of 2 mobile homes, a touring caravan, a utility trailer and utility shed. The proposed utility shed would be 5.4 metres wide, 3 metres deep and 2.9 metres in height to the ridge. The proposal also includes the provision of a septic tank to the south west of the second mobile home. The existing mobile home on the site and utility shed would remain in a similar position to that already approved. The proposed utility trailer and second mobile home would be positioned where a stable was formally located. The pole barn would remain on the site, and the access would remain as existing.

## DESCRIPTION OF THE SITE

- 1.3 The site is situated within a rural location to the south of Pickhurst Lane. Within the site is a static mobile home, a wooden clad outbuilding, a utility trailer, pole barn and touring caravan. At the entrance to the site is a brick wall with timber inserts and gate, on the boundary to the north of the site is panel fencing, which is continued on the south eastern boundary. On the inner side of the fence leylandii trees have been planted. A mature hedgerow runs along the boundary to Pickhurst Lane. There are public footpaths to the east and west of the site. The boundary of the South Downs National Park is located some 175 metres to the west of the site. Whitehall Cottage a grade 2 listed building is located to the north east of the application site, on the opposite side of Pickhurst Lane.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 National planning policy aims are embodied in the National Planning Policy Framework 2012. Paragraph 14 tells us that at its heart is a 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking'.

Paragraphs 17 and 109 advocate the recognition of the intrinsic character and beauty of the countryside and the need to protect and enhance valued landscapes.

The Government also published 'Planning Policy for Traveller Sites' in 2015 alongside the NPPF. Policy H advises on the determination of planning applications for traveller sites. Of particular relevance to this application are:

- Paragraph 21 which states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development.
- Paragraph 23 which states that 'Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'.
- Paragraph 24 which states that weight should be given to the effective use of previously developed land and sites being well planned or soft landscaped in such a way as 'to positively enhance the environment'.
- Paragraph 25 states that if a local planning authority cannot demonstrate an up-to-date supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. However, Policy I: Implementation, paragraph 28, makes it clear that this only applies to applications for temporary planning permission for traveller sites made 12 months after this policy came into force.

### RELEVANT COUNCIL POLICY

- 2.3 Policies relevant to the application from the Horsham District Planning Framework 2015 are considered to be; Policy 1 Sustainable Development, Policy 2 Strategic Development, Policy 21 and 22 Gypsy and Traveller Allocations and Gypsy and Travellers Site, Policy 23 Gypsy and Traveller Site Accommodation, Policy 24 Environmental Protection, Policy 25 District Character and Natural Environment, Policy 26 Countryside Protection, Policy 30 Protected Landscapes, Policy 32 Quality of New Development, Policy 33 Development Principles, Policy 34 Cultural and Heritage Assets and Policy 40 Sustainable Transport.

## RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Pulborough Submission (Regulation 16) Draft Neighbourhood Plan consultation was undertaken between 23 November 2015 - 08 January 2016. Having considered the representations received in response to the consultation, the Council has decided that the plan should not proceed to examination at the current time and are in discussions with the Parish Council as to how the plan should move forward. The draft Neighbourhood Plan does not contain any specific planning policies or guidance in relation to Gypsy and Traveller site provision.

## PLANNING HISTORY

PL/82/91	Private gypsy site (22-25 plots) & access Site: Woodlands Park Caravan Site Pickhurst La Pulborough	REF
PL/34/97	Erection of stables Site: Lot 7 Pickhurst Lane Pulborough	PER
DC/09/0513	Stationing of mobile home for settled gypsy accommodation	REF
DC/09/2130	Retrospective change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hard standing	PER
DC/13/0577	Removal/variation of condition 1 and 2 (relating to timescale for permission and occupancy) pursuant to application DC/09/2130 (Change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hardstanding)	PER

## 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](http://www.horsham.gov.uk).

### INTERNAL CONSULTATIONS

- 3.2 **Strategic and Community Planning** (summarised) - Given that the Council anticipates that a Site Allocations DPD, which includes the provision of Gypsy and Traveller sites, will be adopted substantially before the end of the current temporary planning permission, it is considered that temporary planning permission until the end of 2019 would continue to be appropriate.
- 3.3 **Property Services (Drainage)** - Recommend imposing drainage conditions that require the proposed foul drainage (Sewage Treatment Plant) arrangement conforms with the latest regulations 'General binding rules: small sewage discharge to a surface water'
- 3.4 **Public Health and Licensing** (summarised) – Conditions suggested if application was to be approved.

## OUTSIDE AGENCIES

- 3.5 **Southern Water** (summarised) – There is a public water distribution main within the site. Its exact position must be determined on site. No works should be undertaken within 4 metres of the water main without the consent of Southern Water.
- 3.6 **WSCC Highways** (summarised) - The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

## PUBLIC CONSULTATIONS

- 3.7 **Pulborough Parish Council** has objected to the application.
- 3.8 **Fourteen letters** have been received objecting to the application including from The Wiggonholt Association and Pulborough Society on the following grounds;
- Lack of sustainability
  - Site should only be occupied until 2019
  - Concern with regards to highways safety and increase in traffic
  - Disturbance to neighbouring properties Cherry Tree Cottage and Whitehall Cottage
  - Impact on setting of South Downs National Park
  - Appearance of entrance out of keeping with locality
  - Caravans out of keeping with locality
  - Applications only permitted in past due to personal circumstances of applicant which no longer apply
  - Previous applications have been refused
  - Gypsy site already provided half a mile away on A29
  - Development would set a precedent on the southern side of Pickhurst Lane
  - Gates, walls, lights and non-native planting out of keeping in the lane
  - Land should be returned to its former use
  - Proposal contrary to policies of development plan
  - Land not put forward for allocation
  - Intensification of existing use
  - Application in breach of equality legislation
  - Inspector found the site to cause harm to the area.

## 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 It is considered that the main issues in the determination of the application are the need for the proposed mobile homes, the effect of the proposal upon the character of the landscape and street scene, sustainability and the amenities of neighbouring properties.



## Principle

- 6.2 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites. At paragraph 21, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. Also in determining planning applications for gypsy and traveller sites paragraph 22 of the Planning Policy Guidance requires Local Planning Authorities to consider the existing level of local provision and need. It is noted at Paragraph 27 of this document that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites; this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.3 This site has a complex planning history. Planning permission was granted on the site in April 2011 under DC/09/2130 for the change of use of land to a caravan site for two caravans for occupation by a single gypsy family with timber shed and hardstanding. In April 2013 application DC/13/0577 was submitted which sought to vary condition 1 and 2 of DC/09/2130. Condition 1 of DC/09/2130 required the permitted mobile home and touring caravan on the site to be removed on or before 19 April 2013. Condition 2 was a personal condition which restricted the occupation of the mobile home to Sarah Barnes and her family only. Condition 1 was varied to allow the mobile home to remain until 19 November 2015. Condition 2 was not amended. DC/13/0577 was consequently taken to appeal. The Inspector allowed the appeal subject to a condition relating to the temporary use of the site until 31st December 2019. The Inspector removed the personal occupancy condition (condition 2 relating to the previous occupier of the site) so that any Gypsy and Traveller family (provided they meet the current definition contained within the Planning Policy for Travellers Sites (PPTS) document) could occupy the site.
- 6.4 The current application seeks to amend the red edge of the application site and provide for an additional caravan and utility trailer, this would result in three caravans on the site (one of which would be a trailer) a utility trailer, utility block and septic tank.
- 6.5 Policy 21 of the HDPF: 'Gypsy and Traveller Site Allocations' makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017 in order to fulfil the backlog of unmet need identified through the Council's current Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2013). The policy does confirm that Horsham District Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Site Allocations DPD. However, it is acknowledged that a number of sites allocated through Policy 21 of the HDPF have yet to come forward and therefore, the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites.
- 6.6 The Council has acknowledged under paragraph 8.8 of the HDPF that further work will need to be undertaken to identify and monitor need and to provide for additional pitches beyond the initial five year period planning period (i.e. beyond 2017) and this will be addressed through a Site Allocations DPD. A call for sites was undertaken earlier this year for Gypsy, Traveller and Travelling Showpeople sites (amongst other uses) that included publication on the Friends, Families and Travellers website. The Council is in the early stages of developing its Site Allocations document and is actively assessing sites and accommodation needs within the District. To date, this site has not been put forward through this process.
- 6.7 It is therefore considered that there is a clear existing need for gypsy and traveller sites in Horsham and that there is not a sufficient rolling supply to meet the requirement for the five year period up to 2021. The need for additional gypsy and traveller accommodation is a

matter which should carry significant weight in the determination of this application. This application could help to address the existing backlog and future need for additional gypsy and traveller pitches across the district.

### **Landscape Character**

- 6.8 Policy 22 of the HDPF: 'Gypsy and Traveller Sites' sets out criteria for allocating land for pitches for Gypsies and Travellers, including the use of publically owned land; and the allocation of sites in strategic development sites or stand-alone allocations. Policy 23 (1) of the HDPF: 'Strategic Policy: Gypsy and Traveller Allocations' confirms in relation to any planning applications for non-allocated sites that there must be no significant barriers to development that exist in terms of flooding, drainage and ground stability; that the site is served by a safe and convenient vehicular and pedestrian access; that the site has essential services; that the site is located in or near to existing settlements and that the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties.
- 6.9 The site has been the subject of a previous appeal which granted temporary planning permission for the use of the site for the stationing of one mobile home and one touring caravan (DC/13/0577). The Inspectors Decision is a material consideration in the determination of the current application.
- 6.10 As part of the Inspectors consideration of the previous appeal it was noted that although the site was relatively small and well contained, the Inspector considered that the harm to the rural character and appearance of the countryside was considerable. It is therefore considered that taking into consideration the Inspectors view the development may not comply with the relevant criteria contained in policy 23. However, it was concluded by the Inspector for the previous appeal (DC/13/0577) that the harm done by the continued use would be outweighed by the advantages of retaining a residential traveller caravan pitch for a temporary period to the end of 2019. It is considered that the addition of a further mobile home, and utility trailer in addition to the permitted mobile home, tourer and utility block would be viewed in context with the existing facilities. It is also considered that the site is of a sufficient size to temporarily accommodate the proposal without appearing cramped, and the mobile homes would not be overly prominent in the streetscene due to the hedgerow planting. With regards to the sites appearance from the lane the Inspector concluded "*that the view of the site from the lane does not produce any harm to the character or appearance that is relevant to my decision.*" The applicant is also willing to supplement the existing landscaping in order to further screen the development, and a condition to this effect is recommended. It is therefore considered that the benefit of providing further accommodation on the site due to the shortage of sites within the District would outweigh the acknowledged harm to the landscape and would be reasonable for a temporary period up to 2019.

### **Sustainable Development**

- 6.11 The application site is outside of the built-up area and as such is classified as being in a countryside location. The nearest settlement is Pulbrough, defined in the HDPF as a small town/larger village which are settlements with a good range of services and facilities. Guidance within the Planning Policy for Traveller Sites document paragraph 21, states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. As such, given the countryside location of this site at some distance away from these services it could be considered that the proposal is contrary to the Government guidance. However, the Council took the view in 2010 in relation to the Greenfield Farm site, Valewood Lane (DC/10/0721), that, although the main mode of transport would be vehicular, the site could be justified as sustainable in the wider sense. It was acknowledged at the time that this would set the tone for consideration of

sites in the future under this policy. Similarly, the Inspector when considering the Kingfisher Farm appeal reached the same conclusion in respect of sustainability.

- 6.12 Although the site is in a rural location it should be noted that the son of one of the occupants is attending school in Pulborough and the applicants have access to other local facilities i.e. doctors and dental surgeries. It is accepted that walking is more likely to replace short car trips, if the distance is under 2 km, whilst cycling has the potential to substitute short car trips and to form part of a longer journey by public transport, particularly if under 5km. It is recognised that most local facilities are not within walking distance of the application site, with the school and railway station approximately 2.7 km and approximately 3.4 km away respectively. However, it should be recognised that many facilities e.g. the railway stations and the local school, appear to be within cycling distance, which suggests this location is not wholly unsustainable. It is also understood that buses do run daily along the A29, and the bus stop is within walking distance of the site (approximately 1.8 km away). It is a fact that the site is outside the settlement boundary, but it is not so isolated as to make non-private vehicle journeys inconvenient or unlikely. In that respect the site is accessible and hence sustainable in transport terms, whilst providing the space, the rural character and facilities required by a gypsy family. It is therefore considered that the proposal due to its proximity to Pulborough, could be justified in terms of access to amenities in this instance.

### **Impact on Neighbouring Properties**

- 6.13 With regard to the impact of the proposed development on neighbouring occupiers, there are two residential properties close to the site. "Whitehall Cottage" a listed building is located to the north east of the site, whilst "Cherry Tree Cottage" also a listed building is adjacent to Whitehall Cottage. Whitehall Cottage is approximately 60 metres from the site boundary. It is considered that due to this distance and the additional planting undertaken by the applicant on the site that the addition of a further mobile home and utility trailer would not result in harm to the amenities of neighbouring occupiers or the setting of the listed buildings. The Inspector as part of the earlier appeal noted that *"I do not consider that the possible effect of noise from the caravan affecting the persons using an area of hardstanding near an outbuilding on the opposite side of the Lane is unlikely to involve material harm."*

### **Highways**

- 6.14 The Highways Authority do not consider that the addition of a mobile home, and utility trailer in addition to the agreed mobile home, trailer, and utility block would materially increase the volume of traffic utilising the existing established access point onto Pickhurst Lane which is unclassified. The Highways Authority has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There have been no recorded injury accidents within the vicinity of the access or at the junction onto Blackgate Lane. Therefore there is no evidence to suggest that the access is operating unsafely, or that the proposed works would exacerbate an existing safety concern. The Highways Authority has carefully considered the application and do not consider that the proposal would have a 'severe' impact on the operation of the Highway network. Paragraph 32 of the NPPF states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Consequently, it is considered that there are no transport grounds to resist the proposal.

### **Conclusion**

- 6.17 In conclusion, it is considered that the Council cannot currently meet the identified backlog of unmet gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF. However, the Council is in the early stages of developing its Site Allocations document and is actively assessing sites and

accommodation needs within the District. It is considered that although the application site is located within the countryside it is within a reasonable distance from services and facilities. Furthermore the proposal would become part of an existing site, which was found to be acceptable at appeal for a temporary period. Therefore it is considered that the principle of development is considered acceptable for a temporary period and that the proposal would therefore be in accordance with Policy 23 of the HDPF and the guidance within the Planning Policy for Traveller Sites 2015.

## **7. RECOMMENDATIONS**

7.1 It is recommended that the application be granted, subject to the following conditions:

- 1) The two mobile homes, touring caravan, utility trailer and utility block hereby permitted shall be removed and the land shall be restored on or before the 31.12.2019 to a condition which has been previously agreed in writing by the Local Planning Authority in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason: The Local Planning Authority would not normally grant permission for such a development in this location but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period in accordance with Policy 23, Policy 26, Policy 27 and Policy 33 of the Horsham District planning Framework 2015 and the guidance within the Planning Policy for traveller sites (August 2015).

- 2) This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework 2015.

- 3) No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), of which no more than 2 shall be a static caravan or mobile home, shall be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework 2015.

- 4) The single touring caravan hereby approved shall not be occupied by any person at any time whilst on the application site.

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework 2015.

- 5) No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

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

- 6) No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

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

- 7) No development shall take place until details of storage provision for refuse and recycling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details prior to the occupation of the pitches.
- Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework 2015.
- 8) No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed mobile homes and utility block have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
- Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework 2015.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.
- Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.
- 10) No works or development shall take place until full details of all hard and soft landscaping works have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants 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 the Local Planning Authority gives written consent to any variation.
- Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.
- 11) The mobile homes hereby approved shall not be occupied until the parking, turning and access facilities have been provided in accordance with the plans hereby approved (and the parking turning and access facilities shall thereafter be retained solely for that purpose).
- Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework 2015.
- 12) Full details of means of foul and surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on the development hereby approved. The scheme agreed shall be implemented strictly in accordance with such an agreement unless subsequent amendments have been agreed with the Local Planning Authority.
- Reason: To ensure that the development is properly drained in accordance with Policy 33 of the Horsham District Planning Framework 2015.

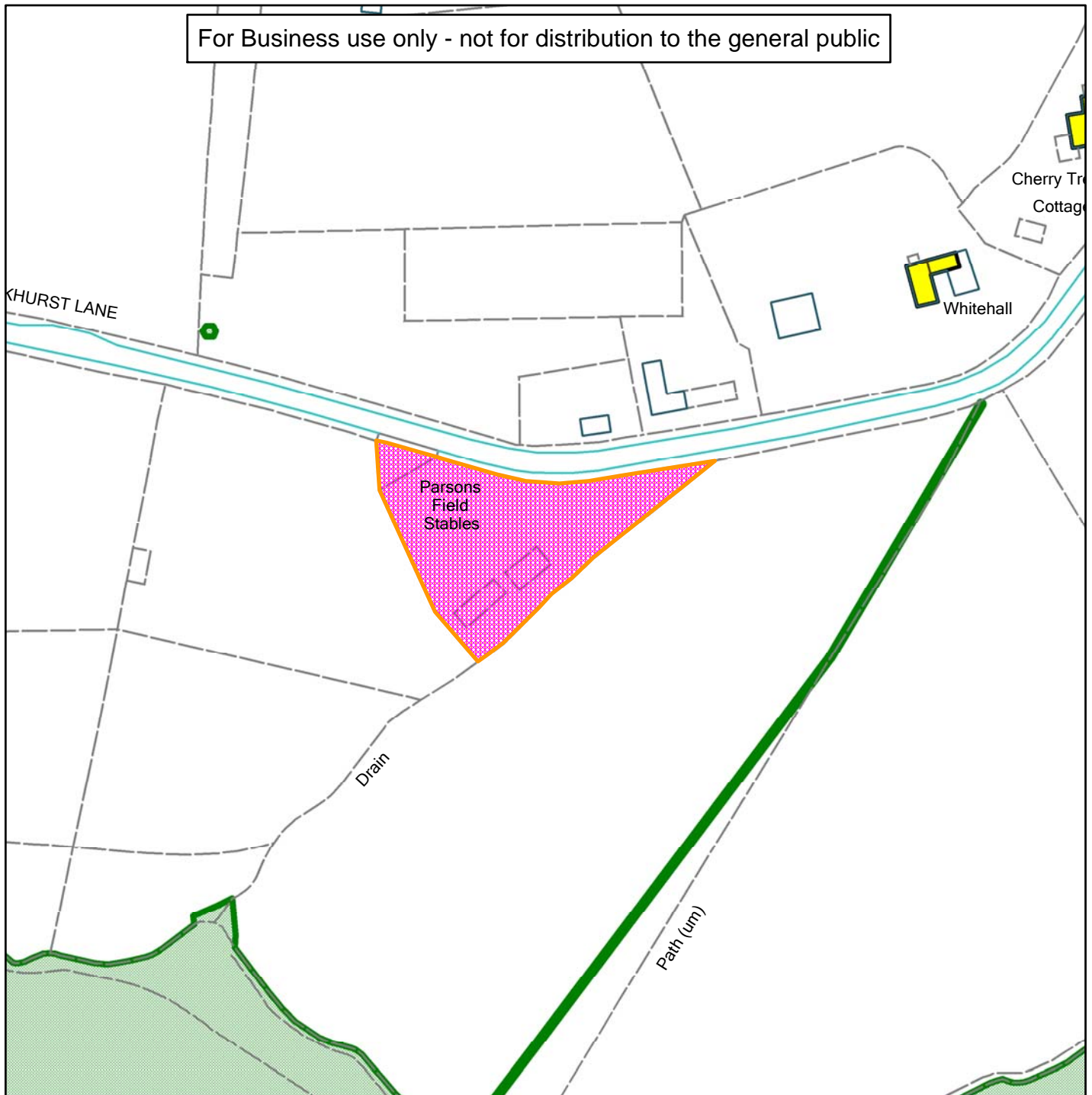
Background Papers: DC/09/2130, DC/13/0577, DC/16/2388

This page is intentionally left blank



Parsons Field Stables

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	05/01/2017
MSA Number	100023865

This page is intentionally left blank





**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Development Manager

**DATE:** 17 January 2017

**DEVELOPMENT:** Demolition of existing shop, workshop and store in favour of shop, workshop and store with 3 no 1 bedroom self-contained flats within new roof void

**SITE:** Burgess and Randall Ltd Station Road Pulborough West Sussex

**WARD:** Pulborough and Coldwaltham

**APPLICATION:** DC/14/2694

**APPLICANT:** Mr A Stally

**REASON FOR INCLUSION ON THE AGENDA:** Previous committee decision cannot be agreed with applicant.

**RECOMMENDATION:** Approve subject to conditions

### **1. THE PURPOSE OF THIS REPORT**

- 1.1 This application was first considered by committee on the 16 February 2016. A copy of the committee report is attached for member's information. The Committee agreed the recommendation for approval subject to the removal of certain conditions relating to the use of the premises, and hours of work and also the satisfactory completion of a legal agreement.
- 1.2 The legal agreement sought to ensure that the proposed flats remain in the same ownership as the proposed shop and workshop. The applicant has refused to agree the required legal agreement and therefore the application has been returned to committee for determination.

### **2. PLANNING ASSESSMENTS**

- 2.1 The application site is situated in an area which is predominantly residential in character to the east, south and west. The proposed building would be sited 5.9 metres from the flank wall of the flats to the west of the site with the main bulk of the building set 7.7 metres from the adjoining property. The current building contains a shop, storage area and workshop at ground floor level and a storage area at first floor. The floor area of the shop and workshop with associated storage area is some 340.30 sqm. The proposed replacement building would retain the shop at ground floor level and would provide a floor space of some 139 sqm. At first floor level would be a work shop accessed via an internal floor lift covering an area of 121.7 sqm. In terms of storage an area of 75.15 sqm would be provided at ground floor whilst an area of 65.7 sqm would be provided at first floor level. The proposed

replacement unit would consequently have a larger workshop, retail and storage space than the existing with a total floor area of 442 sqm, with the retail floor space increased by approximately 39 sqm.

- 2.2 It is considered due to the increase in the size of the commercial space and the introduction of residential units immediately above the workshop that if the legal agreement is not completed conditions would be required to protect the residential amenities of the occupiers of the proposed flats, and also of neighbouring occupiers. It is considered that a hours of use condition and a condition relating to the use of the ground and first floor would be required to protect the amenities of future and existing occupiers and balance the needs of the business. The following condition with regards to the use of the building is therefore considered to be appropriate;

*“The ground floor of the building hereby permitted shall be used for purposes within Use Class A1 as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 only and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)). The proposed first floor of the building hereby permitted shall be used for purposes within Use Class A1 or B1 only in association with the approved ground floor use, or as storage or ancillary office space in association with the approved A1 use only and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)).*

*Reason : To enable the Local Planning Authority to control the development in detail and to reflect the specific circumstances of the application and in accordance with policy 33 of the Horsham District Planning Framework.”*

- 2.3 It is considered that the proposed use condition would enable the use of the premises for any A1 purpose at ground floor level, and either A1 or B1 uses, storage or ancillary office space in association with the approved A1 use at first floor level. B1 uses are defined as Offices (other than those that fall within A2), research and development of products and processes, and light industry appropriate in a residential area. It is considered that without the requisite conditions relating to use and hours of operation that the building could be used for other purposes which may have a greater impact on the amenities of neighbouring properties. It is accepted that the current owner of the property may wish to use the building in a particular way, and with particular hours which in the present building may have been appropriate to the location. However, if the occupier were to change, the building without conditions relating to use and hours of operation could be used on a 24 hour basis as any type of workshop, store and shop. It is therefore considered that the condition outlined above in 2.2 would ensure the building could be used for the purpose requested and protect the residential amenities of neighbouring occupiers and thereby comply with policy 33 of the HDPF.

### **3. RECOMMENDATIONS**

- 3.1 It is recommended that the application is approved subject to the following conditions;
1. 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.

2. The use of any land for car parking shall not be commenced until details of the layout, surfacing and drainage of the land have been submitted to and approved by the Local Planning Authority in writing. The details approved shall be carried out in strict accordance with the approved details and be maintained as part of the development prior to vehicles

being parked on the land. Such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policy 33 and 41 of the Horsham District Planning Framework 2015.

3. Full details of cycle storage and parking shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The agreed works shall be implemented in strict accordance with the approved details prior to occupation of the site and shall thereafter be retained solely for the purpose of cycle storage and parking.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with policy 40 and 41 of the Horsham District Planning Framework 2015.

4. No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy 33 of the Horsham District Planning Framework 2015.

5. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 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.

6. The windows and rooflights shown to be obscure glazed on the western and southern elevation of the proposed building on drawing number 2013/36/5 rev C shall at all times be glazed with obscured glass precise details of which, together with details of any opening, shall be submitted to and approved by the Local Planning Authority in writing before installation. The approved glass and any agreed opening details shall be constructed and maintained in strict accordance with the agreed details.

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

7. The building 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 37 of the Horsham District Planning Framework (2015).

8. No work for the implementation of the development hereby permitted shall be undertaken on the site until a scheme for protecting the proposed flats on the second floor from noise from the proposed workshop has been submitted to and approved by the Local Planning Authority in writing; all works which form part of the scheme shall be completed in strict accordance before any part of the development hereby approved is occupied and shall thereafter be retained as part of the development.

Reason: In the interests of residential amenities by ensuring an acceptable noise level for the occupants and in accordance with policy 33 of the Horsham District Planning Framework 2015.

9. Full details of means of surface water and foul water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with agreed details.

Reason: To ensure that the development is properly drained in accordance with policy 33 and 37 of the Horsham District Planning Framework 2015.

10. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with policy 33 of the Horsham District Planning Framework 2015.

11. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the proposed security shutter door have been submitted to and approved in writing by the Local Planning Authority. The security shutter door shall be constructed in strict accordance with the agreed details and maintained as part of the development.

Reason: In the interests of the amenities of the locality and in accordance with policy 33 of the Horsham District Planning Framework 2015.

12. The ground floor of the building hereby permitted shall be used for purposes within Use Class A1 as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 only and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)). The proposed first floor of the building hereby permitted shall be used for purposes within Use Class A1 or B1 only in association with the approved ground floor use, or as storage or ancillary office space in association with the approved A1 use only and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)).

Reason : To enable the Local Planning Authority to control the development in detail and to reflect the specific circumstances of the application and in accordance with policy 33 of the Horsham District Planning Framework.

13. The ground and first floor premises shall not be open for trade or business, and no deliveries, collection of trade waste or any form of despatch shall be undertaken except between the hours of 08.00 – 18.00 Monday until Friday, 09.00 – 17.30 Saturdays and no activity on Sundays or Bank Holidays.

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

Background Papers: DC/14/2694



Horsham  
District  
Council

# DEVELOPMENT MANAGEMENT REPORT

**TO:** Development Management Committee (south)

**BY:** Development Manager

**DATE:** 16 February 2016

**DEVELOPMENT:** Demolition of existing shop, workshop and store in favour of shop, workshop and store with 3 no 1 bedroom self-contained flats within new roof void

**SITE:** Burgess and Randall Ltd Station Road Pulborough West Sussex

**WARD:** Pulborough and Coldwaltham

**APPLICATION:** DC/14/2694

**APPLICANT:** Mr A Stally

**REASON FOR INCLUSION ON THE AGENDA:** More than 5 letters received at variance to recommendation

**RECOMMENDATION:** Approve subject to conditions and the satisfactory completion of a S106 agreement requiring that the proposed flats remain in the same ownership as the proposed shop and workshop

## 1. THE PURPOSE OF THIS REPORT

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the demolition of the existing shop, work shop and store and the construction of a replacement building containing a retail shop with associated office and toilets at ground floor level, a workshop area and storage at first floor level and three x one bedroom flats within the roofslope at second floor level. The proposal would provide five parking spaces for cars to the front of the building and one space for light goods vehicles.
- 1.2 The replacement building would be constructed with facing stock brick work to the wall and plain clay tiles to the roof. It would be 13.85 metres wide, 20.3 metres deep and 10.4 metres in height to its ridge.

### DESCRIPTION OF THE SITE

- 1.3 The application site is located within the built up area boundary of Pulborough on the southern side of London Road. The existing building is single storey with accommodation within the roof space. To the east of the site is a single storey parking court, whilst to the south and west are blocks of four storey flats. The flats to the west of the site have accommodation within the roof space. There are habitable room windows looking into the site from the neighbouring flats.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

National Planning Policy Framework (2012) (NPPF) Section 1 – Building a strong competitive economy, Section 3 – Supporting a prosperous rural economy, Section 6 – Delivering a wide choice of High Quality Homes, Section 7 – Requiring good design and Section 10 Meeting the challenge of climate change, flooding and coastal change.

National Planning Policy Guidance (March 2014)

### RELEVANT COUNCIL POLICY

The following policies of the Horsham District Planning Framework (2015) are considered relevant to the consideration of the application;

Policy 1 – Sustainable Development  
Policy 2 – Strategic Development  
Policy 4 – Development Hierarchy  
Policy 7 – Economic Growth  
Policy 9 – Employment Development  
Policy 13 – Town Centre Uses  
Policy 14 – Shop Fronts and Advertisements  
Policy 15 – Strategic Policy Housing Provision  
Policy 16 – Strategic Policy; Meeting Local Housing Needs  
Policy 24 – Environmental Protection  
Policy 25 – District Character and Natural Environment  
Policy 32 – The Quality of New Development  
Policy 33 – Development Principles  
Policy 38 – Strategic Policy; Flooding  
Policy 40 – Sustainable Transport  
Policy 41 - Parking

### PLANNING HISTORY

There is no recent history relating to this site.

## **3. OUTCOME OF CONSULTATIONS**

- 3.1 The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk).

#### INTERNAL CONSULTATIONS

- 3.2 **Technical Services** – No comments to make
- 3.3 **Strategic and Community Planning** (summarised) - the principle of the redevelopment of the business element of this site (the shop, workshop and store) is acceptable as it would enhance the overall appearance and function of the site; however, there should be no resulting net loss of employment land to ensure growth is encouraged across the District in a sustainable way. It is considered that the addition of 3x 1-bed residential units on this site would be acceptable as the units would be sustainably located within a Category 1 settlement, and would contribute to providing much needed 1-bedroom housing in the locality.
- 3.4 **Public Health and Licensing** (summarised) – No objection subject to conditions

#### OUTSIDE AGENCIES

- 3.5 **West Sussex County Council Highways** (summarised) – No objection, although the existing situation regarding parking should not be materially worsened, the applicant should secure cycle storage facilities.
- 3.6 **Southern Water** (summarised) – No objection. A formal application would be required for connection to the public foul and surface water sewer.
- 3.7 **Environment Agency** – No objection

#### PUBLIC CONSULTATIONS

- 3.8 **Pulborough Parish Council** has raised no objection to the application including the amended plans.
- 3.9 **Seven letters** of objection have been received (including an objection from the Residents of Riverside Court) to the amended plans noting that the proposals would not overcome concerns with regards to loss of light, overshadowing of neighbouring properties, concern with regards to flooding, impact on neighbouring car ports and parking in the locality is already at a premium.
- 3.10 **Twenty three letters** of objection were received to the original plans on the grounds of; loss of privacy, concern with regards to flooding, proposal would be overbearing to neighbouring properties, agricultural tool shop not in keeping with the area, parking is already a major concern in the locality.
- 3.11 **One letter** has been received supporting the application.

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

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

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

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

## **6. PLANNING ASSESSMENTS**

- 6.1 The main issues in the consideration of this proposal are considered to be:

- Principle of development
- Character of the area and amenity of neighbouring properties
- The existing parking and traffic conditions in the area

### **Principle of development**

- 6.2 The NPPF promotes a presumption in favour of sustainable development which is a 'golden thread' running through the document (paragraph 14). The NPPF is explicit in its aim to actively promote and encourage sustainable economic growth - instructing decision-takers to place significant weight on the need to support economic growth through the planning system, and not to act as an impediment to it. The application site is situated within the built up area of Pulborough which is categorised as a small town or large village within Policy 3 of the Horsham District Planning Framework (HDPF). Within defined built up area boundaries development may be permitted provided that any infilling or redevelopment demonstrates that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement.
- 6.3 Strategic Policy 7 of the HDPF notes that sustainable employment development in Horsham District for the period up to 2031 will be achieved by amongst other details the "redevelopment, regeneration, intensification and smart growth of existing employment sites." Policy 9 relates to Employment Development and notes that the "expansion of existing employment sites and premises within the built up area boundary will be supported where the business requirements cannot be met within the existing site/premises through acceptable on site expansion or intensification; and that relocation to existing stock is not preferable." The application site is outside the defined town or village centre boundary and consequently Policy 13 states that "proposals for small scale retail development or extensions to existing village shops and retail units ... will be allowed where it will not significantly undermine the vitality and viability of the nearest defined retail frontage or town and village centre"
- 6.4 The application site is currently occupied by Burgess and Randall who sell and service garden machinery and equipment. The building currently provides employment for 5 full time and 2 part time employees. The current building contains a shop, storage area and workshop at ground floor level and a storage area at first floor. The floor area of the shop and workshop with associated storage area is some 340.30 sqm. The proposed replacement building would retain the shop at ground floor level and would provide a floor space of some 139 sqm. At first floor level would be a work shop accessed via an internal floor lift covering an area of 121.7 sqm. In terms of storage an area of 75.15 sqm would be provided at ground floor whilst an area of 65.7 sqm would be provided at first floor level. The proposed replacement unit would consequently have a larger workshop, retail and storage space than the existing with a total floor area of 442 sqm, with the retail floor space increased by approximately 39 sqm. The proposal also seeks to provide three, one bedroom properties which the applicant notes would be offered to Burgess and Randall employees as part of an employment package.
- 6.5 The proposed application has been submitted to enable the existing business on site to improve its facilities which are limited by the age, condition and size of the unit. The existing building also suffers from flooding as the water table rises in the winter with water



coming through the floor area of the yard to the rear. The proposed scheme seeks to provide a modern space for the company to utilise. It is considered that the principle of the replacement of the retail and workshop with modernised facilities would enhance the overall appearance and functionality of the site and surrounding area. It is therefore considered that the principle of a replacement unit is acceptable in this instance and would retain the existing business on the site, and would not undermine the viability and vitality of the nearest defined retail frontage in accordance with policy 13.

- 6.6 The proposal also seeks to provide three, one bedroom flats above the workshop and retail space. Paragraph 54 of the NPPF notes that local planning authorities should be responsive to local circumstances and plan housing to reflect local needs especially for affordable housing, including through rural exception sites where appropriate. Due to the number of units proposed on the site there is no policy requirement for affordable dwellings in this instance. However policy 3 does require that the development is of an appropriate nature and scale to maintain the characteristics and function of the settlement. It is considered that three, one bedroom units would be appropriate with regards to the nature and scale of the locality, and would not appear out of keeping with the surrounding pattern of development. The site is located with the BUAB of Pulborough (which is defined as a small town or large village within Policy 3 of the HDPF) and is reasonably close to the village centre and train station. It is therefore considered that the site is sustainably located and the principle of residential and business development on this site is acceptable as it would constitute sustainable development in accordance with Policy 3 of the HDPF and paragraph 14 of the NPPF.

#### **Character of the area and amenity of neighbouring properties**

- 6.7 Developments should seek to promote or reinforce local distinctiveness and, as detailed in paragraph 61 of the NPPF, should secure high quality and inclusive design that goes beyond aesthetic considerations. This paragraph goes on to state that ‘decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.’ Section 7 of the NPPF provides guidance relating to design and states that good design is a “key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- 6.8 Policy 33 of the HDPF relates to Design Principle and notes that;
- In order to conserve and enhance the natural and built environment developments shall be required to:*
- 1. Make efficient use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist;*
  - 2. 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;*
  - 3. Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;*
  - 4. Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments....”*
- 6.9 The application site is situated in an area which is predominantly residential in character to the east, south and west. The properties immediately located to the south and west are blocks of flats which are significantly higher than the application property. The existing

building is situated approximately 5.25 metres from the flank wall of the adjoining property to the west, and has a height to the ridge of 6.5 metres. To the rear of the site the existing building is some 8.5 metres from the wall of the neighbouring flats. The proposed building has been amended during the application process with the width of the building reduced and the design amended to overcome concerns with regards to the overall design and the impact on neighbouring properties. It is considered due to the character of the surrounding area, the provision of a building such as that proposed would not appear out of keeping with the locality. The flats to the rear of the site are brick built with the properties to the west having dormer windows within the roofslope. The flats to the south east of the site are brick built with a mansard roof. It is considered that the style of the proposal would therefore reflect that of the surrounding area.

- 6.10 The proposed building would be sited 5.9 metres from the flank wall of the flats to the west of the site with the main bulk of the building set 7.7 metres from the adjoining property. It is considered taking into account the layout of the proposed building and the amendments to the design that on balance the proposed development would not result in material harm in terms of being overbearing on the neighbouring properties. The proposed dormer windows and rooflights located in the western elevation are proposed to be obscure glazed to reduce any overlooking or loss of privacy to neighbouring occupiers. Further detail with regards to any opening of the obscure glazed windows is to be secured by condition to ensure that the amenities of neighbouring properties are protected.
- 6.11 With regard to the southern elevation of the proposed building the proposed windows to the workshop element would be obscure glazed at first floor level, whilst at second floor there would be three dormer windows providing light to a bedroom and a kitchen/lounge and dining area. The proposed dormers would be located 3.5 metres from the rear boundary of the property and some 12 metres from the wall of the adjoining properties. It is acknowledged that the proposed distances are below the Local Planning Authority's adopted privacy standards however it is considered in this instance that a distance of 12 metres between facing windows in an urban location would not be unexpected and that on balance the amenities of neighbouring properties would be retained.
- 6.12 The eastern elevation of the proposed building would face over the existing flat roofed garage compound. The nearest residential property would be sited a minimum of 32 metres from the application site and has no windows within its western elevation. It is considered that the current application in this sensitive location would conserve the key townscape character of the locality. It is considered that the changes in the design of the building have overcome previous concerns and would integrate effectively with the surrounding buildings and therefore the proposal would comply with policy 32 of the HDPF.

#### **The existing parking and traffic conditions in the area**

- 6.13 The Highways Authority at WSCC has reviewed the proposed development and has not raised any objections to the proposal subject to the provision of cycle parking. The car parking shown would provide 5 No. car spaces and 1 light goods vehicle space. Paragraph 32 of the NPPF states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' The Highways Authority has noted that there are no Highway Safety grounds on which the Highway Authority can object to the proposal. It has understood that there are parking issues with regard to the station, however this is not something that can be remedied via this planning proposal. There are enforcement measures in the form of single yellow lines on the A283, which become double yellows at the junction with Poplar Court. It is therefore considered that the proposed development would comply with policy 40 and 41 of the HDPF.

#### **Conclusions**

- 6.14 It is considered that the proposed application would enable the expansion of an existing business and support local employment opportunities. The proposed scheme would result in the retention of 5 full time and 2 part time jobs on the site and would retain the existing retail and workshop facility. The site is within the built up area boundary of Pulborough and it is considered that the design of the scheme would be in keeping with the character of the locality. It is also considered on balance that the proposal would not result in material harm to the amenities of neighbouring properties in this instance. It is therefore considered that the proposed scheme would support opportunities for growth; whilst respecting and taking into account the conservation and enhancement of the built environment as well as the vibrancy, health and character of existing settlements and communities within them in accordance with the requirements of the National Planning Policy Framework and policy 1, 2, 3, 7, 9, 33, 40 and 41 of the Horsham District Planning Framework 2015.

## **7. RECOMMENDATIONS**

- 7.1 It is recommended that the application is approved subject to the following conditions and the satisfactory completion of a S106 agreement requiring that the proposed flats remain in the same ownership as the proposed shop and workshop;

1. 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.

2. The use of any land for car parking shall not be commenced until details of the layout, surfacing and drainage of the land have been submitted to and approved by the Local Planning Authority in writing. The details approved shall be carried out in strict accordance with the approved details and be maintained as part of the development prior to vehicles being parked on the land. Such land shall not be used thereafter for any purpose other than the parking of vehicles.

Reason: To ensure a satisfactory standard of development in accordance with policy 33 and 41 of the Horsham District Planning Framework 2015.

3. Full details of cycle storage and parking shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The agreed works shall be implemented in strict accordance with the approved details prior to occupation of the site and shall thereafter be retained solely for the purpose of cycle storage and parking.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with policy 40 and 41 of the Horsham District Planning Framework 2015.

4. No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy 33 of the Horsham District Planning Framework 2015.

5. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 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.

6. The windows and rooflights shown to be obscure glazed on the western and southern elevation of the proposed building on drawing number 2013/36/5 rev C shall at all times be glazed with obscured glass precise details of which, together with details of any opening, shall be submitted to and approved by the Local Planning Authority in writing before installation. The approved glass and any agreed opening details shall be constructed and maintained in strict accordance with the agreed details.

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

7. The building 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 37 of the Horsham District Planning Framework (2015).

8. The ground and first floor retail and workshop premises shall not be open for trade or business, and no deliveries, collection of trade waste or any form of despatch shall be undertaken except between the hours of 08.00 – 18.00 Monday until Friday, 09.00 – 17.30 Saturdays and no activity on Sundays or Bank Holidays.

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

9. No testing of mobile equipment powered by diesel or petrol engines shall be undertaken on the site except between the hours of :  
09.00 – 17.00 Monday until Friday  
10.00 – 13.00 Saturdays  
With no activity on Sundays or Bank Holidays. All windows and doors to the workshop shall remain closed while power tools or mobile hand tools are in operation. No power tools or mobile hand tools shall be used in external areas other than for the testing of equipment being serviced or repaired.

Reason: In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policy 33 of the Horsham District Planning Framework 2015.

10. No work for the implementation of the development hereby permitted shall be undertaken on the site until a scheme for protecting the proposed flats on the second floor from noise from the proposed workshop has been submitted to and approved by the Local Planning Authority in writing; all works which form part of the scheme shall be completed in strict accordance before any part of the development hereby approved is occupied and shall thereafter be retained as part of the development.

Reason: In the interests of residential amenities by ensuring an acceptable noise level for the occupants and in accordance with policy 33 of the Horsham District Planning Framework 2015.

11. Full details of means of surface water and foul water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with agreed details.

Reason: To ensure that the development is properly drained in accordance with policy 33 and 37 of the Horsham District Planning Framework 2015.

12. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with policy 33 of the Horsham District Planning Framework 2015.

13. Prior to the commencement of the development hereby approved details of the proposed security shutter door shall be submitted to and approved in writing by the Local Planning Authority. The security shutter door shall be constructed in strict accordance with the agreed details and maintained as part of the development.

Reason: In the interests of the amenities of the locality and in accordance with policy 33 of the Horsham District Planning Framework 2015.

14. (a) The business floorspace (shop and workshop) and the residential floorspace (flats) shall be implemented in strict accordance with the floor plans hereby approved and the business floorspace shall be finished ready for occupation before the residential floorspace is occupied and the residential use shall not precede commencement of the business use.  
(b) The business floorspace shall be used as a workshop for the repair of garden equipment only at first floor level, and for the sale of garden equipment and tools only at ground floor level and for no other purpose (including any other purpose in any class in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)).

Reason : To enable the Local Planning Authority to control the development in detail as the site is in a rural area where the formation of residential accommodation is strictly controlled and to reflect the specific circumstances of the application and in accordance with policy 10 and policy 33 of the Horsham District Planning Framework.

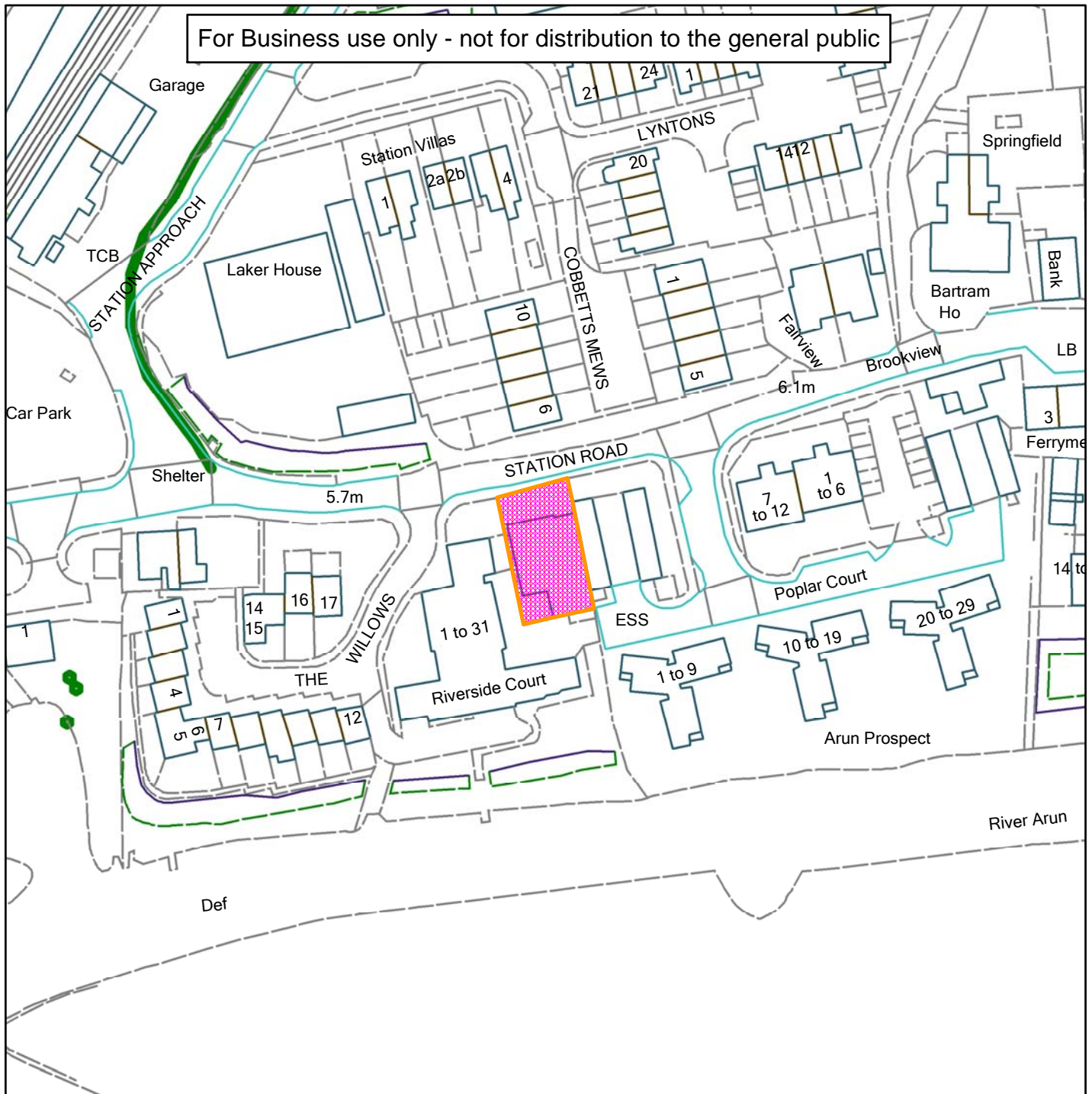
Background Papers: DC/14/2694

This page is intentionally left blank



Burgess and Randall Ltd

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	05/01/2017
SA Number	100023865

This page is intentionally left blank





**Horsham  
District  
Council**

**PLANNING COMMITTEE  
REPORT**

**TO:** Planning Committee South  
**BY:** Development Manager  
**DATE:** 17 January 2017  
**DEVELOPMENT:** Outline application with all matters reserved for the demolition of existing dwelling and construction of two detached 5 bedroom dwellings and associated garaging  
**SITE:** Crosswinds Hampers Lane Storrington Pulborough  
**WARD:** Chantry  
**APPLICATION:** DC/16/1664  
**APPLICANT:** Mr Merrick

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations have been received contrary to the officer recommendation.

**RECOMMENDATION:** Approve subject to conditions

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks outline planning consent for demolition of the existing detached dwelling and the erection of two detached dwellings with associated garages. All matters, i.e. appearance, access, landscaping, layout and scale, are reserved for future approval. The application is though accompanied by illustrative plans which indicate that the site would be subdivided to create north and south plots with an internal access road from the north-eastern corner of the site, which links onto Hampers Lane.

DESCRIPTION OF THE SITE

1.3 The application site comprises a substantial backland plot which is set back a considerable distance from Hampers Lane, accessed via an unmade track. The northern part of the site accommodates a modest chalet-bungalow with the remainder of the site garden space largely enclosed by substantial and well established vegetation. The surrounding area is characterised by low density housing dominated by detached dwellinghouses set within spacious wooded plots. The site, and immediate surroundings, are within the Storrington and Sullington built-up area boundary.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

### RELEVANT COUNCIL POLICY

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF15 - Strategic Policy: Housing Provision

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF35 - Strategic Policy: Climate Change

HDPF40 - Sustainable Transport

HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Storrington, Sullington and Washington Neighbourhood Plan has not progressed to referendum. The parishes continue to be covered by the HDPF which remains the up to date plan for the area.

- 2.5 PLANNING HISTORY

SG/14/62	Permanent dwelling in place of Faerydown to be demolished.	PER
SG/4/62	Site for dwelling adj. Faerydown.	REF

## 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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 None

### OUTSIDE AGENCIES

- 3.3 Southern Water: No objection. The exact position of a water main and foul sewer must be determined on site and no excavation should be carried out within 4 metres of the main (without consent from Southern Water). There are no surface water sewers in the area and alternative means of drainage are therefore required. A formal application for a connection to the public foul sewer would be required.

- 3.4 West Sussex County Council – Highways: No objection, the proposals would not have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

#### PUBLIC CONSULTATIONS

- 3.5 Washington Parish Council: Object, the narrow access road and proposed dwellings, with multiple car parking areas at the end of a narrow drive, would be overdevelopment. If the application is approved the privacy of neighbouring properties should be paramount.
- 3.6 Representations have been received from 10 addresses, objecting to the proposal for the following reasons:-
- The access is long and narrow with difficult entry;
  - The southern house would overlook adjoining properties;
  - Two dwellings on the site would not be in keeping with the existing character of the area;
  - The application does not include an assessment of waste and surface water;
  - Increase traffic from construction.

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

##### Principle

- 6.1 The application site is within the built-up area boundary of Storrington and Sullington, which is identified by the HDPF as a settlement with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. Policy 3 of the HDPF states that development will be permitted within built-up area boundaries, with any infill development required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement. In this location the redevelopment of the site to provide 2 dwellinghouses, and a net gain of 1 unit, would be acceptable in principle and would contribute towards the provision of windfall housing within the District.

##### Character and appearance

- 6.2 The application site is in a backland location, accessed via an unmade track, and as such is not readily appreciated from the public realm. The key characteristic of the site, particularly when viewed from adjoining properties, is considered to be the boundary screening provided by established vegetation and trees. The immediate surroundings are

characterised by low density detached dwellinghouses of varying siting, form, scale and design set within plots which although relatively spacious vary in size. While development is low-density there are numerous examples of infill development in the locality, for example, Hemingways, Blackbird Cottage and Hylates to the east of the site.

- 6.3 It is considered that in this context, where backland infill development is an established part of the character of the area, the subdivision of the plot is acceptable in principle. While layout has been reserved the illustrative plans indicate the site would be divided to form north and southern plots. This approach would reflect the siting of adjoining development to the east and west and given the location of the site and nature of the boundary screening the resulting development would not appear visually cramped. Similarly, while scale and appearance are reserved the illustrative plans indicate two-storey articulated dwellings which would be in keeping with the surroundings.
- 6.4 The submitted plans, although illustrative, identify the location of boundary screening and possible locations for enhanced planting, particularly to the shared western boundary of the site. While landscaping is reserved there are no protected trees on the site and this approach would allow for retention of the most significant boundary planting, and would preserve the prevailing character and appearance of the site and wider surrounding area.
- 6.5 It is considered that while the proposal would represent an increase in density the plot subdivision, and formation of an additional dwelling, would not result in any significant harm to the established character and appearance of the area. The illustrative plans indicate that an appropriate layout, scale, appearance and landscaping could be achieved, and such detail would be secured through a subsequent reserved matters application. The proposal is therefore considered to accord with policies 25, 32 and 33 of the HDPF.

#### Impact on neighbouring amenity

- 6.6 The detailed amenity considerations would be considered at reserved matters stage once the layout, scale and appearance has been finalised. The proposed plot sizes would though allow sufficient separation to be retained around the proposed dwellings which, coupled with landscaping to shared boundaries, would prevent any harmful loss of light, outlook or privacy to adjoining occupants.
- 6.7 The formation of an additional dwellinghouse, and associated outdoor amenity space, in an established residential area would not be expected to generate significant or harmful levels of noise or disturbance for occupants of adjoining properties.

#### Highways

- 6.8 While access is reserved the submitted plans indicate this would be achieved via the existing unmade track off Hampers Lane, and this represents the only way access could practicably be achieved. The roads in the vicinity of the site are privately maintained bridleways and therefore open to public use. Hampers Lane is a narrow single-lane track along much of which there is insufficient space for two vehicles to pass, albeit there are a number of passing spaces along its length; the site access comprises an unmade track with no passing space for vehicles. A number of representations have been received setting out concerns that this (unadopted) road network is inadequate to accommodate further residential development.
- 6.9 While the access and wider road network have limitations this is an existing situation with no evidence to suggest the arrangement causes either a material nuisance or safety hazard. The proposed development, of a single dwellinghouse, would not result in a disproportionate increase in traffic movements to or from the site. In the absence of any concerns from the Highway Authority it would be difficult to argue that a single dwelling

would amount to such harm as to create a safety hazard or amenity impact. It is therefore considered that the existing situation provides adequate access, with the current form of the access and lane capable of dealing with the net increase in traffic resulting from the proposal.

- 6.10 The submitted plans, although illustrative only, demonstrate that sufficient provision can be made for on-site parking and manoeuvring space to allow vehicles to exit on to Hampers Lane in a forward gear.
- 6.11 The Highway Authority does not consider that the proposal for a single dwelling would have a 'severe' impact on the operation of the highway network, and therefore there are no transport grounds to resist the proposal. As such, the proposal is considered to accord with policy 41 of the Horsham District Planning Framework.

#### Conclusion

- 6.12 The application is made in outline only but the indicative information submitted demonstrates that a scheme of acceptable layout which limits landscape and townscape harm, maintains a good level of amenity for adjacent residents and for future occupiers and which provides sufficient parking could come forward at the reserved matters stage.

### **7. RECOMMENDATIONS**

- 7.1 It is recommended that outline consent is granted, subject to the following conditions:

1. A list of the approved plans
2.
  - (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
  - (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
  - (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
  - (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3. No works for the implementation of the development hereby approved shall take place outside of 08.00 hours to 18.00 hours Mondays to Fridays and 08.00 hours to 13.00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

4. No development shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

6. No development shall commence until a drainage strategy detailing the proposed means of foul and surface disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and complies with the current Building Regulations as well as Policy 38 of the Horsham District Planning Framework (2015).

7. 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: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

8. Prior to the first occupation of any part of the development hereby permitted, details of the parking turning and access facilities shall be submitted to and approved by the Local Planning Authority in writing. The building / dwelling shall not be occupied until the approved parking, turning and access facilities have been fully implemented. The parking turning and access facilities shall thereafter be retained as such.

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

9. Prior to the first occupation of any part of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/1664

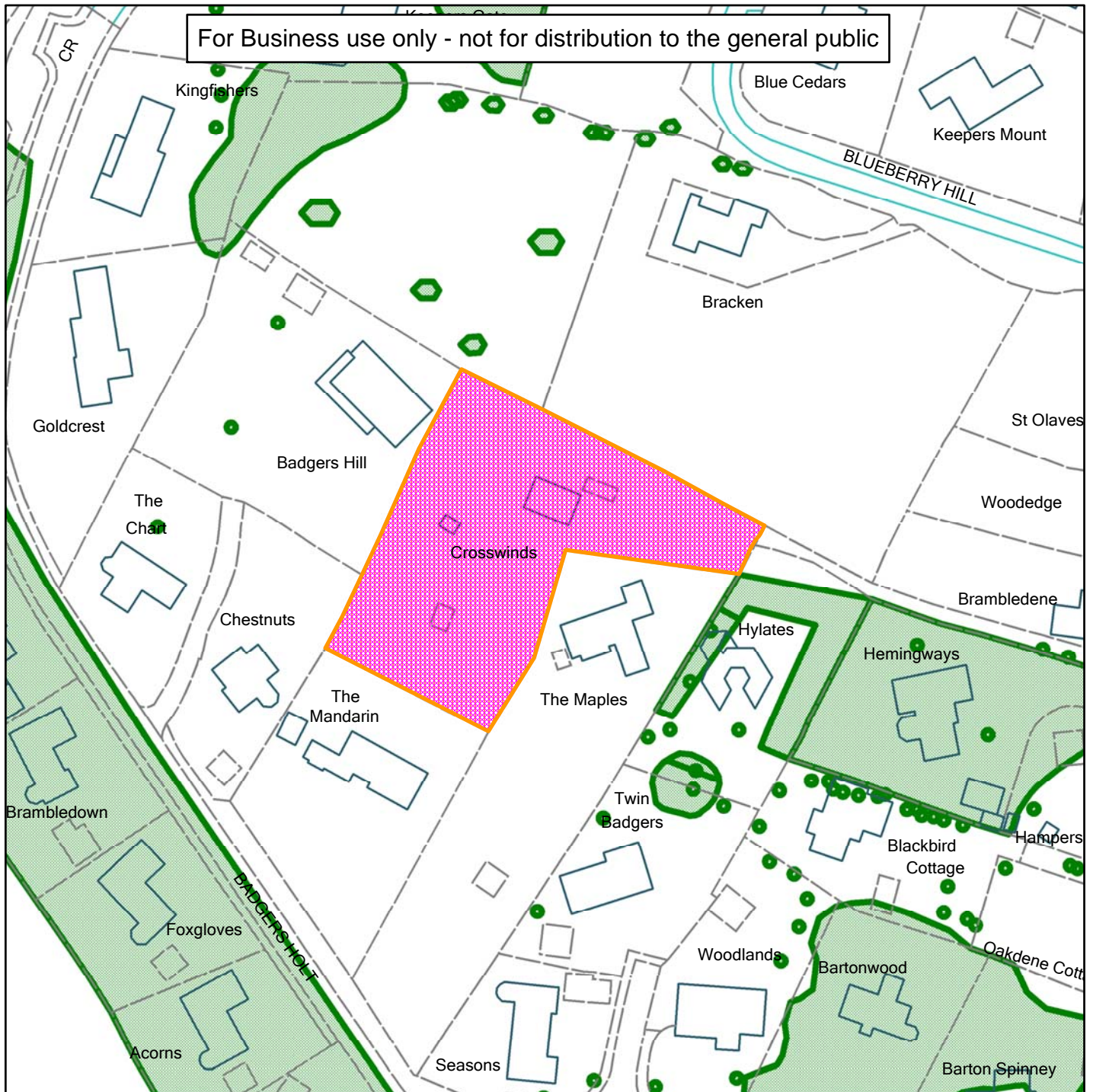
This page is intentionally left blank





Crosswinds

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	05/01/2017
MSA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South  
**BY:** Development Manager  
**DATE:** 17 January 2017  
**DEVELOPMENT:** Demolition of existing dwelling and erection of new dwelling  
**SITE:** West Winds Brighton Road Woodmancote Henfield  
**WARD:** Bramber, Upper Beeding and Woodmancote  
**APPLICATION:** DC/16/2279  
**APPLICANT:** Mr and Mrs Ross and Sharon Douglas

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

**RECOMMENDATION:** To refuse Planning Permission

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 This application seeks full planning permission for the demolition of the existing dwelling and its replacement with a contemporary 5-bedroom two-storey dwelling. The existing triple bay garage to the north-west corner of the plot would be retained and the existing two vehicular entrances to the site would remain unaffected.
- 1.3 The proposal would have a cranked footprint at the rear, and with flat roofs throughout. The proposed front building line would be set forward of the existing building line and would be angled towards the front of the plot
- 1.4 The rear (south) elevation would be predominantly glass with a first-floor terrace / balcony running across the full width and around the south-western corner of the building. The front (north) elevation would exhibit a linear / horizontal appearance, with a defined break in materials between the ground and upper floor, a pronounced and overhanging eaves to the flat roof and angled rendered 'wings' to the ground floor front walls, along with horizontal framing to the glazing. External materials are to include stone, glass, render and timber cladding.
- 1.5 The proposed floor area is approximately 256sq.m (not including the retained and reduced annexe). The overall width of the new dwelling at ground floor, facing the street, would be

some 28m and with a flat roof height of some 7.3m. The overall widths take into account the cranked footprint and terraces. This width would be in addition to that of the retained annexe at 7.2m at ground floor.

- 1.6 The existing annexe to the east would be retained and its appearance updated to reflect the smooth and contemporary appearance of the proposed new dwelling. The following changes would be made: New flat roof (resulting in an overall height of 5.6m), new and re-sized window openings to all elevations, new rendered walls and the removal of the rear conservatory.

#### DESCRIPTION OF THE SITE

- 1.7 The application site of 'West Winds' is located outside the built-up area of Woodmancote, set some 2km to the east of the village of Henfield. The site is located on the southern side of the A281 and benefits from two vehicular accesses.
- 1.8 The South Downs National Park lies approximately 750m to the south of the application site, and given the topography and intervening landforms, there are clear views from the rear of the house towards the hill crest of the South Downs.
- 1.9 The application site contains an extended two-storey Tudor-style 4-bedroom dwelling. To the east, and separated by a gap of some 3m, there is a smaller, detached two-storey annex with a long conservatory some 7.5m in length.
- 1.10 To the rear of both buildings is a large south-facing patio area and garden with scattered trees and shrubs. The front boundary is defined by tall screening hedges with dense conifers to the western section of boundary and a more open screening to the eastern section. Views of the property are afforded from the street through the two gated vehicular accesses and from the eastern section of boundary.
- 1.11 Adjoining properties are predominately detached two-storey dwellings. Some 80m to the east is a grade II listed building, Nutknowle Farm, separated by two intervening dwellings. Properties to the north of the site are set behind a tall and dense strip of planting and a further access road which runs parallel to the public highway. As a result, there is very limited visual interaction between the applicant property and the northern neighbours.
- 1.12 The application site benefits from an extant permission (DC/16/0494) granted in April 2016, for a substantial two-storey extension to the western side of the property, some 7m wide and 9.5m in depth. In addition, the approved extension created a two-storey link with the existing annexe across the eastern side of the dwelling, resulting in a full width property of some 28m at first-floor, and a stepped but continual roofline.
- 1.13 It is important to note, that there is a large Copper Beech tree which is located to the front of the existing dwelling and that, given the size and prominence of this tree, an Emergency Tree Preservation Order was served on the Copper Beech, dated 1<sup>st</sup> December 2016.
- 1.14 The site is located in area D2 of the Landscape Character Assessment 2003 (Henfield and Small Dole Farmlands). Long views over undulating landscape is noted as one of the Key Characteristics of the area with a mix of localised building materials including flint, brick and sandstone.
- 1.15 One of the key sensitivities identified includes the cumulative impact of small scale incremental changes, eg suburbanisation. The high visibility of the area also contributes to the overall sensitivity to change.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework (2012)**

- NPPF1 - Building a strong, competitive economy
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment

### RELEVANT COUNCIL POLICY

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

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF28 - Replacement Dwellings and House Extensions in the Countryside
- 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
- NPPF38 – Strategic Policy: Flooding
- HDPF40 - Sustainable Transport
- HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Woodmandcote Parish Neighbourhood Plan (2016 – 2031) has recently been through the public consultation stage, ending 21<sup>st</sup> October 2016. The Plan has not yet been submitted for Examination.

### PLANNING HISTORY

WK/21/99	Replacement dwelling	REF
WK/8/00	Extension to existing dwelling	PER
DC/05/0525	Renewal of Unimplemented Planning Permission WK/8/00 for 2-storey side extension	PER
DC/08/1139	Partial demolition and re-build with 2-storey extension (Amendment to previously approved application DC/05/0525)	PER
DC/11/1327	Renewal of unimplemented permission Ref. DC/08/1139 (Partial demolition and re-build with 2-storey extension)	PER

DC/13/0694	Proposed two storey rear and side extension to existing dwelling	PER
DC/16/0494	Erection of a two storey rear and side extension	PER

### 3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

##### 3.1 **Arboricultural Officer** – No Objection

- Emergency Tree Preservation Order served on the Copper Beech when it became clear that large specimen would be removed to facilitate proposed development
- Subsequent to site visit and an assessment, it is clear that the tree is a fine specimen no particular health issues and with capacity for future growth. However, its proximity to the house (currently some 8.5m) would require more disfiguring surgery / pruning in the long-term as some lateral branches are already close to the roof
- Although the tree can be viewed from the north, from Brighton Road, it is set back into the property (some 24.5m), and is not readily visible to passing vehicular traffic. There are no other public vantage points and therefore the tree is considered to be a background tree and no more
- Despite the tree's fair form and appeal, it is therefore considered to have a very limited measure of public amenity value, assessed in line with the Planning Practice Guidance
- Although its removal would be regrettable, the loss of the tree would not have a significant and negative impact on the public

#### OUTSIDE AGENCIES

##### 3.2 **West Sussex Highways** - No Objection

- Although larger than existing dwelling, the proposal is not anticipated to generate material intensification of use at either access point to the A281.
- Conditions are advised to secure car parking on site and cycle parking

##### 3.3 **Southern Water** - No Objection

- Conditions and informatives are advised regarding the use of wastewater treatment works / septic tank, adequacy of soakaways, potential for public sewers crossing the site and alternative means of foul drainage owing to lack of a public foul sewer in the vicinity

#### PUBLIC CONSULTATIONS

##### 3.4 **Parish Council Consultation** – No Objection

- Provisions that materials be in keeping with local area, drainage is suitable and no external floodlighting added

3.5 **Public Consultations** - To date, 16 letters of support have been received (3 of which are from nearby properties) on the following grounds:

- Design will be an improvement / enhancement over existing dwelling
- Stylish and contemporary - add architectural interest

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

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

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

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

#### 6. PLANNING ASSESSMENTS

##### Principle:

6.1 The existing property and the annexe on site have a combined footprint of some **192sq.m** and a width of around 13.5m (main house) plus 6.7m (annexe) at ground floor. The two buildings are visually linked at ground floor by way of the brick wall and gated access to the front between the buildings, but at first-floor, the gap between the buildings is more pronounced at approximately 3m.

6.2 The extant consent for a significant two-storey side and rear extension last renewed in April 2016 (DC/16/0494) is a material planning consideration. The approved extensions would create a stepped front elevation with subservient 'elements', including a two-storey link between the main house and the retained annexe. The resulting single overall street-facing width would be some 28m at ground floor, and some 25.5m at first floor, with an overall ground floor footprint of some **350sq.m** (including the annexe).

6.3 Whilst the extant permission is noted, the current proposal is very different in design and scale, and shares virtually no similarities with the approved permission, apart from the retained footprint of the annexe.

6.4 Policy 28 of the HDPF allows for the replacement of dwellings outside the built-up area boundary, provided the development can be accommodated appropriately within the curtilage of the existing dwelling, and should not be disproportionate to the size of the existing dwelling and be in keeping with the scale and character of the existing dwelling.

6.5 Officers note the comparative footprints at ground floor between the existing dwelling (and annexe) of some **192sq.m** and the current proposal (and reduced annexe) of around **321sq.m**, which is more than a 100% increase in footprint over and above the existing property. Also of note is the proposed increased width of the proposed replacement dwelling, again resulting in more than a 100% increase over the existing building on site.

6.6 In terms of the straightforward comparison between the existing and proposed replacement dwelling, it is considered that the proposal would not accord with the principles of Policy 28 in that the proposal would be disproportionate to the size of the existing dwelling.

### **Impact on Visual Amenity:**

- 6.6 The existing character of the plot is of a 'traditionally' designed house set on a generous plot. Owing to the broken roof-lines and first-floor gaps between the main house and the annexe, along with the gap to the western side of the plot, the scale of development across the plot appears to be minimal.
- 6.10 It is acknowledged that there is a degree of boundary screening to the front of the plot, along with the presence of a garage block which is approximately 10.5m in width. With the fluctuations in front boundary vegetation and the sightlines afforded through the wrought iron gates, the property is visible from the public highway and contributes to the overall countryside setting which prevails in the locality.
- 6.11 Neighbouring development and plot sizes vary with a combination of bungalows and two-storey properties, original footprints and extensive extensions, and varying degrees of front sightlines from the street on account of vegetated front boundaries and gated entrances. However, the resulting street-scene is not one that appears overly dominated by built development across plot widths.
- 6.12 The resulting scale and character of the proposed replacement dwelling has been considered against the scale and character of neighbouring properties and the existing dwelling which currently occupies the plot. Reference is also made to the extant permission and the evolution over the last 16 years of the approved extension proposals. It is noted that the first approved permission in 2000 sought a 6m wide extension to the western side with a stepped building line and roof-form. The recent approval in April 2016 sought a 7.76m wide side extension to the west and a 3m wide linking extension between the two buildings, showing an incremental increase in footprint over the years.
- 6.13 The proposed replacement dwelling would be of a contemporary design with a flat roof. The height of the resulting flat roof would be about 0.4m less than the existing roofline of the house. On account of the height, overall massing and linear design, along with the forward re-siting of the proposed dwelling, it is considered that there would be an adverse impact on the visual qualities of the area.
- 6.14 This concern would be exacerbated by the loss of the Copper Beech tree and landscaping areas to the front of the existing property, which would lead to the increased visual impact of the proposed development and the resulting perception of development across the whole width of the plot.
- 6.15 The works to the retained annexe are intended to provide a visual connection to the contemporary character of the replacement dwelling. However, the resulting disparity between roof-heights of approximately 1.8m and the overall design details would exacerbate the overall alien character of the development.
- 6.16 The resulting development would therefore be out of keeping with the scale and character of the existing dwelling which occupies the plot and harmful to the wider rural character of the area, contrary to local policies.

### **Impact on Neighbours:**

- 6.17 Policy 33 of the HDPF requires that development should avoid unacceptable harm to amenity of occupiers and users of nearby property and land.
- 6.18 The proposal would decrease the distance between the new dwelling and the neighbouring dwelling at Chantry Cottage to the north-west to a distance of some 20m from the current



30m gap. The proposed new first-floor balconies are noted to the southern (rear) and western sides, looking towards the boundary with Chantry Cottage.

- 6.19 The proposed replacement dwelling, including the provision of a first-floor side terrace, is not considered to lead to any detrimental and adverse impacts on the private amenities of the neighbouring property at Chantry Cottage on account of the distances between properties and boundaries.
- 6.20 Changes to the annexe would result in a larger window opening to the first-floor hall-way. Owing to the proximity to the boundary with The Tithe Barn to the east, and the increased window size, it would be recommended that an obscure-glazing condition be added should planning permission be granted.

#### **Green Infrastructure and Biodiversity:**

- 6.21 It is noted that the proposed development would lead to the loss of a large Copper Beech to the front of the dwelling, on account of the new building line being brought forward from the existing property line.
- 6.22 Whilst previous proposals have retained some form of gap by creating a stepped front elevation, the current proposal would certainly not be able to retain the tree.
- 6.22 This tree is now subject to an emergency Tree Presentation Order, dated 1<sup>st</sup> December, which has not yet been confirmed.
- 6.24 Further assessment of the public amenity value of the tree, along with its future potential for retention within the site has revealed that although the tree has the capacity for some increased growth potential, being semi-mature, it is already close to the roofline of the existing dwelling, and is likely to require future disfiguring surgery work.
- 6.25 Although the proposal would necessitate the removal of the tree, the full assessment in regard to the selection of trees for a TPO has revealed that the removal of the tree would be regrettable, but would not lead to harm to the wider public amenity and therefore is acceptable in this instance.

#### **Highways and Parking:**

- 6.26 The proposal does not alter the existing vehicular access to the property, the driveway or the triple bay garage that is currently provided.
- 6.27 Although the front building line of the proposed new dwelling would come forward, it would still maintain provision for off-street parking spaces, garaging and turning space within the site, which would be in accordance with policy 41 of the HDPF.

#### **Conclusion:**

- 6.28 Consideration has been given to the extant permission for a sizable side / rear extension, first granted in 2000 and subsequently renewed with incremental increases until the most recent extant permission, which expires in April 2019. However, the approved scheme for extensions to the existing property is significantly different to that which is currently being proposed, and would retain the front building line and appearance of the existing property and its impact within the wider street-scene. Furthermore, these permissions have shown no intentions of being implemented over the last 16 years.
- 6.29 In conclusion, the proposal has been considered within the context of the NPPF and the presumption in favour of sustainable development, and against Local Policies set out within

the Horsham District Planning Framework (2015). It is considered that the proposal would be contrary to HDPF policies 1, 2, 25, 28, 32 and 33 in that the development would result in a disproportionately scaled replacement dwelling in a countryside setting, which would lead to detrimental harm to the wider rural setting, on account of the proposed elongated design and building lines.

**7. RECOMMENDATION: Application Refused**

7.1 It is recommended that planning permission be refused for the following reason:

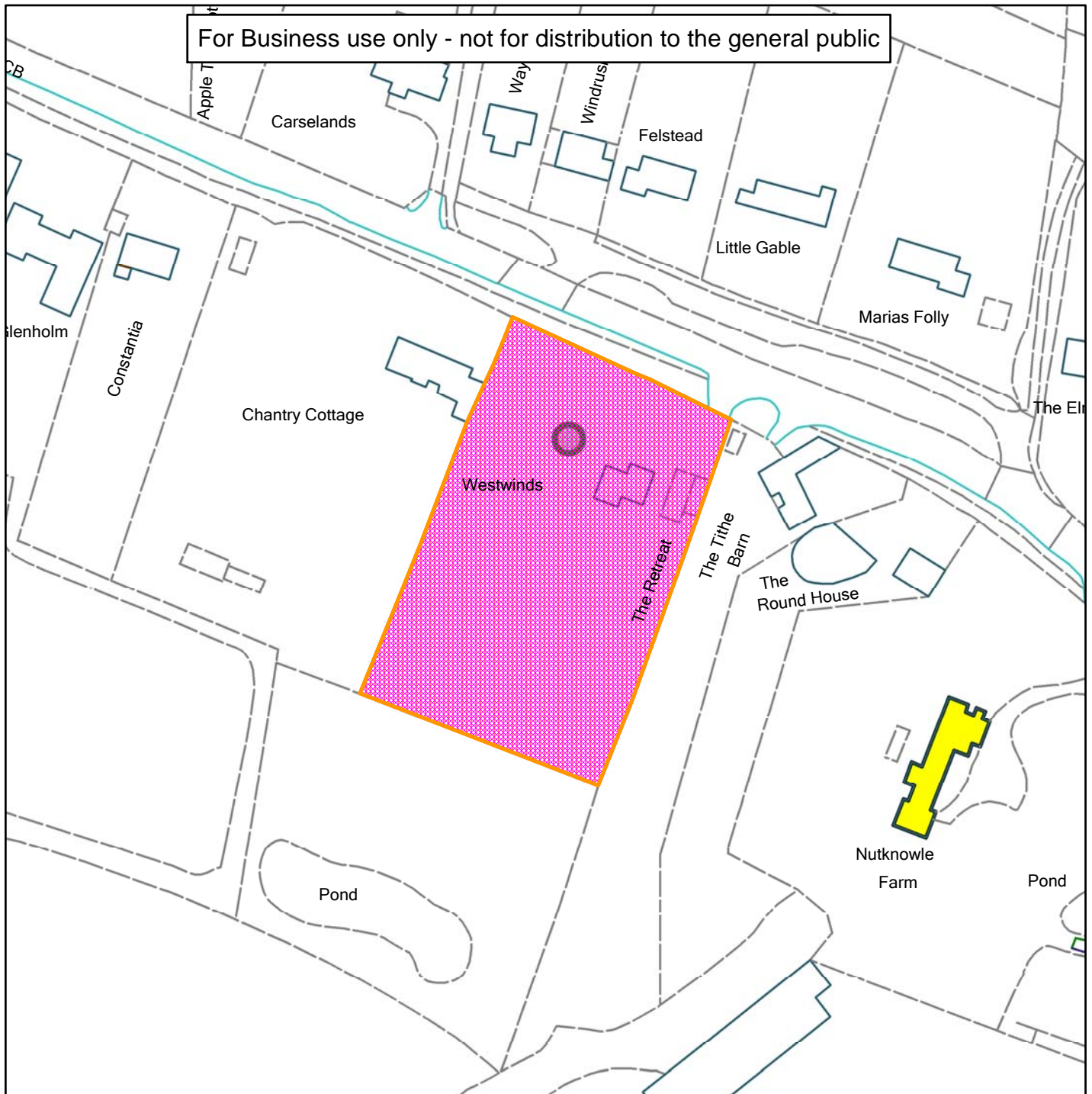
- 1 The proposed replacement dwelling would be of an unacceptable scale, mass and design, by virtue of its elongated form and design, and new building line, would appear overly dominant within the wider street-scene. The proposal would therefore be harmful to the wider countryside setting and character, contrary to the provisions of policy 1, 2, 25, 28, 32 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2279



West Winds

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	05/01/2017
OSA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

**PLANNING COMMITTEE  
REPORT**

**TO:** Planning Committee South  
**BY:** Development Manager  
**DATE:** 17 January 2017  
**DEVELOPMENT:** New live/work dwelling with continued B1 light industrial use  
**SITE:** The Piggery West End Lane Henfield West Sussex  
**WARD:** Henfield  
**APPLICATION:** DC/16/2538  
**APPLICANT:** Mr & Mrs Lee McCatty

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations have been received contrary to Officer recommendation

**RECOMMENDATION:** To refuse permission

**1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application is a resubmission of previously refused application (DC/16/1356) that was considered by Planning Committee on 20 September 2016. No amendments have been made to the scheme but additional information in the form of a land registry map showing development on the site in 2003 and the submission of a Unilateral Undertaking to tie the residential dwelling to the commercial use of the site has been submitted.
- 1.3 The proposal seeks full planning permission for the erection of a new dwelling on the site, to be occupied in connection with the existing B1 Industrial business on the site. The existing workshops in association with the business would be retained, with the existing access also retained and the hardstanding re-built and extended up to the proposed dwelling.
- 1.4 The proposed dwelling would be positioned to the south-west of the site, within 6.1m of the western boundary, and 10m of the southern boundary. The dwelling would extend to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls and cedar shingles to the roof. The dwelling would be of a single storey with attic space

incorporated, and would provide 4 x bedrooms (including master bedroom with ensuite), kitchen/dining/family room, bathroom, utility room, and boot room.

## DESCRIPTION OF THE SITE

- 1.5 The application site is currently within Class B1 (Business) use, occupied by a local joinery business. The site consists of 3 x workshop buildings used as a machine room, assembly workshop, and joinery store, with two separate sheds on the site utilised for the storage of raw timber.
- 1.6 The site is accessed from the south of West End Lane, outside of the designated built up area of Henfield. The site lies to the rear of a ribbon of residential development, with the dwellings fronting the highway and positioned approximately 68m from the proposed site of the dwelling. The surrounding landscape consists of an orchard and a number of mature trees, with open countryside to the south.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework**

- NPPF1 - Building a strong, competitive economy
- NPPF3 - Supporting a prosperous rural economy
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF14 - Presumption in favour of sustainable development

### RELEVANT COUNCIL POLICY

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

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF4 - Strategic Policy: Settlement Expansion
- HDPF7 - Strategic Policy: Economic Growth
- HDPF9 - Employment Development
- HDPF10 - Rural Economic Development
- HDPF15 - Strategic Policy: Housing Provision
- HDPF16 - Strategic Policy: Meeting Local Housing Needs
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

2.4 **Henfield Neighbourhood Development Plan 2015 – 2035**

Following a court decision on 13 October 2016, Henfield Neighbourhood Development Plan has been quashed. The Parish Council is currently considering how they will move forward. Henfield Parish continues to be covered by the Horsham District Local Plan, and this plan remains the current and up to date plan for the area.

## PLANNING HISTORY

HF/5/01	Change of use of redundant agricultural buildings to b1- business use & extension of existing b1 use to adjoining buildings Site: The Piggery West End Lane Henfield	REF
HF/117/88	Change of use from garage/workshop to shoe repair workshop Comment: Appeal allowed 09/11/89 (From old Planning History)	PER
HF/10/97	Erection of 3 dwellings (outline) Site: Land Adj Willows West End Lane Henfield	REF
HF/58/98	Demolition of existing light industrial and agricultural buildings and erection of a single dwelling house Site: Land Adj Willows West End Lane Henfield	REF
HF/107/99	Conversion of buildings into one dwelling Site: The Piggery West End Lane Henfield	REF
DC/15/1078	New single dwelling with existing access drive and existing septic tank	WDN
DC/16/1356	Proposed live/work unit in connection with existing B1 light industrial use of site	REF

### 3. OUTCOME OF CONSULTATIONS

#### INTERNAL CONSULTATIONS

- 3.1 **Public Health and Licensing (Env. Health)** consulted on 11 November 2016. The response received can be summarised as follows: No objection subject to conditions.
- 3.2 **Env Management, Waste and Cleansing**, consulted on the 11 November 2016. The response received can be summarised as follows: No objection.

#### OUTSIDE AGENCIES

- 3.3 **West County Highways**, consulted on 11 November 2016. The response received can be summarised as follows: No Objection, subject to secure cycle storage condition.
- 3.4 **Southern Water**, consulted on the 11 November 2016. The response received can be summarised as follows: No Objection.
- 3.5 **Environment Agency**, consulted on the 11 November 2016. There was no response from this consultee at the time of report preparation.

#### PUBLIC CONSULTATIONS

- 3.6 **Parish Council Consultation**, consulted on the 11 November 2016. Their comments can be summarised as follows: No Objection
- 3.7 17 letters of support were received. These can be summarised as follows:

- In keeping with surroundings
- Use of sustainable materials considered a benefit
- Proposed development is on a brownfield site
- No further impact upon highway network
- Impact on local economy and community benefit
- Added security to neighbouring properties

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

- 6.1 The application seeks full planning permission for the erection of a new dwelling to be occupied in conjunction with the B1 use of the site.

##### **Principle of Development**

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced.
- 6.3 Furthermore, policy 26 seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.
- 6.4 In addition, paragraph 55 of the National Planning Policy Framework states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need to for an agricultural worker to live at or near the site; where such development would represent the optimal viable use of a heritage asset; where the development would re-use redundant or disused buildings and lead to enhancement of the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling.



- 6.5 The proposal seeks to erect a dwelling on the site, which as stated within the Design and Access Statement, would be occupied in connection with the existing joinery business (under Class B1 Industrial Use) on the site.
- 6.6 The site lies approximately 1.6km from the centre of Henfield, and is positioned outside of the designated built-up area. For this reason, in policy terms, the site is located within a countryside location. As stated within policy 26 of the HDPF, development outside of built-up area boundaries must be essential to its countryside location, and in addition meet one of the stated criteria. The proposed dwelling would not be related to agriculture or forestry, would not enable the extraction of minerals or the disposal of waste, and would not provide for quiet informal recreational use. Furthermore, whilst it is noted that the applicant operates the joinery business on the site, no justification has been provided to outline an essential need for the applicant to live on the site, and in any event it is not considered that a business such as this would require an on-site presence
- 6.7 A copy of a title deed dated 3 March 2003 has been submitted to support the assertion by the applicant that the site is brownfield land. This document indicates that a number of agricultural buildings were positioned through the south-western corner of the site, most of which have since been removed from the site. The buildings currently present on the site are all used in connection with the B1 Industrial use of the site and registered under a separate title as indicated on the submitted title deed.
- 6.8 Previously Developed Land (Brownfield Land) is defined in Annex 2 of the National Planning Policy Framework as:  
*“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas; and land that was previously developed, but where the remains of the permanent structure have blended into the landscape in the process of time.”*
- 6.9 The site as indicated on the title deed would, under the definition in Annex 2 of the NPPF, be considered brownfield land. Whilst there is a presumption in favour of redevelopment of previously developed land, as stated within section 38(6) of the Planning and Compulsory Purchase Act 2004 decisions must be made in accordance with the development plan unless material considerations indicate otherwise. Therefore, whether the site is brownfield is not the key factor in determining whether the site is suitable for residential development, and Policies 3, 4, and 26 of the HDP are of greater and significant weight in the determination of the application, defining and guiding the spatial strategy of the District.
- 6.10 In regards to policy considerations, nothing has changed since the previous application originally submitted under planning reference DC/16/1356. Whilst a Unilateral Undertaking has been put forward by the applicant to ensure that the residential dwelling is tied to the business use of the site this is not considered to overcome the in principle policy objections to the scheme; namely that the proposal is not essential to its countryside location and would represent unsustainable development of the countryside.
- 6.11 Therefore, whilst living on the site in close proximity to the business may be desirable it is not considered essential. As such, given the nature of the development and its position outside of the built-up area, the proposal is not considered to enable the sustainable development of the rural area or meet any of the other criteria as stated within policy 26 of the Horsham District Planning Framework. Therefore, the proposed residential dwelling is considered to be contrary to policies 1, 2, 3, 4 and 26 of the HDPF.

### **Character of the site and surroundings**

- 6.12 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.13 The proposed dwelling would be of a single storey, extending to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls, and cedar shingles to the roof.
- 6.14 The wider surroundings are characterised by two storey detached and semi-detached dwellings that front the public highway, along a continuous build line. These are of an eclectic vernacular incorporating facing brick, tile hanging, and render, with hardstanding built in front. Although positioned within close proximity to this ribbon of residential development, the set back and setting of the site as a whole is more reflective of the surrounding countryside than the urbanised development to the north. The proposed design of the dwelling seeks to reflect this rural character, utilising natural materials that would be reflective of the countryside character of the site and surroundings.
- 6.15 Whilst the local vernacular of the surrounding properties consist of facing brick, tile hanging, and render, it is recognised that the site itself reflects a rural context, set back from the built form of the surroundings. The proposed finish and design of the residential dwelling, utilising a 'natural' finish of cedar shingles and oak cladding is therefore considered to appropriately reflect the context of the site and the landscape character of the area. Furthermore, although set back from the recognised build line of the surroundings, the proposed siting is considered to reflect the built form of the workshop and associated buildings within the site itself. As such, the scale and siting of the dwelling is considered to sit appropriately within the site and the context of the surroundings, in accordance with policies 25, 32 and 33 of the HDPF.

### **Amenities of the occupiers of neighbouring properties**

- 6.16 Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.17 The proposed dwelling would be positioned to the south-west of the site, approximately 68m from the rear elevation of the adjacent properties. Whilst noted that the boundary treatment of the adjacent properties consists of post and rail fencing, the distance between the proposed dwelling and neighbouring properties is considered sufficient so that the proposal would not result in unacceptable outlook or loss of privacy. It is proposed to plant mixed deciduous and coniferous landscape screening to the north, west and south of the site, and whilst this cannot be relied upon to make a scheme acceptable, this is considered sufficient to mitigate potential impact. Therefore, given the distance between the properties, and the addition of landscape screening, the proposal is not considered to result in harm to the amenities of neighbouring properties, in accordance with policy 33 of the HDPF.

### **Existing Parking and Traffic Conditions**

- 6.18 Policy 41 of the HDPF states that development should provide safe and adequate parking, suitable for all anticipated users.
- 6.19 The proposal would utilise the existing, established access, with hardstanding provided to the front of the dwelling. This established access would continue to service the joinery

workshops, as well as the new dwelling. No previous highway issues have been raised with the use of the established access, and this conclusion is retained by WSCC Highways within the consultation response submitted. As such, the residential nature of the development is not considered to result in further intensification or impact upon public highway safety, in accordance with policy 41 of the HDPF.

### **Other Matters**

- 6.20 The proposed development is located within the curtilage of, and in close proximity to, existing commercial activities. However, given the site is within B1 use, which is suitable in residential areas, and the dwelling would be occupied in association with the business use, it is not considered necessary to require any further assessment of noise exposure.
- 6.22 The application identifies that the site has a history of agricultural use and proposes to introduce residential receptors onto this land. A Contamination Assessment has been submitted, with the Environmental Officer consulted for comments. The response concurs with the recommendation within the submitted report, and as such, no objection is raised, subject to conditions were the application to be approved.

### **Conclusion**

- 6.23 The proposed residential dwelling, located outside of the built up area, would not accord with the criteria as outlined within policy 26 of the HDPF, and is therefore considered to result in unsustainable and inappropriate development within the countryside, contrary to policies 1, 2, 3, 4 and 26 of the HDPF.

## **7. RECOMMENDATIONS**

The application be refused on the following grounds:

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location. Consequently, it represents unsustainable development contrary to policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

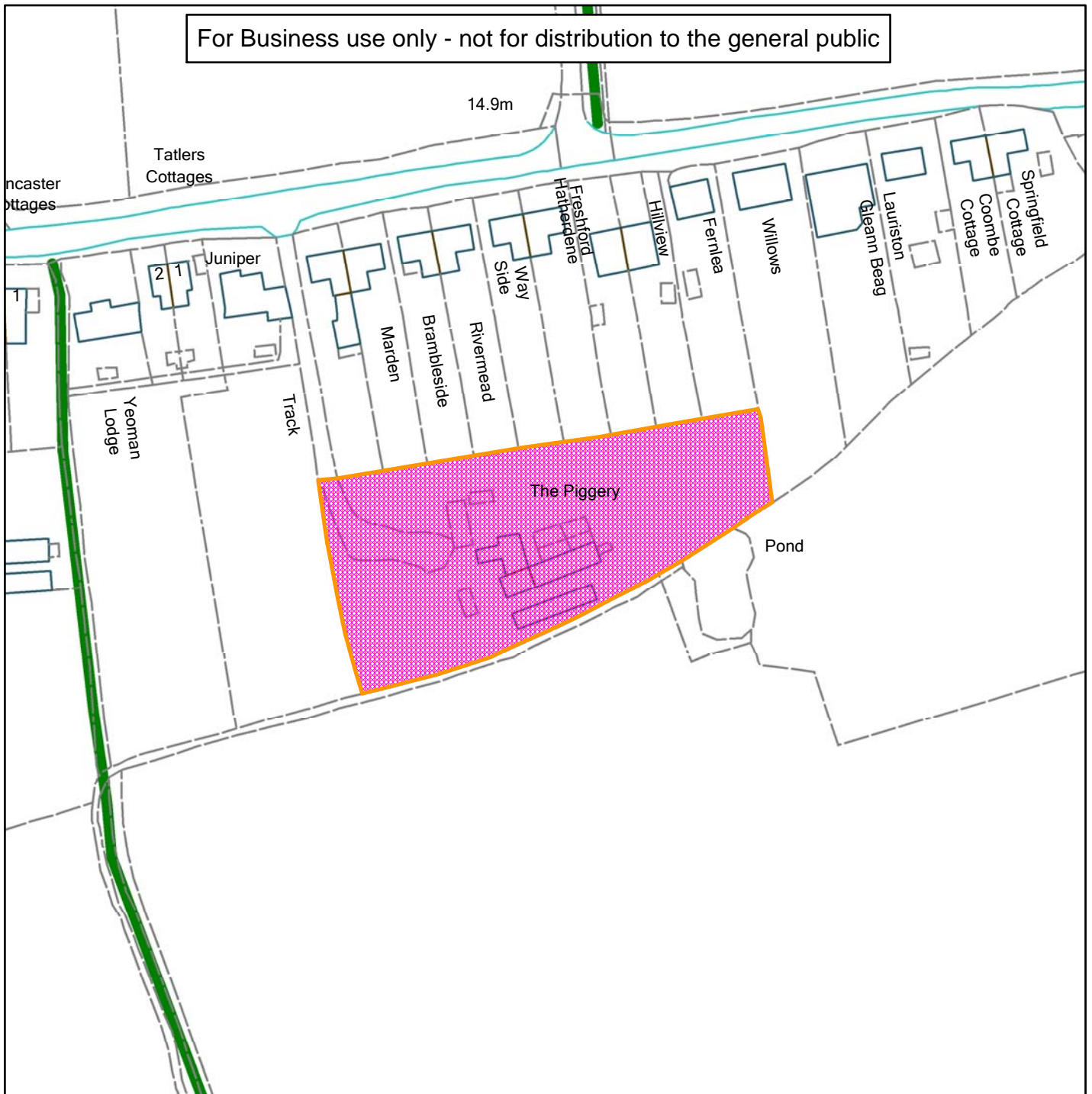
Background Papers: DC/16/2538

This page is intentionally left blank



The Piggery

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	05/01/2017
MSA Number	100023865

This page is intentionally left blank