



TO: Planning Committee North

BY: Head of Development

DATE: 4 September 2018

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

SITE: Fordcombe Cox Green Rudgwick West Sussex RH12 3DD

WARD: Rudgwick

APPLICATION: DC/17/2424

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

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

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

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

DESCRIPTION OF THE SITE

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

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

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 37 - Sustainable Construction

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

2.4 RELEVANT NEIGHBOURHOOD PLAN

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

2.5 Rudgwick Parish Design Statement

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DISC/17/0243	Approval of details reserved by conditions 3 and 4 to approved application DC/16/2925	Application Permitted on 28.07.2017
DC/16/2925	Demolition of existing house and construction of 2 new two storey 5 bedroom houses, with associated amenity and parking	Application Permitted on 21.04.2017

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** The landscaping proposals are considered to be acceptable following submission of amended/additional information.

PUBLIC CONSULTATIONS

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

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

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

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

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

6. PLANNING ASSESSMENTS

Design, appearance and siting

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

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

Impact on Amenity

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

Conclusion

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

7. RECOMMENDATIONS

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

1 Approved Plans

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

Reason: To provide car parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

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

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

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

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

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

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

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

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

Background Papers: DC/17/2424