



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 7th November 2023

DEVELOPMENT: Conversion of existing garage into habitable space and removal of fence along part of West boundary (Part-Retrospective).

SITE: 13 Nelson Road Horsham West Sussex RH12 2JE

WARD: Trafalgar

APPLICATION: DC/23/0324

APPLICANT: **Name:** Mrs P Bhuvanandran **Address:** 13 Nelson Road Horsham West Sussex RH12 2JE

REASON FOR INCLUSION ON THE AGENDA: Following deferral at Planning (North) Committee on 01.08.2023 to allow for more information and additional consultation.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

- 1.1 To consider the additional information submitted to support the application following the deferral at the August Planning Committee South meeting.
- 1.2 The application was deferred to provide time for the Applicant to submit additional visibility splays and vehicle tracking information, as well as time for further consultation with WSCC Highways regarding the likelihood of a vehicle crossover licence being granted.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.3 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development
Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.5 **Horsham Blueprint Business Neighbourhood Plan (2019-2036):**

Policy HB3: Character of Development
Policy HB3: Design of Development

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.6 None relevant.

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

3.3 **WSCC Highways:** No Objection

Comments received 21.09.2023 following submission of a Highways Report and visibility splays plan:

3.4 The LHA previously provided comment on this application, dated 30/03/2023, 19/05/2023 and 07/09/2023, raising no highway safety concerns.

3.5 The applicant has submitted a Highway Report prepared by GTA Civils & Transport. The report includes swept path diagrams for the proposed access point, with access and egress being demonstrated to the satisfaction of the LHA. In addition, pedestrian visibility splays have been provided either side of the proposed access point, representing an improvement over the previously proposed design.

3.6 As per the LHAs previous comments, a new vehicle crossover would be required to facilitate the proposed access and parking space. These works would be subject to a licence obtained through the local Highway Area Office, and constructed to a specification agreed with the local Highway Area Engineer. An informative note is included at the bottom of this document.

3.7 In summary, 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 111), and that there are no transport grounds to resist the proposal.

Comments received 07.09.2023:

3.8 The LHA previously provided comment on this application, dated 30/03/2023 and 19/05/2023, raising no highway safety concerns.

3.9 Since the LHAs previous comments, the Highway Area Office have inspected the site and are satisfied that the proposed hardstanding could accommodate a car parking space without overhang onto the maintained highway. We would recommend a VCO licence is issued, as the footpath is not constructed to take vehicles accessing and egressing to the rear of no. 13 Nelson Road. This would tidy the area and denote that a formal entrance has

been installed. An access protection marking may also be required to prevent parking if installed.

- 3.10 The above-mentioned works would be subject to a licence obtained through the local Highway Area Office, and constructed to a specification agreed with the local Highway Area Engineer. An informative note is included at the bottom of this document.
- 3.11 In summary, 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 111), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

- 3.12 It is noted that no additional letters of representation have been received since the last Committee meeting in August.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The application was deferred at the August Planning Committee North, with the committee minutes explaining that '*Members also noted public safety concerns due to limited pedestrian access on pavements due to on-street parked cars, the inability to turn a car around within the road and the significant impact the parking constraints were having on local residents. It was noted that some information in the report submitted by West Sussex County Council Highways was factually incorrect and Members required further details on dropped kerbs, vehicle crossover licences, and information on visibility splays and vehicle tracking.*'
- 6.2 The applicants has subsequently submitted further information, in the form of a highways report with visibility splays plans, to address the concerns identified at the August Planning Committee North meeting. The original August committee report is attached as an appendix and addresses all the other material planning considerations relevant to this application.

Impact on Parking Provision

- 6.3 Policies 40 and 41 of the Horsham District Planning Framework states that development should provide a safe and adequate access, suitable for all users. The proposed development would be served by a new access point.
- 6.4 Nelson Road is a 'D' classified road which is subject of no parking restrictions. It is recognised that on-street parking takes place on both sides of the road and this is the case for a number of nearby streets within the locality. The properties within the locality rely upon on-street parking, where the area suffers from parking pressure.
- 6.5 Condition 4 of planning approval HU/223/81 sought to retain the integral garage for parking purposes only, where the conversion of the garage has resulted in a loss of this single parking space. It is however noted that this parking space is insufficiently sized to accommodate a modern sized car.
- 6.6 Since the deferral at the August committee meeting, WSCC Highways have confirmed in their response of 7 September that *'the Highway Area Office have inspected the site and are satisfied that the proposed hardstanding could accommodate a car parking space without overhang onto the maintained highway. We would recommend a VCO licence is issued, as the footpath is not constructed to take vehicles accessing and egressing to the rear of no. 13 Nelson Road. This would tidy the area and denote that a formal entrance has been installed. An access protection marking may also be required to prevent parking if installed.'* This confirms that a crossover license would likely be issued.
- 6.7 The applicant has also submitted a Highways Report and plans setting out the required visibility splays. The plans include swept path diagrams for the proposed access point. WSCC Highways have provided comments dated 21 September, advising that *'The report includes swept path diagrams for the proposed access point, with access and egress being demonstrated to the satisfaction of the LHA. In addition, pedestrian visibility splays have been provided either side of the proposed access point, representing an improvement over the previously proposed design.'* This confirms that the pedestrian splays are suitable to avoid risk to pedestrian safety.
- 6.8 WSCC Highways further confirmed that the proposal would not 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 111), and that there are no transport grounds to resist the proposal. Having had regard to the highway conditions in the area including the volume of on street parking that occurs, officers maintain the opinion set out in the original committee report that the development would not lead to an adverse highway safety impact in the location. The development would therefore accord with Policies 40 and 41 of the HDPF.

7. RECOMMENDATIONS

7.1 To approve the application subject to the following 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 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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