



TO: Planning Committee North

BY: Head of Development

DATE: 4 September 2018

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

SITE: Farnbrakes Church Street Rudgwick West Sussex RH12 3EJ

WARD: Rudgwick

APPLICATION: DC/18/0150

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

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

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

1. INTRODUCTION

1.1 To summarise the history of the application to date:

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

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

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

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

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

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

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

2. PLANNING ASSESSMENTS

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

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

3. CONCLUSION

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

APPENDIX A



**Horsham
District
Council 05.06.2018**

TO: Planning Committee North

BY: Head of Development

DATE: 05 June 2018

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

SITE: Farnbrakes Church Street Rudgwick West Sussex RH12 3EJ

WARD: Rudgwick

APPLICATION: DC/18/0150

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

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

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

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

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

1.4 DESCRIPTION OF THE SITE

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

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

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

Rudgwick Parish Design Statement

RELEVANT NEIGHBOURHOOD PLAN

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

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2668	Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works	Application Permitted on 21.02.2017
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3. OUTCOME OF CONSULTATIONS

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

3.2 **Parish Council Consultation:** Objection, departure from original plans

OUTSIDE AGENCIES

3.3 **WSCC Highways:** No Objection. Original Comments under DC/16/2668 still applicable.

PUBLIC CONSULTATIONS

3.4 15 letters of objection were received from 12 separate households/bodies. The nature of these objections can be summarised as follows:

- The amended design and roof line would be too high and dominate neighbouring dwellings;
- There would be overlooking and an overbearing impact on neighbouring properties
- Proposals do not accord with previously approved plans
- Amendments not in keeping with street scene

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The main issues are the principle of the development in the location and the effect of the development on:

- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The existing parking and traffic conditions in the area
- The quality of the resulting residential environment for future occupiers

Principle

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

The amenities of the occupiers of adjoining properties

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

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

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

The existing parking and traffic conditions in the area

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

Conclusion

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

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

7. RECOMMENDATIONS

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

Conditions:

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

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

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

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

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

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

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

- 5 **Regulatory Condition:** The car parking spaces serving the development shall be constructed in accordance with approved details and thereafter retained as such for their designated use.

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

Background Papers: DC/18/0150