



TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 17 August 2021

DEVELOPMENT: Erection of a detached bungalow.

SITE: Ashley House Roundabout Copse West Chiltington Pulborough West Sussex RH20 2RN

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/21/1234

APPLICANT: **Name:** Mr and Mrs Hirsch **Address:** Ashley House Roundabout Copse West Chiltington Pulborough West Sussex RH20 2RN

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

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 Full Planning Permission is sought for the construction of a single detached 3-bedroom bungalow with an attached double garage and two car parking spaces. This follows the previous grant of outline planning permission in March 2020 (DC/20/0157 reefers) for the erection of a detached bungalow and new access with all matters reserved on the site.
- 1.2 The GIA of the new dwelling is to be 147 sq.m. The proposed 3m wide vehicular access point is north of the dwelling providing a direct route to the parking spaces and garage with an electrically operated 5-bar gate entrance to provide security.
- 1.3 The proposed bungalow is to have a traditional form with a plain-tiled pitched roof, multi-stock facing brick to the elevations and architectural detailing including a brick chimney, stooped brick window sills, a brick detail band at low level and a feature oak porch. The bungalow would have grey UPVC framed glazing and matching coloured UPVC gutters & downpipes.

- 1.4 The proposal includes refuse & recycling bins stored within the proposed double garage alongside cycle parking also within the garage.
- 1.5 The proposed bungalow is in a similar location to the proposed dwelling granted previously under the outline planning permission. The dwelling would be 1m further to the east to provide a greater separation to Ashley House and the vehicular access driveway is now proposed directly onto Roundabout Copse. Under the previous outline permission, the proposed driveway shared the Ashley House entrance, and required the loss of a section of existing garden hedgerow.
- 1.6 The application proposes the retention of the existing trees on the site, the only landscaping proposed to be removed is the garden hedgerow at the vehicular access point and a rhododendron bush within the site which is to be replanted within the Ashley House garden. The proposed direct access from the north will result in the retention of more of the landscaping to the north of Ashley House itself. All hedgerow to the eastern and southern boundaries is to be retained and enhanced with additional shrubs where necessary. A new 1.8 metre high close-boarded fence is to be constructed on the newly formed western boundary with Ashley House.
- 1.7 Hard landscaping is proposed to the front (north) of the bungalow in accordance with the proposed SUDS strategy; the surfacing is to be permeable bonded gravel with an appropriate sub-base. A crate soakaway of the appropriate size will be provided in the south-east corner of the site 5 metres away from the bungalow to provide surface water attenuation.

DESCRIPTION OF THE SITE

- 1.8 The application site occupies an area approx 0.1ha to the south and west of the Roundabout Copse cul-de-sac, comprising of the easternmost element of the garden of Ashley House. The site falls within the defined built-up area of West Chiltington, in an area of residential character typified by detached dwellings of both single storey and two storey composition. Surrounding dwellings incorporate pitched roofs with plain concrete tiling, with external faces mainly composed of facing brick or white painted render. The surrounding plots vary in size and layout, with no overall consistent grain of development or building line. Boundary treatments in the immediate vicinity are mainly natural (hedging) or comprises of post-rail fencing. The application site itself features a prominent Leylandii hedge (in excess of 3m) to its northern boundary.
- 1.9 Roundabout Copse is a lightly trafficked and privately maintained cul-de-sac, possessing a prevailing suburban character. The site, and its immediate surroundings, are not affected by any heritage, archaeological, biodiversity or environmental designations.

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 7 - Strategic Policy: Economic Growth
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 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 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

The West Chiltington Neighbourhood Plan is in progress. West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/20/0157 Outline application for the erection of a detached bungalow with all matters reserved. Application Permitted 24.03.2020

WC/44/89 Erection of 1 house & garage (outline) Application Permitted 05.04.1990

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

3.2 **WSCC Highways:** No Objection
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109 [now paragraph 111]), and that there are no transport grounds to resist the proposal.

3.3 **Archaeology Consultant:** No Objection
No historic environment objections

3.4 **Southern Water:** No Objection with advisories provided

3.5 **Parish Comments:** Objection
The Parish Council objects on the following grounds:

- The development would constitute infill which is out of character with the surrounding properties
- It is too close to a neighbouring property
- It would be an overdevelopment of the site due to its sizing, massing and scale
- The application makes no reference to the biodiversity at the site
- It conflicts with HDPF Policies 31 (Lack of Biodiversity information), 32 and 33
- It also conflicts with West Chiltington's emerging Neighbourhood Plan

3.6 PUBLIC CONSULTATIONS:

Nine representations received Objecting to the application, on the basis of:

- Overdevelopment / Infill development
- Highways access – the new additional proposed access is dangerous at a narrow part of the road on a blind spot
- Concern at the how construction vehicles and materials are to be accommodated during the build and potential impact on access for emergency vehicles
- Archaeological concern

One neighbouring property representation received in Support of the application, on the basis of:

- Design
- Highway Access and Parking. The proposed development will complement the other properties in the road. Off-road parking is sufficient to prevent any obstruction of access to other properties.

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

The main considerations material to this application relate to:

- The principle of development;
- The impact of development on local character;
- The impact of development on the amenities of neighbouring occupiers;

Principle of Development:

- 6.1 Policy 1 of the Horsham District Planning Framework (HDPF) (2015) provides that the Council will work proactively with applicants to achieve development that secures socio-economic and environmental benefits. Reflecting the presumption in favour of sustainable development contained within the NPPF the Council will grant permission for development that accords with the relevant policies of the development plan, unless material considerations indicate otherwise.
- 6.2 Policies 3 and 4 of the HDPF outline the spatial strategy and hierarchy approach of the development plan. This strategy seeks to concentrate development within defined built-up areas and around the key settlements of the District. The application site in this regard falls within the defined built up area boundary of West Chiltington Common. Policy 3 of the HDPF provides that development, that maintains the defined settlement characteristics of its respective setting, will be supported in principle.

- 6.3 West Chilton, under policy 3 of the HDPF, is defined as a 'medium village' possessing a moderate level of services, facilities and community networks, together with some access to public transport. Such settlements are capable of providing some day to day services to meet the needs of residents, but rely upon larger settlement to meet a number of their requirements.
- 6.4 The principle of a dwelling on the site has been established for the erection of a detached bungalow following the approval of Planning Application DC/20/0157. Whilst this approval assumed that the Ashley House driveway was to be re-used, this full Planning Application proposes a new driveway and crossover onto Roundabout Copse.
- 6.5 The provision of a single dwelling is considered to represent a scale and nature of development that would not materially influence the strategic settlement characteristics of West Chilton as defined under HDPF policy 3. The proposal, therefore, is in accordance with the strategic spatial strategy and hierarchy approach of the Development Plan, with the principle of development accepted in this instance, subject to assessment on all other material grounds. While it is considered that limited weight could be assigned to the Pre-Submission Draft policies of the West Chilton Neighbourhood Plan, it is noted that Policy EH1, mirrors the strategic approach of the Local Plan in respect to development located within the built-up area boundary.

Character, Design and Appearance:

- 6.6 Policies 25 of the HDPF seeks to preserve the 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.
- 6.7 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.
- 6.8 Outline approval was given in March 2020 and this application considered whether the plot can, in principle, accommodate a detached bungalow. The existing Ashley House benefits from a significant plot, measuring approximately 750m² in area. The surrounding plots vary in size and layout, with no overall consistent grain of development or building line.
- 6.9 The proposed single storey dwelling is designed in a sympathetic vernacular style, using traditional materials to respond to its context of the established character of Roundabout Copse in material and scale. The pitch of the roof on the bungalow has been designed to limit ridge height whilst enabling a natural plain clay tile to be used.
- 6.10 The proposed location of the new dwelling is to be set behind significant existing planting on Roundabout Copse, limiting views from Roundabout Copse. Given the proposed bungalow is concordant in scale to the majority of the properties on Roundabout Copse, the dwelling is considered in-keeping. The single storey scale has been considered in relation to the adjacent properties, particularly those to the south, east and west, and the separation and orientation of the proposal makes the proposed scale acceptable.
- 6.11 While a sense of separation does exist between buildings, further reinforced by natural boundary treatments, it is considered that the dwelling proposed is appropriately sited, scaled and designed with appropriate consideration to landscaping to maintain local character and appearance.

- 6.12 It is acknowledged that the proposed plot would occupy a lesser area than surrounding dwellings, though, is not of a significantly reduced area comparative to the dwellings of Reynards and Deerwood opposite the application site or to dwellings east of the application site.
- 6.13 The plans provide a layout which would largely allow for retention of planting along site boundaries and retain sufficient separation from site boundaries to prevent the development appearing unduly cramped or prominent. While it is noted that the dwelling would occupy a notable proportion of the proposed plot in terms of footprint, it is further noted that the dwelling is of a single-storey composition and would largely maintain existing planting to the boundaries of the site, except for the new access.
- 6.14 As highlighted within the response of the Parish Council, and neighbouring representations, the proposed development does represent 'infill', though, it is not considered that this would in and of itself prove determinative as to the impact of the development in respect of character, design and visual amenity, and against policies 25, 32 and 33 of the HDPF.
- 6.15 It is considered that the proposed detached bungalow on the site is acceptable with reference to the requirements of policies 25, 32 and 33 of the HDPF.

Impact on neighbouring amenity:

- 6.16 Paragraph 130(f) of the NPPF provides that planning policies and decisions should ensure that developments inter alia create places that are safe, inclusive and accessible, promoting health and well-being with a high standard of amenity for existing and future users.
- 6.17 Policy 33 of the HDPF inter alia requires development to be designed so as to avoid unacceptable harm to the amenities of nearby occupiers/users of land.
- 6.18 The application site is located ~4.5m east of the easternmost extent of Ashley House, and extends to the rear of the southern elevation of this dwelling. It is considered the layout and scale of the proposed dwelling and boundary treatment ensure a relationship of inter-visibility that would afford an adequate standard of privacy to both occupiers and natural light to the occupiers of Ashley House. A reduction in the private amenity space available to Ashley House would not be considered to compromise the availability of a reasonable remaining extent of private amenity space available to neighbouring occupiers.
- 6.19 The site is some distance from the neighbouring dwellings of Oak Ridge, Reynards and Deerswood and no harmful change in relationship would be anticipated to the detriment of the amenities of neighbouring occupiers.
- 6.20 As reasoned above it is not considered that the site is disproportionately small to accommodate the dwelling with adequate floorspace standards and with necessary private amenity spaces. It is not considered that the proposal would fail to afford an adequate standard of amenity to future occupants.
- 6.21 It is noted that representations were received that raise concern as to how construction vehicles and materials are to be accommodated during the build and potential impact on access along Roundabout Copse. It is recommended that a pre-commencement condition should be applied to any approval to provide a Construction Method Statement to be approved by the local planning authority detailing a proposed management plan for construction vehicles, materials and waste.

Parking, Highway Safety and Operation:

- 6.22 Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.
- 6.23 Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.
- 6.24 The applicant proposes a new 3m wide vehicular access on Roundabout Copse. The Local Highway Authority considers that there are no apparent visibility concerns with the proposed point of access onto the privately maintained road. The LHA advises the applicant to contact the proprietor of the privately maintained road, to obtain formal approval for the proposed access works.
- 6.25 Access to the maintained highway is at Roundabout Lane. The LHA does not anticipate that the addition of one dwelling would give rise to a material intensification of movements to or from the site. An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the proposal would exacerbate an existing safety concern. Further, it Roundabout Copse is a low speed lightly trafficked road where there are a number of other accesses on bends in a similar manner to this proposal. In the absence of accident data elsewhere on this road there is no evidence that the location of the access would make for an unsafe arrangement.
- 6.26 The applicant proposes four car parking spaces for this development, comprising of a double-car garage and two parking bays. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require three parking spaces. The LHA notes that the proposed garage falls slightly short of the minimum internal specifications for double car garages of 6m x 6m as set out in Manual for Streets (MfS). The garage as proposed has approximate internal dimensions of 5.6m x 5.5m.
- 6.27 Notwithstanding the above, the LHA is satisfied that sufficient parking provision will be available on-site. From inspection of the plans, there is space for on-site turning to be achievable, allowing cars to exit the site in a forward gear. There is therefore unlikely to be issues of overspill parking onto the street.
- 6.28 In order to promote sustainable modes of travel, though, it is deemed necessary to recommend a condition requiring the submission of details pertaining to the provision of covered/secure cycle parking in accordance with HDPF policy 41.

Ecology:

- 6.29 Policy 25 and 31 of the HDPF seek to protect the natural environment and landscape character of the district. Protected habitats and species will be protected against inappropriate development, and opportunities to enhance green infrastructure and biodiversity will be encouraged
- 6.30 The application site concerns an area of domestic garden, with the majority of the application site consisting of maintained lawn. There are no ecological designations contained within the application site, or within the near to medium vicinity of the application site. The application site, therefore, is not regarded as ecologically sensitive, and there is no evidence before the Authority that this serves as a commuting or foraging habitat for protected species. The

absence of pre-existing structures renders the site unlikely to host bats, with the majority of substantial planting (Leylandii) not native to this location. In such circumstances it is not deemed necessary, reasonable or proportionate to insist upon full ecological recording to preclude the possibility of adverse impacts upon protected species. Subject to compliance with separate regulatory mechanisms under the Wildlife and Countryside Act 1981 in respect of breeding birds, it is not considered that the proposal would adversely impact upon protected species and habitats or prove contrary to the requirements of HDPF policies 25 and 31.

Climate change:

- 6.31 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.32 Should the application be approved, the following measures to build resilience to climate change and reduce carbon emissions will be secured by condition:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.33 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Other considerations:

- 6.34 It is noted that a representation draws the attention of the Planning Authority to possible Archaeological considerations, however the site is not within a defined Archaeological Notification Area and the Council's Archaeological advisors have no historic environment objections.
- 6.35 In respect of any covenants restricting activities within Roundabout Copse, it is noted that ownership of land, including covenants attached to land, are not material to the determination of a planning application. The presence of a planning permission would not override any existing covenant on the site.

Conclusions and Planning Balance:

- 6.36 The application site benefits from outline planning permission under reference DC/20/0157 which has established the principle of the erection of a detached bungalow on the site. The design of the proposed dwelling on the site is considered acceptable with reference to the requirements of policies 25, 32 and 33 of the HDPF. With appropriate recommended conditions as listed below it is considered that the development would avoid unacceptable harm to the amenities of neighbouring property compliant with Policy 33 of the HDPF and the proposal would provide adequate parking provision, and is not considered to result in a material impact to road safety in accordance with HDPF policy 41. For these reasons, the proposal is considered to accord with all relevant local and national planning policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.37 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

6.38 **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	147.39		147.39
		Total Gain	
		Total Demolition	147.39

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

6.40 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 To approve the development subject to the following conditions:

Conditions:

1 **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 take place, including any works of demolition or site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i. the parking of vehicles of site operatives and visitors.
- ii. loading and unloading of plant and materials.
- iii. storage of plant and materials used in constructing the development.
- iv. the erection and maintenance of security hoarding, where appropriate.
- v. the provision of wheel washing facilities if necessary.
- vi. measures to control the emission of dust and dirt during construction.
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

- 5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(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
 - Details of all boundary fences/walls

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 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).

- 8 **Regulatory Condition:** The dwelling(s) 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).

- 9 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

NOTE TO APPLICANT

Southern Water:

Please note that Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk