



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 16 August 2016
DEVELOPMENT: Erection of 2 x dwellings
SITE: Land Adjacent To Buckmans Stane Street Five Oaks West Sussex
WARD: Billingshurst and Shipley
APPLICATION: DC/16/1091
APPLICANT: Mr Clarke

REASON FOR INCLUSION ON THE AGENDA: Departure application

RECOMMENDATION: To refuse Planning Permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks consent for the erection of two detached dwellings with access off Stane Street from the existing vehicular access in the south-western corner of the plot.
- 1.3 The northern property (Plot A) would include an attached single garage and would be a large 4-bed house with open plan living space on the ground floor plus a study, utility and pantry. The ground floor footprint would be L-shaped and would be some 9.6m x 15.9m. At first-floor, a slightly reduced footprint would be some 9.6m x 12.6m.
- 1.4 The southern property (Plot B) would have use of a detached double garage / car-port, re-built on the site of the existing dilapidated barn structure. In addition, the living accommodation would provide for 4 bedrooms, and open plan living space, utility, pantry and study. The L-shaped footprint would have similar proportions to Plot A, with the exception of the attached garage (9.6m x 12.6m).
- 1.5 The ridge height of the two dwellings will be some 8.2m, whilst the new garage building will have an eaves height of some 2.5m and a ridge height of around 5.2m; rear garden depths would be some 13.5m and plot widths would be some 16m.
- 1.6 There is no information on external design or appearance, although the Heritage Statement sets out that the proposal will include 'traditional architectural features, in particular on the frontage of the property'.

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DESCRIPTION OF THE SITE

- 1.7 The application site comprises a plot of land, of approximately 1280sq m, on the eastern side of the A29 (Stane Street) opposite a road junction with Haven Road. The site is surrounded by an open landscape to the south and west of the site, with fields in the wider vicinity. The property lies within open countryside and is sited to the south of a Grade II listed property, 'Buckmans'. The listing description of 'Buckmans' is as follows:

"Probably C17. Two storeys. Three windows. Now faced with tiles, the main front fishscale tiles. Tiled roof. Casement windows. Modern porch."

- 1.8 The site lies to the north of the hamlet of Five Oaks, which has a large car showroom and a petrol station with a small associated garage 'convenience' shop at its heart. A gap of some 135m separates the last dwelling within the defined hamlet of Five Oaks on the northern side of the A29, and the application site on the southern side of the A29.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework (2012)**

- NPPF1 - Building a strong, competitive economy
- NPPF4 - Promoting sustainable transport
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment
- NPPF12 – Conserving and enhancing the historic environment

RELEVANT COUNCIL POLICY

2.3 **Horsham District Planning Framework (HDPF 2015)**

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF4 - Strategic Policy: Settlement Expansion
- HDPF15 - Strategic Policy: Housing Provision
- HDPF24 – Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF31 – Green Infrastructure and Biodiversity
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF34 – Cultural and Heritage Assets
- HDPF37 – Sustainable Construction
- HDPF40 - Sustainable Transport
- HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Billingshurst Neighbourhood Plan area has been designated but no draft plan has yet been prepared.

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PLANNING HISTORY

BL/36/87 Stationing of a mobile home REF

3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk

OUTSIDE AGENCIES

- 3.1 **West Sussex Highways** - Objection. At this stage, the details still show inadequate visibility splays, and therefore an objection is raised on highway safety grounds. However, the internal access arrangements within the site appear to be acceptable and provide for the requested number of spaces.
- 3.2 **Southern Water** - No Objection. Conditions and Informatives are advised as the site lies some distance away from any nearby public foul sewer with no public surface sewers in the area to serve the site.

INTERNAL CONSULTATIONS

- 3.3 **Arboricultural Officer** - Any comments will be reported verbally to the planning committee.
- 3.4 **Heritage Officer** – Object. The application site is located prominently along Stane Street and there are extensive views into the site along the highway. The site is undeveloped apart from a surviving historic timber framed structure which appears to have been part of the U-shaped farmstead shown on the OS map surveyed 1875-76. No details have been included in the Heritage Assessment regarding this structure.

Due to the historic use of the land and its close association with the heritage asset, Buckmans, the proposed development of the site is considered inappropriate due to the adverse impact development of the site would have on the rural setting of Bucklands. There would not be any tangible public benefits to the scheme which would outweigh that harm.

The proposed development would have a permanent and irreversible impact on the rural setting of Bucklands and is therefore considered inappropriate.

PUBLIC CONSULTATIONS

- 3.5 **Billingshurst Parish Council Consultation** – Object on grounds of inadequate parking provision, overdevelopment of the site and detrimental impact on the setting of the adjacent listed building. In addition, there are concerns regarding the lack of details provided on surface water and foul drainage.
- 3.6 **Public Consultations** - 3 letters of representation have been received (from 1 neighbouring residential property) objecting for the following reasons:-
- Klagester sewage processor is located on the SE corner of the property and there is a right of access across the land in order to monitor the state of the equipment. There is a need to continue to hold such rights of access, although this would now appear to be going directly through one of the proposed houses

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- The junction between Stane Street and Haven Road has regular accidents with people colliding on the junction. Such incidents happen 3 or 4 times a year, although not all of them will be reported to the police. There is probably 1 serious incident each year. Additional access to Stane Street so close to this junction will only add to the danger associated with this junction
- Since taking over the property the owner has removed the hedgerow that was growing on the application site. As a result the new property will easily overlook Buckmans depriving the residents of their current levels of privacy.

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

- 6.1 It is considered that the main issues in the determination of the application are:

- Principle of the development
- Impact of the development on the setting of the adjacent Listed Building
- Impact upon the surrounding countryside
- Impact on neighbour amenity
- Highways

Principle

- 6.2 Policy 2 (Strategic Development) of the HDPF seeks to maintain the districts unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment as set out within policy criteria. The policy sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the main settlement of Horsham and to allow growth in the rest of the District in accordance with the settlement hierarchy.
- 6.3 Policy 3 (Development Hierarchy) of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the identified settlement hierarchy set out within the policy. The application site is approximately 135m north of the 'unclassified' settlement of Five Oaks, with a clear gap separating the line of residential development which forms the hamlet of Five Oaks and the application site. Five Oaks itself lies just under 3km to the north of Billingshurst, and provides very few amenities for residents and limited public transport options. Policy 3 directs development towards towns and villages which have defined built up area boundaries, according to the hierarchy set out in Policy 3, whereas the application is located in open countryside.

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- 6.4 Policy 4 (Settlement Expansion) of the HDPF makes provision for expansion outside of BUAB provided certain criteria are complied with. The first criteria states that a site should be allocated in either the local plan (HDPF or any future Land Allocations document) or a Neighbourhood Plan. In this case the site is not allocated in the Local Plan and Billingshurst Parish Council is still in the process of preparing a Neighbourhood Plan. Residential development on the site would be contrary to the strategic approach to housing outlined in the adopted HDPF.
- 6.5 In respect of the countryside setting Policy 26 (Strategic Policy: Countryside Protection) of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and meet one of the following criteria:
1. Support the needs of agriculture or forestry;
 2. Enable the extraction of minerals or the disposal of waste;
 3. Provide for quiet informal recreational use; or
 4. Enable the sustainable development of rural areas.
- 6.6 There is no suggestion within the application that one of the above criteria is relevant to the proposal, and it has not therefore been demonstrated that the proposal is essential to its countryside location.

Impact on the Countryside Setting:

- 6.7 The Landscape Character Assessment (2003) notes the general area around the site is in a good condition with radiating field patterns extending out from settlements and strong networks of ancient woodlands and hedgerows with enclosing woodlands around small irregular pastures. The strong rural character prevails although suburban influences, visual and noise intrusions are noted to the A29 road corridor, where the application site is located.
- 6.8 Policy 25 of the HDPF requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation; policy 32 of the HDPF requires new development to 'complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'; with policy 33 requiring development to relate sympathetically with the built surroundings.
- 6.9 The existing barn structure is estimated to be approximately 4m to ridge level and occupies a small part of the site, some 40sq m with a side elevation depth of approximately 5m. The proposed development would replace this element with two detached dwellinghouses approximately 1m higher and 1m wider, the two new dwellings would have ridge heights of approximately 8.2m with a considerable depth, of at least 20 metres.
- 6.10 This proposed development would therefore greatly and detrimentally impact on the openness and setting of the rural site, which is visible not only from the A29, but also from A264 to the south. The residential nature of the proposal would further diminish the existing open and rural character of the site and wider area, by way of the associated creation of residential curtilages, parking spaces, and other inevitable domestic paraphernalia.
- 6.11 There are a number of significant trees located alongside the site's boundary with Buckmans and to part of the rear boundary, along with more scrubby growth which reinforces the currently open boundary. Recently, much growth and vegetation has been cleared from the site, including from the front boundary to reveal the site as an open space.

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- 6.12 The remaining natural features have not been referred to in the submitted plans and no tree protection plans have been included as part of the application. It is though clear, due to the siting of the proposed dwellings, that the remaining mature and established trees are unlikely to be retained as part of the final landscaping scheme. It is considered that while the existing vegetation is not protected in the absence of a scheme for effective replacement landscaping its removal would extenuate the concerns identified above, and the proposal would therefore have an adverse impact on the rural setting, failing to protect, conserve or enhance the landscape character of the district.
- 6.13 The submitted statement that the site is considered to be brownfield land on account of its historic use as a farmyard. However, whatever previous development and uses may have occupied the site, have long since disappeared, with the remaining small former barn now in a precariously unstable condition and, until recently, the site was largely overgrown. The previous nature of use on the site would not therefore outweigh the visual harm identified above.

Impact on Heritage Setting:

- 6.14 Policy 34 of the HDPF seeks to ensure that developments affecting such assets should make reference to the significance of the asset as well as preserving and ensuring legibility of locally distinctive vernacular building forms and settings, features, fabric and materials. In addition, the setting of heritage assets, including views, should be preserved and retained.
- 6.15 The existing timber-framed structure, which remains on site, is considered to be a non-designated heritage asset which positively contributes to the understanding of the historic development of the locality, and to the character and appearance of the wider setting of the adjacent grade II listed property, Buckmans. This existing structure has not been considered as part of the submitted heritage statement.
- 6.16 The localised vernacular is noted within the Landscape Character Assessment (2003) and the Billingshurst Parish Design Statement (2009) as comprising timber framing, weatherboarding, brick and decorative stile-hanging. In contrast, and notwithstanding the lack of clear and concise information on any proposed external finishes or architectural treatments, it is considered that the proposed development would appear architecturally bland and featureless, failing to respond to local characteristics in a positive manner.
- 6.17 The proposal is likely to result in a clear visual distinction between the new development and the historic building on account of differing eaves and ridge heights, materials and general proportions, with the new development resulting in monolithic street-facing elevations with no visual relief, contrasting radically with the low-level nature of the adjacent cottage with its symmetrical façade clad in 'fish-scale' hanging tiles. The proposed scale and massing would lead to an overbearing impact on the character of the adjacent listed cottage, with the scale and massing of built form that would be introduced into this rural setting detrimentally and irreversibly harming and eroding the setting of Bucklands.

Impact on Neighbouring Amenities:

- 6.18 Policy 33 of the HDPF (2015) seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.19 The only residential property sited close to the development would be the host property Buckmans, some 10m from the site's northern boundary with overlooking windows at both ground and first-floors. The overall resulting distance of separation between the listed

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building and Plot A would be approximately 13.6m, with first-floor habitable windows proposed facing onto the northern site boundary and the adjacent property beyond. It is considered that this proximity would lead to intrusive overlooking of the adjoining building, to the detriment of neighbouring amenity.

- 6.20 The proposed development would result in a two-storey building approximately 3.6 metres to the south of Buckmans. The depth, scale and proximity would represent a significant change from the existing arrangement and would result in an overbearing and unduly dominant development, particularly in views from the rear garden area of Buckmans.

Highways and Traffic:

- 6.21 Local Policy 40 supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.22 The Highway Authority assessed the proposed development on highway capacity, safety, and policy grounds and requested further details regarding the augmented vehicular access, particularly to demonstrate that the full extent of the maximum visibility splay can be achieved, as well as the site providing for 6 vehicle spaces whilst being able to demonstrate that manoeuvring space would not be compromised.
- 6.23 Amended drawings have been received showing increased forecourt paving to accommodate three spaces per dwelling, including the garage and car-port spaces, and this level of provision is acceptable. However, the plans continue to show a sub-standard visibility splay with inadequate justification to demonstrate that sub-standard splays would be acceptable in this location. The proposed access arrangement is therefore considered inadequate and raises highway safety concerns.

Conclusion:

- 6.24 The proposed development is located in the countryside, outside the defined built-up area boundary of any settlements, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements.
- 6.25 The proposed development has not been demonstrated as being essential to its countryside location and the scheme would have a harmful impact on the character of the rural countryside location, the setting of the adjoining listed building and neighbouring amenity.
- 6.26 The proposal therefore represents unsustainable development contrary to policies 1, 2, 3, 4, 26, 31, 32, 33, 34 and 40 of the Horsham District Planning Framework (2015), and would fail to meet the definition of sustainable development within the National Planning Policy Framework. Accordingly, refusal is recommended for the proposal.

7. RECOMMENDATION: Application Refused

7.1 It is recommended that planning permission be refused for the following reasons:

1. The proposed development is located in the countryside, outside the defined built-up area boundary of any settlement, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore the proposed development has not been demonstrated as being essential to its countryside location. Consequently the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and would fail to meet the definition of sustainable development within the National Planning Policy Framework.
2. The proposed development, by reason of its scale, siting and design, would have an unacceptable adverse impact on the setting of the adjacent Listed Building 'Buckmans', and represents a harmful urbanising form of development which would be out of keeping with and detrimental to the rural character and appearance of the area. The proposal would therefore be contrary to policies 25, 26, 31, 32, 33 and 34 of the Horsham District Planning Framework (2015).
3. The proposed development, by reason of its siting, height, depth and proximity to the northern boundary, would appear overbearing and result in a harmful loss of privacy for occupants of 'Buckmans'. The proposal would therefore result in significant harm to residential amenity and is contrary to policy 33 of the Horsham District Planning Framework (2015).
4. The proposed development, has failed to demonstrate that it would incorporate adequate visibility splays at the junction with Stane Street (A29), and as such could result in harm to the users of the public highway. The proposal would therefore fail to provide safe and suitable access, contrary to policies 33, 40 and 41 of the Horsham District Planning Framework (2015).