



TO: Planning Committee (North)

BY: Head of Development

DATE: 04 December 2018

DEVELOPMENT: Erection of an entrance porch and changes to existing fenestration. Internal sub-division by the installation of a first floor and staircase; internal partitioning; relocation of kitchen and WC facilities.

SITE: Easteds Barn Easteds Lane Southwater Horsham West Sussex RH13 9DP

WARD: Southwater

APPLICATION: DC/18/2212

APPLICANT: **Name:** Catherine Tobin **Address:** Beeson House Lintot Square Southwater Horsham RH13 9LA United Kingdom

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation raising material planning considerations made within the consultation period contrary to the recommendation of the Head of Development.

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 Full planning permission is sought for external alterations to the existing Easteds Barn Building on Easteds Lane in Southwater to facilitate its change of use to a children's nursery. The proposed alterations include the creation of a pitched roof entrance canopy consisting of oak columns with brick plinths and matching timber cladding.

1.3 The proposals also includes additional windows and alterations to the existing fenestration to include:

- the addition of 2no dormer windows and 2no new windows at first floor level, amendments to existing first floor windows, addition of 2no windows and alterations to the existing double doors to form new double doors with side glazed panels at ground floor level to the east facing elevation;
- the addition of 2no windows at first floor level and the addition of 3no windows at ground floor level to the north facing elevation;
- the additional of 1no window at first floor level and 2no windows at ground floor level to the to the south facing elevation and;
- the additional of 3no windows at ground floor level to the west facing elevation.

- 1.4 The proposed additional and amended windows and doors would all be timber framed to match the existing fenestration. The overall design, form and dimensions of the host building would remain unchanged.

DESCRIPTION OF THE SITE

- 1.5 The site contains a single storey timber clad, barn like structure with a brick built outshot all under a clay tiled roof. The site has vehicular access from Easteds Lane sited directly to the west of the existing building and pedestrian access from Nutham Lane to the east. The site benefits from a car park that adjoins the building which has 22 parking spaces. The building is made up of timber cladding to the external walls, as well a stock brickwork to a single storey extension, timber framed fenestration and doors and a plain tiled roof. A single storey extension to the western side of the building was permitted under planning reference DC/11/2502 in 2013.
- 1.6 The surrounding area is predominantly residential although a playground and large area of open space is situated to the south of the site. The site is within the built up area boundary of Southwater. It is noted that the application building/site has unrestricted D1 (non-residential institutions) and D2 (assembly and leisure) use which was granted permission; also under planning reference DC/11/2502.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 **National Planning Policy Framework**

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

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Southwater Parish are currently in the process of formulating a Neighbourhood Plan as of November 2018.

PARISH DESIGN STATEMENT

- 2.6 Southwater Parish Design Statement.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.7 The most recent and relevant planning history for the site is as follows:

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| SQ/14/92 | Erection of 135 dwellings (including 15 social units) conversion of barn to meeting room,car park,open space, access,assoc.works (outline) | Application Permitted on 16.06.1993 |
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| SQ/61/95 | Erection of community building and 23 space car park | Application Permitted on 30.08.1995 |
| DC/11/2502 | Single storey extension to existing building and variation of Condition 10 of SQ/61/95 (Use of building for meeting room purposes only), to facilitate use of overall premises for general D1 (Non residential Institutions) and D2 (Assembly and Leisure) purposes at Easteds Barn | Application Permitted on 22.10.2013 |
| DC/13/1561 | Modification of Planning Obligation S106 0596 relating to planning permission SQ/14/92 (Erection of 135 dwellings (including 15 social units) conversion of barn to meeting room, car park, open space, access, associated works (Outline)) in accordance with Clause 5 of the draft form of Supplemental Agreement annexed to this application | Application Permitted on 23.10.2013 |
| DISC/14/0066 | Discharge of condition 2 and 4 on DC/11/2502 | Application Permitted on 14.07.2014 |

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

PUBLIC CONSULTATIONS

- 3.2 13 letters of objection were received for this application from 11 separate households. The nature of these objections can be summarised as follows:
- Concerns raised with regards to parking capacity and access
 - Impact on neighbouring amenity
 - Overall design and appearance of the building
 - Impact on trees and wildlife
 - The proposals actually include/should be for a change of use

PARISH COUNCIL

- 3.3 **Southwater Parish Council:** This is a Parish Council application therefore it will refrain from comment. The Plan was shown to the residents present for transparency reasons.

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 development and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties

Principle of development

- 6.2 The proposed external alterations would facilitate internal alterations and reconfiguration works to the building to facilitate its use to a children's nursery. The proposed building is located within the built up area of Southwater, where the Horsham District Planning Framework (HDPF) states that development should be contained, unless there is a specific and justifiable need outside of the built up area boundaries. As the proposal is for external alterations only and does not propose a change of use, the principle of development is considered acceptable subject to consideration of the impact of the proposed alterations to the exterior of the building.

Character and appearance of the proposal and visual amenities of the street scene

- 6.3 Policies 32 and 33 of the HDPF 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 The proposed alterations to the building primarily relate to fenestration changes and the creation of a canopy over the existing entrance into the building. The existing entrance is located within a later single storey extension. Given the overall size of the host building, the existing extension appears as a subservient element to the building. The proposed canopy would have a gabled roof design to match the single storey extension with a matching pitched angle. Given that the proposed canopy would project modestly to the north and the fact that it would be set down from the ridge of the single storey extension, it would appear as a sympathetic and coherent addition to the front of the building.
- 6.5 The proposed fenestration additions and alterations are considered to be modest in nature and the additions and would not be disproportionate in scale and character to the existing fenestration currently present on site. The 2no dormer windows are considered to be modest in size when viewed against the large host building and overall the proposed fenestration changes are considered to be acceptable and would not have a detrimental impact on the building.
- 6.6 Looking from the streetscene, although the building is visible from a public vantage point when viewed from Easteds Lane and Nutham Lane, it is largely screened by existing mature landscaping. As such, it is considered that the proposed external alterations to the building would not have a detrimental impact on the surrounding area of wider streetscene.
- 6.7 For the reasons outlined above, it is considered that the proposals are therefore considered to be in accordance with policies 32 and 33 of the HDPF.

The effect of the development on the amenity of adjoining properties

- 6.8 Policy 33 of the HDPF 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.
- 6.9 It is noted that there are residential properties in close proximity to the existing building located to the north and east. 2no windows are proposed to the north facing elevation at first floor level and 2no windows are proposed to the east facing elevation at first floor level, as well as the proposed dormer windows. The proposed first floor windows proposed to the north facing elevation would serve a changing room and staff room. Given the proximity to the neighbouring properties to the north, it is considered appropriate to attach a condition requiring that these windows be obscure glazed, with no openings less than 1.7m above the floor level of the room that they would be serving.
- 6.10 The proposed first floor windows and dormers to the east facing elevation of the building would be located approximately 20 metres away from the nearest property to the east at 1 Nutham Lane. Looking at the orientation of 1 Nutham Lane, the proposed windows to Easteds Barn would primarily face onto the western side wall of the dwelling, which does not contain any windows serving habitable rooms. Given the angle to the front windows of the neighbouring dwelling, it is considered that the proposal would not result in any harmful overlooking. The proposed first floor window to the south facing elevation would look onto the existing playground/field and does not raise any amenity concerns.
- 6.11 It is therefore considered that the proposed development would not have a detriment impact on the amenity of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework.

Other Matters

- 6.12 It should be noted that whilst it is not the subject of this application the Planning Officer has sought legal advice with regards to the existing use of the building following representations received from members of the local community. Following receipt of comments from the Council's Legal team it is considered that the building currently has an unrestricted D1 and D2 use which was granted permission under planning reference DC/11/2502 in 2013. As such, it is considered that any specific use falling within D1 and D2 can lawfully operate from the building/site without the requirement of planning permission for a change of use.

Conclusion

- 6.13 Overall, the proposal does not raise any policy concerns and would not have a detrimental impact on the make-up of the existing building, the wider site or the visual amenities of the street scene. The proposals would not result in any harmful impact on neighbouring amenity beyond that of the existing situation on site. The application is therefore recommended for approval.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to the following conditions -
- 1 A list of the approved plans
 - 2 **Standard Time Condition:** The development hereby permitted shall begin 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-occupation Condition:** The building shall not be used/occupied until all of the windows at first floor level to the north facing front elevation on Plan number 003 REV B, received 19 November 2018 have been fitted with obscured glazing. No part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

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

- 4 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

Background Papers: DC/18/2122