



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 18 February 2020

**DEVELOPMENT:** Demolition of existing dwelling, garage and stables and erection of 2.No detached two storey dwellings with detached garaging. Retention of existing access and crossover and creation of a new access and crossover onto Littleworth Lane.

**SITE:** Abbots Lea Littleworth Lane Partridge Green Horsham West Sussex RH13 8JF

**WARD:** Cowfold, Shermanbury and West Grinstead

**APPLICATION:** DC/19/0908

**APPLICANT:** **Name:** Mr Roger Lovell **Address:** Fosters barn Butchers Row West Grinstead Horsham RH13 8NF

**REASON FOR INCLUSION ON THE AGENDA:** The application, if approved, would represent a departure to the development plan.

**RECOMMENDATION:** To grant planning permission subject to conditions.

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks consent for demolition of the existing detached dwellinghouse and associated outbuildings, and for the erection of a replacement development comprising two detached dwellings. Each dwelling would feature a hipped roof with front gables and a detached double garage building.

### DESCRIPTION OF THE SITE

- 1.2 The application site comprises a detached two-storey dwelling on land to the west of Littleworth Lane. The site is within Littleworth, an unclassified settlement formed by a cluster of residential development in a predominantly linear form either side of the highway. Littleworth is characterised by residential development of variable form, scale and design and a semi-rural character. The site is approximately 500 metres north of Partridge Green.

## 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 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 30 - Protected Landscapes

Policy 31 - Green Infrastructure and Biodiversity

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 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport

Policy 41 - Parking

### 2.4 Local Plan Review - Issues and Options document (April 2018)

### 2.5 RELEVANT NEIGHBOURHOOD PLAN

The West Grinstead draft Local Plan has not been Made and is currently of limited weight.

### 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

There is no relevant history on the application site. Of relevance on adjoining land to the west is:-

DC/13/0984	Demolition of derelict glass housing and removal of former car park and the erection of two detached dwellings with access off Littleworth Lane	Allowed on Appeal 17.07.2014
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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)

### INTERNAL CONSULTATIONS

3.2 **HDC Environmental Health:** No Objection, recommend conditions.

## OUTSIDE AGENCIES

- 3.3 **WSSC Highways:** No Objection. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.
- 3.4 **Southern Water:** Comment. A formal application for connection to the public sewerage system is required in order to service this development. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

## PUBLIC CONSULTATIONS

- 3.5 **West Grinstead Parish Council:** Object for the following reasons:-

- The subject property is in the hamlet of Littleworth, which in the settlement hierarchy contained in the Horsham District Planning Framework (HDPF) is designated as an 'Unclassified Settlement'. Obviously, that is under review at the moment and there is a proposal that it be designated a 'Secondary Settlement.' Moreover, the subject property does come within the proposed Secondary Settlement Plan.

Do not accept that this application represents 'infilling'. There is a perfectly adequate dwelling on the site at the moment. A 'small gap or plot' can only be created by demolishing that dwelling. There are 5 bedroom dwellings in the road, but on significantly larger plots. There are also dwellings close together, but they are nothing like as large as these units would be. Our view is that the scale of the proposed dwellings would not reflect the existing scale and character of the settlement function and form, but rather would represent serious overdevelopment of the site.

- The proposed development would have a serious detrimental effect on the environment and character of the rural hamlet of Littleworth, which does enjoy a very diverse mix of properties. Every dwelling with a fair size garden would be vulnerable to developers and the essential character of this and other secondary settlements throughout the district would be lost.
- The proposed development would put further strain on the drainage system in Littleworth Lane, which has been prone to flooding over recent years in times of unusually high rainfall.

- 3.6 19 representations have been received objecting to the proposal for the following reasons:-

- Overdevelopment, the application is a continuation of a development consisting of two extremely large properties which have recently been built already within land which was originally part of Abbots Lea;
- The application would set a precedent;
- The dwellings would be too large and out of proportion and character in the street scene;
- Loss of soft landscaping;
- Impact on sewerage network;
- The development is not sustainable;
- Noise and disruption.

#### **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 2 of the HDPF seeks to maintain the District's unique rural character, whilst ensuring that the needs of the community are met through sustainable development that has suitable access to services and local employment. The spatial strategy as set out in the HDPF is to focus development in and around the key settlement of Horsham and allow for growth in the rest of the District in accordance with the identified settlement hierarchy. Policy 3 of the HDPF states that development will be permitted within towns and villages which have a defined built-up area. The site the subject of this application is located outside of any defined built-up area boundary.
- 6.2 As the application site lies outside of any settlement boundary, it is considered for the purposes of planning policy to be within a countryside location. The development would therefore be contrary to the approach set out in policies 2 and 3 of the HDPF. In addition, there is no evidence to suggest that the proposed dwelling would be essential to its countryside location, and the proposal would also therefore conflict with Policy 26.
- 6.3 The application site is though located within the confines of Littleworth which although currently an unclassified settlement has been put forward as a 'secondary settlement' within the Local Plan Review – Issues and Options document (April 2018). The aim of 'secondary settlements' is to identify hamlets which may be able to support a degree of infill to support rural communities. This could be through the provision of rural worker accommodation or the conversion of existing buildings to residential. In respect of Littleworth the Issues and Options document states:-
- Littleworth is a small hamlet which is predominantly centred along Littleworth Road, a short distance north of Partridge Green, which contains a reasonable level of services and facilities. There are a number of allotments within Littleworth which are available for the use of residents in both Littleworth and Partridge Green, and helps to provide evidence of an established community in this area. The dwellings in this area are a mix of sizes and ages which help to contribute to a sense of place.*
- 6.4 The suggested policy wording within the issue and options document suggests that planning permission will be granted for residential infilling within defined secondary settlements provided that the site is a small gap or plot within an otherwise built-up settlement form; is limited in scale to reflect the existing scale and character of the settlement function and form; and does not result in significant increase in activity including traffic movement on narrow and rural roads.
- 6.5 While the local plan review is at an early stage the Issues and Options document has been consulted upon and does set out the thoughts and direction of the Council in terms of

development in rural areas in the near future. The application site is surrounded by linear residential development and is not therefore in an isolated location, and the Council acknowledges, through the local plan review, that the settlement could accommodate limited development.

- 6.6 The proposal, whilst located outside of any defined built-up area at present, involves the redevelopment of the site to replace a detached dwelling with 2 detached dwellings. The proposed siting would be broadly reflective of surrounding development, which as noted in the Issues and Options document comprises houses of a mix of sizes and ages. The site is therefore considered to provide a reasonable opportunity for infill development of the manner and scale envisaged in the Issues and Options document.
- 6.7 The approach to Littleworth within the Issues and Options document is broadly reflective of that outlined in an earlier appeal decision in 2014, which granted planning permission for the erection of two dwellings to the rear of the site (ref: DC/13.0984). In allowing this appeal the Inspector found that Littleworth has the character of a small hamlet, and due to the close proximity (of less than 1km) to Partridge Green, which was found to benefit from a 'rather good' level of service provision while also being readily accessible by foot, the settlement was in a sustainable location. There are no reasons to believe that these conclusions would not apply to this application site, which immediately adjoins the appeal site to the east.
- 6.8 It is therefore considered that while the proposal is contrary to the development plan in relation to its location within a countryside location the principle of development is acceptable could be supported, subject to all other material considerations, due to the location set amongst an existing, albeit unclassified, settlement and given the direction of travel set out in the Issues and Options document.

#### Character and appearance

- 6.8 Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats: development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.9 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.10 The siting of the proposed dwellings would reflect and supplement the generally linear pattern of development in Littleworth, where the majority of housing is along the roadside. The application has been amended as part of the application process to reduce the footprint, and the resulting bulk of each dwelling, and to revise the resulting design. As now proposed the dwellings would be characterised by a hipped roof with subservient front gables. This design approach would incorporate design features present in surrounding development and there is no objection to the detached garages, which would not be unduly prominent features of the site. As such while the development would be highly visible in views along Littleworth Lane it is considered the resulting appearance would not be incongruous or out of keeping with the prevailing character or appearance of the settlement.
- 6.11 The submitted plans indicate the retention of the existing hedgerow to the front boundary, except where a new access point is proposed, and there is potential for new planting to reinforce this boundary. Within the wider site there is no significant planting which would be adversely impacted by the development, with a landscaping condition recommended to require details of hard surfacing, boundary treatments and additional planting.

- 6.12 It is therefore considered that the proposed development, and the provision of one additional unit of housing, would not be harmful to the character or appearance of the area, and therefore accords with the above policies.

#### Impact on amenity

- 6.13 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.
- 6.14 The siting of the proposed dwellings would retain appreciable separation from shared side boundaries with adjoining properties, with the resulting relationship between buildings sufficient to ensure no harmful impact to neighbouring amenity. The introduction of an additional residential unit in an established residential location would not be expected to create potential for harmful levels of noise or disturbance, and the proposal would not result in a significant increase in the level of activity within Littleworth.

#### Highway impacts

- 6.15 Policy 40 of the HDPF recognises the need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users.
- 6.16 The development would create a new access point for the southern dwelling, with a width of approximately 3.5 metres. The existing and proposed accesses would benefit from sufficient visibility in both directions for a road of this speed. The development would provide 3 parking spaces for each dwelling, with space outside for additional spaces. This level of provision meets the required standards with the garages meeting the required minimum internal dimensions. It is therefore considered that each dwelling has sufficient parking allocation to meet their demand, and that the proposal would not result in any displaced vehicles to surrounding streets. The proposed layout would provide on-site manoeuvring space which would allow vehicles to exit onto Littleworth Lane in a forward gear.
- 6.17 There is sufficient space within the site for the storage of cycles and no further details are considered necessary in this regard.

#### Other considerations

- 6.18 A number of conditions have been recommended by Environmental Health relating to contamination and demolition works. The site is though an established residential dwelling with no evidence of issues relating to contamination. It would not therefore be reasonable or necessary to require further assessment and the proposal would not increase any risk to future occupants of the development. In respect of demolition, and construction, the works involved would not be particularly long-term or extensive, and given the size of the site any impacts should not spill onto adjoining land or highways. A condition is recommended to provide control over construction and demolition hours, and this approach is considered sufficient to protect neighbouring amenity.
- 6.19 It is noted that a number of representations have raised concerns relating to the impact of the development on sewerage infrastructure. Southern Water has not though advised of any capacity issues in this locality, with any connection to the foul sewer requiring their agreement. A condition is however recommended to secure details of the proposed connection for foul water disposal, as well as surface water, and this approach is considered sufficient to ensure no adverse impact on infrastructure or flooding.

## 6.20 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	724	254	470
		<b>Total Gain</b>	<b>470</b>
		<b>Total Demolition</b>	<b>254</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 It is recommended that planning permission is permitted subject to the following conditions-

1 **Approved Plans List.**

2 **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 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 (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, roofs and doors 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).

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 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).

- 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 details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers 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:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or 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).

- 9 **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).

- 10 **Regulatory Condition:** No part of the development shall be first occupied until the accesses and vehicle parking and turning spaces have been constructed in accordance with the approved plan. The access and parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **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 and 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 amenity and in order to protect the privacy and amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No works for the implementation of the development hereby approved, including works of demolition, shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/0908  
DC/13/0984