



**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 30 April 2019

**DEVELOPMENT:** Erection of 1 x 4 bedroom dwelling and 1 x 3 bedroom dwelling with on site parking and associated landscaping.

**SITE:** 89-91 Corsletts Avenue Broadbridge Heath Horsham West Sussex RH12 3NY

**WARD:** Broadbridge Heath

**APPLICATION:** DC/18/2002

**APPLICANT:** **Name:** Innes, Distin and Vaughan **Address:** 89/91, Corsletts Avenue Broadbridge Heath RH12 3NY

**REASON FOR INCLUSION ON THE AGENDA:**

More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

**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 consent for the erection of 2 detached two-storey dwellings; the southern dwelling would comprise a 3-bed, with the northern dwelling a 4-bed dwelling. The site would be accessed from an existing crossover onto Corsletts Avenue with a shared access created for the existing and proposed dwellings. The dwellings would incorporate a pitched roof with front and side gables with materials of mainly brick and tiles.

DESCRIPTION OF THE SITE

1.3 The application site is located within the Built up Area of Broadbridge Heath. The site is accessed from the south side of Corsletts Avenue and currently comprises residential garden areas associated with 89 and 91 Corsletts Avenue. These existing dwellings are located on a prominent bend and set well back from the road frontage. Given their positions the two dwellings and associated rear garden areas occupy larger than average plots than those of the neighbouring semi-detached dwellings to the North West and terraced dwellings to the north east of the application site which are relatively narrow.

- 1.4 There is a public footpath that runs along a south / north east axis to the rear of the application site (ROW1630) and a line of mature trees that are located adjacent to the boundary and along the footpath. The trees adjacent to the boundary are not subject to any TPO's although other specimens further along the footpath are. There is a large tree adjacent to the south west boundary of the application site.
- 1.5 The rear south west boundary of the application site forms the common boundary which separates the site from number 136 Shelley Drive, located within in the far east corner of a cluster of 5 dwellings on the east side of a small cul-de-sac.

## 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 15 - Strategic Policy: Housing Provision

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 40 - Sustainable Transport

Policy 41 - Parking

#### 2.4 RELEVANT NEIGHBOURHOOD PLAN

There is no Neighbourhood Plan for the Parish of Broadbridge Heath.

#### 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/2137	Outline planning application for the erection of 2 x 4 bedroom dwellings with associated parking. All matters reserved except for access, layout and scale.	Under consideration
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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](http://www.horsham.gov.uk)
- 3.2 **WSCC Highways:** No Objection, do not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework, and that there are no transport grounds to resist the proposal. Should the LPA be minded to approve this proposal, the following should be sealed via condition.
- 3.3 **WSCC Rights of Way:** Public Right of Way (PROW) Bridleway 1630 runs to the east of the proposed development, beyond the red line of the planning application boundary. It is understood that the application does not propose any alteration to the PROW.

- 3.4 **Southern Water:** Comment that the exact position of foul sewers must be determined on site, it may be possible to divert the sewer. A formal application for a connection to the foul sewer would be required to be made by the applicant or developer.

#### PUBLIC CONSULTATIONS

- 3.5 61 representations have been received objecting to the proposal for the following reasons:-

- Principle
- Back land / garden grabbing development
- Unwelcome precedent
- Parking and traffic
- Drainage and sewer issues
- Height / design
- Noise
- Increased housing density
- Overcrowding
- Access arrangements
- Overlooking
- Overshadowing
- Loss of private and visual amenity
- Impact on character of the area
- Over development
- Proximity to existing dwellings
- Vehicle movements and highway safety

#### **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 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), and 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 within the built-up area boundary of Broadbridge Heath, the provision of two dwellings would be appropriate to the scale and function of the settlement and would therefore accord with the above policy. The principle of development is therefore considered acceptable.

### **Character and Appearance:**

- 6.2 The application site is within an established residential location where existing dwellings are variable in form, siting and design. The layout of streets in this location comprises a number of cul-de-sacs with dwellings sited in plots of variable size and orientation. The location is not considered to be so sensitive to change that infill development would necessarily result in significant harm to the prevailing character or appearance of the locality, subject to detailed considerations.
- 6.3 The proposal would introduce two dwellings on the site which would broadly reflect the building line of adjoining properties on the eastern side of Corsletts Avenue. This approach would extend the line of dwellings beyond that which currently exists and would result in the loss of amenity space currently associated with 89 and 91 Corsletts Avenue. While these properties benefit from sizeable plots this is not immediately apparent from the road and is not fundamental to the overall character of the area. As such there is no objection to the loss of this openness on design grounds.
- 6.4 The proposal would change the street pattern in this location but this is not in itself considered objectionable, particularly given the wider visual impact would be limited by the siting of the dwellings in a location where public views would be limited. The proposal would create plot sizes comparable to those which exist elsewhere in the immediate surroundings, with the proposed layout and separation between buildings similarly reflecting the arrangement of existing dwellings in this locality. On plan form it is considered that the layout would provide sufficient space for the existing and proposed dwellings and that appropriate separation distances would be provided to prevent an unduly cramped or incongruous appearance.
- 6.5 The proposed dwellings would reflect the building heights, form and materials of adjoining development along Corsletts Avenue, and would therefore be sympathetic to the prevailing character of the area. The submitted plans provide an indication of soft and hard landscaping across the site and further details are sought through condition.
- 6.6 For the reasons outlined, while the concerns raised in representations are noted, it is considered that the proposal would not cause harm to the character of the area and as such is considered to be acceptable. The scale and mass (derived from the height, depth and footprint) of the proposed dwellings and the impact on the visual amenities of the site and wider surrounds are therefore considered to accord with policies 32 and 33 of the HDPF.

### **Impact on neighbouring amenity**

- 6.7 It is acknowledged that the siting of the proposed dwellings has potential to impact upon neighbouring amenity, particularly for the adjoining property to the east no. 91 (which forms part of the application site). The design of the proposed dwellings has though resolved a number of possible issues, with the siting of window openings and use of obscured glazing preventing any intrusive or harmful views of adjoining properties. While additional views would be created by the development these would primarily be over the curtilages associated with each dwelling, with the relationship with adjoining properties not unexpected or unusual in an established residential location such as this.
- 6.8 The built-form resulting from the proposed development would be between approximately 8.2 metres and 9.3 metres from the side boundary of no. 91. This clearly represents a change for occupants of no. 91 but the separation coupled with the modest scale of the proposed dwellings, which decreases toward the rear of no. 91, is considered sufficient to ensure any loss of light or outlook would not amount to significant harm for existing or future occupants of this neighbouring property. The resulting arrangement between no. 91 and the proposed dwellings is therefore considered acceptable.

- 6.9 The proposed siting would retain sufficient separation between the development and neighbour to the south, on Shelley Drive, to prevent any significantly harmful loss of light or outlook, and it is noted that established planting along this boundary would provide meaningful screening between the buildings.
- 6.10 The formation of an additional two dwellings in a mixed use location would not be expected to generate significant or harmful levels of noise or disturbance for adjoining occupants.

#### **Highways Impacts:**

- 6.11 The proposed layout would provide two off-street parking spaces for each existing and proposed dwelling, with the scheme making use of an existing crossover which would be adapted to provide the proposed access arrangement. There is no evidence to suggest the existing arrangement is operating unsafely, and the proposed layout would allow for vehicles to enter and leave the site in a forward gear. The submitted plan indicates appropriate visibility over Corsletts Avenue with a condition recommended to secure the provision of such splays.
- 6.12 The proposed level of parking is considered acceptable in this location and there is potential for informal visitor parking without the need to park on the street. While representations raising concerns on the availability of on-street parking are noted, for the above reasons the proposal would not be expected to result in displaced vehicles creating additional demand. It is therefore considered that the proposal would not create a safety hazard or create a harmful demand for on-street parking.
- 6.13 The Highway Authority has raised no objections to the proposal, noting that the proposal would not have a 'severe' impact on the highway network, and that there are no transport grounds to resist the proposal. For the reasons outlined above there are no reasons to take a different view in this instance and the proposal is considered acceptable on highway grounds.

#### **Other considerations**

- 6.14 The comments of Southern Water, relating to the presence of foul sewers crossing the site, and of the need for a formal application to connect to existing infrastructure, are noted. These matters would though require further agreement with Southern Water before any works could take place on the site, with the applicant to be advised of this by way of an informative.

#### **Conclusions**

- 6.15 The proposals for 2 detached dwellings on the site are considered acceptable and complies with relevant local and national planning policies.

#### 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	236.4	0	236.4
		<b>Total Gain</b>	<b>236.4</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

7.1 That planning permission be 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-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 to comply with Policy 38 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement Condition:** 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 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: 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).

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 confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body will 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).

- 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 a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has 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).

- 7 **Pre-Occupation Condition:** The dwellings hereby permitted shall not be occupied until the windows at first floor level to the north-west (front) and south-west (side) elevations, as shown on drawing nos. PL145/13D and 15C, 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).

- 8 **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).

- 9 **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).

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number PL145/11J. These facilities shall thereafter be retained for use at all times. Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number 18219 S122 A. 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).
- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number PL145/11 J. The cycle parking facilities shall thereafter be retained as such for their designated use.  
  
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).
- 13 **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 garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.  
  
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).
- 14 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Corsletts Avenue in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed. Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 15 **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 or B 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 and neighbouring amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).