



**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 18<sup>th</sup> September 2018

**DEVELOPMENT:** Erection of new two storey dwelling to east of existing property, and retrospective relocation and replacement fence to eastern boundary.

**SITE:** 31 Concorde Close Storrington Pulborough West Sussex RH20 3JL

**WARD:** Chanctonbury

**APPLICATION:** DC/18/0926

**APPLICANT:** **Name:** Mr Kristian Green **Address:** 31, Concorde Close Storrington RH20 3JL

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 different households have made written representations which is inconsistent with the Officers' 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 Planning permission is sought for the erection of a detached two-storey dwelling to the east of 31 Concorde Close. The dwelling would be composed of a brick facing to all elevations, hosting a pitched roof finished with clay tiles. The application also seeks retrospective permission for replacement of the 1.8m high eastern boundary fence with a new 1.8m fence set approximately 1m further to the east closer to Storrington Road.

### DESCRIPTION OF THE SITE

- 1.2 The application relates to side garden curtilage of a two storey detached property sited on the north side of Concorde Close, a residential cul-de-sac within the designated built up area of Storrington, adjacent to Storrington Road. The site is neighboured by properties of similar size and form, with the properties within the wider street scene of varied scale and appearance. The neighbouring property to the west is built slightly set back from the application dwelling and incorporates no side facing windows, with the site bound to the east by hedging. Storrington Road runs parallel with the eastern site boundary. A group of protected trees sit along the rear northern site boundary.

## **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 3 - Strategic Policy: Development Hierarchy

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

**Thakeham Parish Neighbourhood Plan to 2031 (2017)**

Thakeham1: A Spatial Plan for the Parish

Thakeham6: Design

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/0699	First floor extension over existing ground floor and ground floor front extension	Application Permitted on 04.05.2017
T/28/78	Convert garage into room and erect double garage (From old Planning History)	Application Permitted on 12.07.1978

**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

**HDC Arboriculture:** No Objection

OUTSIDE AGENCIES

**WSCC Highways:** No Objection

**Southern Water:** No Objection

PUBLIC CONSULTATIONS

- 3.2 Fifteen letters of representation from eleven addresses were received *objecting* to the proposal on the following grounds:
- The proposed design is not in-keeping with the area
  - Increase parking and highway pressure on street

- Overdevelopment
- Loss of trees and natural boundary
- Proposed plot would grab highways land
- Overlooking
- Impact on local wildlife

### 3.3 **Thakeham Parish Council:** Objection

- Plot too narrow to accommodate a dwelling
- Overdevelopment on the site
- Contrasts to staggered building line on the street
- Visually jarring on the street
- Loss of two mature healthy oak trees
- Insufficient and erroneous parking arrangement to existing and new dwelling

## 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 of the Development**

6.1 Policies 2 and 3 of the Horsham District Planning Framework states that the district has a distinctive settlement pattern, which the framework seeks to retain and enhance. Development within the built-up area boundaries is accepted in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised. The site is located within the built-up area of Storrington and Sullington, but falls within the Parish of Thakeham. Thakeham has been identified as a “Smaller Village” under Policy 3 that has a limited range of services, facilities and social networks with some local employment provision, but with good rail/bus services. Residents are reliant on larger settlements for access most of their requirements.

6.2 Policy Thakeham1 of the Thakeham Parish Neighbourhood Plan to 2031 states that development will be steered to sites within the built-up area boundary, in which proposals must not undermine the visual and physical integrity of the gap between the built-up area of Thakeham and the Abingworth development.

6.3 The application site is located wholly within the built-up area such that the site does not physically or visually interrupt the gap to the Abingworth development (located 1.5km to the north). Considering the nature and size of the proposal, the scale of the development is considered appropriate to the scale and character of the settlement and is therefore acceptable in principle, subject to detailed considerations.

### **Design and Layout**

6.4 Policy 33 of the Horsham District Planning Framework states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and

mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

- 6.5 Policy Thakeham6 of the Thakeham Parish Neighbourhood Plan to 2031 relates to design and states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, should reflect any architectural or historic characteristics of particular merit in, and the scale of the surrounding buildings and in the wider area.
- 6.6 The proposed dwelling would be sited in place of the existing garage to the east side of the host dwelling, No. 31 Concorde Close, which benefits from a generous plot in comparison to its neighbours. The plot would be subdivided, with the host and proposed dwellings to be separated by approximately 2m. The subdivision of the plot would result in the creation of two curtilages similar in size to the neighbouring properties, including a similar dwelling location and orientation. The footprint of the proposed dwelling would be similar to those extended dwellings on the street, which would be comfortably accommodated within the curtilage of the newly created plot such that it would not appear cramped or out of character.
- 6.7 The dwelling would be orientated similar to the neighbour directly opposite the site, No. 12 Concorde Close, which would incorporate a front facing gable as opposed to a side facing gable. Whilst it is appreciated that the existing dwellings on the northern side of the street incorporate side facing gables, the roof orientation on the southern side and towards the south of the street is more varied. Overall, placed in the context of the wider streetscene of Concorde Close this orientation and roof form set perpendicular to No.31 is not considered detrimental to the character of the surrounding area.
- 6.8 In context of the new dwelling's siting in relation to Storrington Road, it is acknowledged that the dwelling would be closer to the boundary to the street compared to the current arrangement, and the neighbouring dwelling to the south of the site on Concorde Close. However, it should be noted that the building line and frontage on Storrington Road varies, most notably at units 1-3 Flower Corner that open directly onto the street. As such, the proposed siting and position of the dwelling in context to Storrington Road is not considered out of character.
- 6.9 The submitted plans and elevations indicate that the dwelling would be composed of a stock brick facing to all elevations (matching the colour and appearance of host dwelling, aluminium windows, and matching pan tiled roof. Overall, the use of these materials is considered consistent with the neighbouring dwellings.
- 6.10 Overall, the proposed development would result in the creation of a suitably sized plot for both the host and the proposed dwelling, and would be of a sympathetic size, design and orientation in relation to its neighbours. As such the proposal is considered in accordance with Policy Thakeham6 of the NPD and Policy 33 of the HDPF.

### **Impact on Neighbouring Amenity**

- 6.11 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.
- 6.12 The proposed dwelling would be sited parallel to the host dwelling, sited some 2m from its eastern side elevation. This is in keeping with separation distances common in the area, where it is noted that Nos. 21-31 Concorde Close are sited some 1m from each other. The host dwelling does not currently include any windows to its side elevations. However, the approved extant planning application on the host dwelling (DC/17/0699, currently not implemented) would host two windows facing the site – one serving a bathroom with obscure glazing, and another the stairwell. The western side elevation of the proposed dwelling would

also include windows, again serving two bathrooms and a stairwell. Given the position of the windows to each property, which would not directly look into each other, coupled with the fact that the proposed windows to each dwelling would be obscured, the proposal would not enable any direct overlooking detrimental to the occupants of No. 31 nor the proposed dwelling.

- 6.13 Any overlooking impact from the first floor to the rear gardens adjacent would be mutual and would not be out of character with arrangements elsewhere in the area, whilst the positioning of the dwelling would not result in any appreciable loss of light, outlook or overbearing impact.
- 6.14 The site neighbours Oaktree House to the north, with the rear elevation of the proposed dwelling set some 13m from the shared boundary. The boundary includes some screening provided by mature trees protected by a tree preservation order. Given this separation and boundary planting, and the distance to Oaktree House beyond, it is not considered that the development would result in any appreciable loss of amenity. No amenity harm would arise to the properties across Concorde Close to the south, or across Storrington Road to the east given the separations.
- 6.15 With this above in mind, the proposed dwelling is not considered to result in any adverse harm to neighbouring amenity with regards to overlooking, overshadowing, or overbearing impact, in accordance with Policy 33 of the HDPF.

#### **Highways Impacts**

- 6.16 The WSCC car parking demand calculator recommends that a minimum of 2 spaces should be provided for each dwelling. Currently, No. 31 is served by a large driveway and a detached double garage capable of comfortably accommodating more than two cars. The application proposes two parking spaces per dwelling, which would be located directly to the front of the each dwelling, parallel to the street. Thus, the proposed parking arrangement would be similar to neighbouring dwellings and in line with the WSCC calculator.
- 6.17 The neighbouring objections regarding the increase on traffic on the street are noted, however it is not considered that a single additional dwelling in this cul-de-sac would result in any appreciable amenity or highway safety harm. Due to the nature of the residential no-through road, vehicles are not anticipated to be travelling above the posted speed limit within the vicinity. The vehicular visibility at both the existing and proposed accesses appears sufficient for the anticipated road speeds in this area. An inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents within the vicinity of the site and that there is no evidence to suggest that the existing access is operating unsafely, or that the addition of a new access will exacerbate an existing safety concern.
- 6.18 With the above in mind, the proposal would not result in a highway safety or capacity concern. Therefore the application accords with Policies 40 & 41 and the National Planning Policy Framework (paragraph 109).

#### **Other Matters**

- 6.19 The application also includes the installation of a replacement fence to the eastern boundary to the site facing Storrington Road. The fence has been retrospectively moved between 0.5-1m towards the street from its pre-existing position. Prior to this, trees and hedging formed the boundary, with a close board fence set in-between. As noted from the Parish and neighbouring representations, concerns have been raised regarding the ownership of the grassed verge on Storrington Road onto which the new fence has been erected. WSCC have advised that their ownership of this area extends from the edge of the pathway to the boundary at a distance between 0.3-0.8m. On-site measurements from the fence to the verge

confirm that the replacement fence does is not within 0.3-0.8m of the edge of the pathway, thus has not encroached on to highway land

- 6.20 The replacement fence is considered appropriate in regards to its appearance on the street, which would not appear out of character compared to the previous arrangement as it would maintain a suitable grassed buffer to the roadside.
- 6.21 The proposed dwelling would be sited in close proximity to 2 existing oak trees within the curtilage of the site, close to the eastern boundary. The Council's Arboricultural Officer notes that these two specimens are of poor quality, and are of low amenity merit. Given the construction of the dwelling in relation to these oak trees, coupled with their poor quality and condition, their removal is not resisted. The other surrounding trees, including the large TPO protect oak to the north, would not be adversely affected by the development, given their separation distance from the site. A condition requesting the submission of an arboricultural method statement is attached to ensure tree protection measures are implemented to the retained trees, and the trees proposed for removal are correctly identified and appropriately removed.

### **Conclusion**

- 6.22 The proposed dwelling would be of an appropriate scale, position and design in relation to the development pattern of the area, and would not result in any adverse impact on neighbouring amenity or any material harm to the highway. As such, the proposal is considered in accordance with the Horsham District Planning Framework, subject to the attached conditions and informatives.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	138.76	0	138.76
	<b>Total Gain</b>		<b>138.76</b>
	<b>Total Demolition</b>		<b>0</b>

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **7. RECOMMENDATIONS**

Conditions:

- A LIST OF THE APPROVED PLANS**
- Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
- ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

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

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

6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until 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).

7 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained

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

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 8 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling hereby permitted, the parking facilities shall have been implemented in accordance with the approved details as shown on drawing no. DS/concordehouse/03/revision 1 received 1 August 2018 and shall be thereafter 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 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

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

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been provided within the side or rear garden for that dwelling. The facilities 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).

- 11 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The windows serving the bathrooms at first floor level facing west shall be fitted with obscured glazing and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

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

- 13 **Regulatory Condition:** 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **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 and C of Part 1 of Schedule 2 (amend classes and schedule as necessary) 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 in accordance with Policy 33 of the Horsham District Planning Framework (2015)

Informative

#### Vehicle Crossover – Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission goes not guarantee that a vehicle crossover license shall be granted. Additional information about the licence application process can be found at the following web page: <https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>