



TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 20th July 2021

DEVELOPMENT: Erection of a detached dwelling and creation of vehicle access.

SITE: Southview Littleworth Lane Partridge Green Horsham West Sussex RH13 8JX

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/21/0726

APPLICANT: **Name:** Mr A Millard **Address:** C/O Agent

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

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 The application seeks consent for the erection of a chalet style detached dwelling and new vehicle access. The dwelling would have three bedrooms, one on the ground floor with two in the pitched roofspace. To the front of the property would be a central porch canopy and glazed doors with two small roof dormers. The rear of the property would have a full height atrium that would serve the main reception room with full height glazed wall. The proposal includes parking for three cars and a turning area and a new access drive on the northern boundary with Southview.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises a side garden plot to the south of 'Southview' that forms a corner plot on the junction of Littleworth Lane and Mill 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 800 metres north of Partridge Green and its defined settlement 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 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 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

Local Plan Review – Regulation 18 Draft Local Plan Consultation

Strategic Policy 2: Development Hierarchy

RELEVANT NEIGHBOURHOOD PLAN

West Grinstead Neighbourhood Plan (June 2021)

Policy 1: Local Gap
Policy 4: Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife
Policy 10: Car Parking

PLANNING HISTORY AND RELEVANT APPLICATIONS

WG/37/97	Erection of 1 house and garage Site: Southview Littleworth Lane Partridge Green	Application Refused on 20.08.1997
WG/47/62	Proposed erection of bungalow and vehicular and pedestrian access (From old Planning History)	Application Refused on 15.03.1963

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

OUTSIDE AGENCIES

WSCC Highways: No Objection

The Local Highways Authority requested a 7 day speed survey was conducted to determine the 85th percentile road speeds at the access point and extent of the vehicle visibility. This was completed and submitted to the Highways Officer. Their final response is summarised as:

The application site is located on Littleworth Lane a publicly maintained, low trafficked, 'B' classified road subject to a 40-mph speed limit. The Applicant has submitted a 7-day speed survey that demonstrates that the 85th Road speeds are 28 mph. As a result, the Local Highways Authority (LHA) will refer to Manual for Streets (MfS) as guidance.

Access

The applicant proposes to implement a new access on to the site. The given plans show the new Vehicle Crossover (VCO) to measure a total roadside width of 3.3 metres.

The applicant has provided visibility splays of 2.4 x 43 metres. These are in accordance with MfS guidance of the 85th percentile road speeds. The LHA raise no concerns over these details. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the new access would operate unsafely.

Vehicle Parking

The LHA anticipates that 3 parking spaces would be adequate for the proposed dwelling.

Cycle Parking

As per the WSCC Sustainability policy, the LHA wish to see cycle storage implemented in the form of lockable covered storage. Details of which can be secured with a suitably worded condition

Electric Vehicle (EV) Parking

In the interests of sustainability and as result of the Government's 'Road to Zero' strategy for at least 50% of new car sales to be ultra-low emission by 2030, electric vehicle (EV) charging points should be provided for all new homes. Active EV charging points should be provided for the development in accordance with current EV sales rates within West Sussex (Appendix B of WSCC Guidance on Parking at New Developments) and Horsham Local Plan policy. Ducting should be provided to all remaining parking spaces to provide 'passive' provision for these to be upgraded in future. Details of this can be secured via a suitably worded condition

Ecology Consultant: Comment

As no ecological mitigation measures have been included in the document submitted, we have recommended an informative for general good practice as part of the construction phase of the development, which should be included in any consent. This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. However we also recommend that, to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019, reasonable biodiversity enhancement measures will need to be provided.

A Biodiversity Enhancement Strategy for protected and Priority Species should be secured as a condition of any consent. Given the scope of this application, we recommend this includes the provision of bird and bat boxes. We recommend that bird and bat boxes could be erected on suitable trees. Alternatively, an integral boxes, could be built into the new dwelling. We also recommend that new soft landscaping could be provided, of local provenance, which could also secure enhancements for biodiversity. Finally, any new fencing should be wildlife friendly.

Southern Water: Comment. Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways. 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

West Grinstead Parish Council: No objection

In the light that this comes within the Littleworth secondary settlement boundary- No objection. The Parish Council consider a condition should be imposed that the hedgerow bordering the plot be retained.

Representations

One Representation was received from the residential dwelling on the opposite side of Littleworth Lane. This raised concerns over the siting and design of the new dwelling and the potential loss of privacy due to the alignment of the windows. Additionally the alignment of the proposed driveway directly opposite the neighbour's driveway was considered unsafe. The appearance of the development appears in keeping with the area.

As a result of this representation the applicants amended the layout of the proposal and the neighbour did not respond to the further neighbour consultation.

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 As the application site lies outside of any defined settlement boundary, it is considered for the purposes of planning policy to be within a countryside location. The site is not allocated for development in either the HDPF or the West Grinstead Neighbourhood Plan, and as such would be contrary to the approach set out in policies 2 and 4 of the HDPF. In addition, there is no evidence to suggest that the proposed dwelling would be essential to its countryside location therefore the proposal would also conflict with HDPF 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- (Draft Horsham District Local Plan 2019-2036) Regulation 19 Pre-Submission Consultation Document. The Regulation 19 document is due to be taken to Full Council on 28th July 2021 and published for consultation in September 2021, and does not amend the direction of the intended Council policy in relation to development in rural areas such as these in the near future compared to the Regulation 18 draft consulted on in early 2020. Although the Local Plan Review is now at Regulation 19 stage, as it has not been through the public examination stage and the emerging policies can therefore only be given limited weight. The proposed Strategic Policy 2: Development Hierarchy states the following:
- 6.4 *Development will be permitted in secondary settlements, provided also that it falls entirely within the secondary settlement boundary as defined on the Policies Map, and meets all of the following criteria:*
- a) *the site is infilling a gap or plot within an otherwise built-up or cohesive settlement form;*
 - b) *the proposal is limited in scale to reflect the existing scale and character of the settlement function and form;*
- 6.5 The suggested policy wording therefore suggests that planning permission will be granted for residential infill development in this location subject to the criteria set out above.
- 6.6 The policy then goes on to define secondary settlements as having the following function and characteristics and lists Littleworth as a Secondary Settlement:
- Very small villages and hamlets that generally have some limited local employment, services or facilities (which may include primary schools, allotments, village halls, playing fields, or a church) and/or evidence of a defined local community. Proximity and access to other services, facilities and employment is also taken into account. Additionally, settlement character is material, for example form, density, age and historic character of dwellings, and the overall sense that one has left the open countryside and entered a defined village community.*
- 6.7 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.
- 6.8 The proposed siting would be broadly reflective of surrounding development which comprises houses of a mix of sizes and ages. The location does not fall within the defined ‘Local Gap’ as set out in the West Grinstead Neighbourhood Plan (WGNP) and therefore complies with Policy 1 of this plan. Paragraph 6.4 states that the WGNP seeks to positively support and encourage residential development within the (defined) built-up boundary of the Parish. The site is therefore considered to provide a reasonable opportunity for infill development of the manner and scale envisaged in the Regulation 19 draft Plan where the site is proposed to be included within the defined secondary settlement boundary.
- 6.7 It is considered that the Council’s approach to this application should be in line with that of the recently approved development at Abbots Lea (DC/19/0908 amended by DC/21/0606). Here it was outlined in a previous allowed appeal (DC/13/0984) 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 is situated around 250 metres to the north of Abbots Lea.

- 6.8 It is therefore considered that while the proposal is contrary to the current development plan in relation to its location within a countryside location, the principle of development is acceptable and could be supported, subject to all other material considerations, due to the location set amongst an existing, albeit unclassified, settlement and given the emerging secondary settlement policy set out in Regulation 19 draft Plan.

Character and Appearance

- 6.9 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.
- 6.10 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.
- 6.11 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 move the position of the proposed dwelling slightly north within the plot. This was in response to two points raised in relation to potential loss of privacy to the property 'Minster' across the road and also to maintain the openness of the corner plot on this junction as much as possible. This is considered an attractive feature of the site and the side garden width is now considered to maintain this sense of openness here.
- 6.12 The dwelling would be a chalet style detached property served by a new vehicle access. The dwelling would have three bedrooms, one on the ground floor with two in the pitched roofspace. To the front of the property would be a central porch canopy and glazed doors with two small roof dormers. The rear of the property would have a full height atrium that would serve the main reception room with full height glazed wall. This design approach would incorporate design features present in surrounding development and while the development would be visible in views along Littleworth Lane/ Mill Lane it is considered the resulting appearance would not be incongruous or out of keeping with the prevailing character or appearance of the settlement.
- 6.13 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.
- 6.14 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

- 6.15 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 slight amendment to the position of the proposed dwelling will ensure no potential impact on privacy of the dwelling on the opposite side of Littleworth Lane and there are no first floor windows proposed in the side elevation facing Southview.

- 6.16 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 Impact

- 6.17 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.
- 6.18 The development would create a new access point for the southern dwelling, with a width of approximately 3.3 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 the dwelling. 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 a condition requiring details of where cycles would be stored as well as details of required Electric Vehicle Charging points are suggested.

Conclusion

- 6.18 It is considered that while the proposal is contrary to the current development plan in relation to its location within the countryside, this conflict with the development plan is outweighed by the proportionate infill nature of the proposed development- set amongst an existing settlement in a sustainable location with a good level of services, and given the emerging secondary settlement policy set out in the Regulation 19 Draft Plan. The design of the dwelling, its access and its impact on neighbouring amenity are considered acceptable, and no other material concerns have been identified. The application is therefore recommended for approval as a departure from the development plan subject to the conditions set out below.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	179	0	179
		Total Gain	179
		Total Demolition	0

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-

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 Condition:** No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

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, 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).

6 **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 including the retention of the boundary hedgerow

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).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until visibility splays of 2.4 x 43 metres have been provided at the proposed site vehicular access onto Littleworth Lane in accordance with plans and details submitted to the Local Planning Authority. The splays shall 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).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 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 has been 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).

- 10 **Regulatory Condition:** The dwelling 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: 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).

- 11 **Regulatory 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).

- 12 **Regulatory Condition:** No part of the development hereby permitted shall be occupied 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. 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 **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).

- 14 **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).