



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 20 September 2016
DEVELOPMENT: Two dwellings and access (Outline)
SITE: Land at Coombelands Lane Pulborough West Sussex
WARD: Pulborough and Coldwaltham
APPLICATION: DC/16/1082
APPLICANT: Dr. Simon Burton

REASON FOR INCLUSION ON THE AGENDA: The application if permitted would represent a departure within the meaning of the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks outline planning permission for the construction of two dwellings and associated access. The application seeks only the determination of the principle of development with all matters reserved at this time.

DESCRIPTION OF THE SITE

- 1.2 The application site is situated in a rural location outside of any defined built up area boundary. It is located to the east of Coombelands Lane. This part of Coombelands Lane is a narrow country lane characterised by sporadic, isolated dwellings. To the west of Coombelands Lane is the boundary to the South Downs National Park. The application site is an open grassed paddock with a hedgerow to the boundary to Coombelands Lane. To the eastern boundary is a wooded copse. Within the site is a wooden field shelter with a gated access at the southern and northern end of the site. Oak House Farmhouse to the south of the site is a Grade II Listed Building.

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2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 National Planning Policy Framework 2012 (NPPF).

- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

2.3 National Planning Policy Guidance 2014 (NPPG).

RELEVANT COUNCIL POLICY

2.4 The relevant policies of the Horsham District Planning Framework are considered to be policy 1, 2, 3, 4, 10, 25, 26, 30, 21, 30, 32, 33, 35, 36, 37, 40 and 41.

2.5 The Regulation 16 consultation on the Pulborough Neighbourhood Plan closed on 8 January 2016. Having considered the representations received in response to the consultation, the Council has decided that the plan should not proceed to examination at the current time and are in discussions with the Parish Council as to how the plan should move forward.

PLANNING HISTORY

There is no relevant planning history for the application site.

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.

INTERNAL CONSULTATIONS

3.2 **Landscape Architect** (summarised) – Insufficient detail has been submitted to fully consider the application.

3.3 **Ecology** – No objection in terms of ecology.

3.4 **Conservation and Design Officer** – Due to the sites location and the topography of the land it is not considered the proposal would have an adverse impact on the setting of the Listed Building known as Oak House Farmhouse.

3.5 **Environmental Management Waste and Recycling** – No objection to the application.

OUTSIDE AGENCIES

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- 3.6 **West Sussex County Council Highways** – Further information has been requested before a formal response can be made.
- 3.7 **Southern Water** (summarised) – There are no public foul sewers in the area to serve the development. The applicant is advised to examine alternative means of foul sewage disposal.
- 3.8 **South Downs National Park Link Officer** – The South Downs Park Authority have concerns with regards to the application causing harm to the setting of the South Downs National Park and do not consider such development appropriate.

PUBLIC CONSULTATIONS

- 3.9 **Pulborough Parish Council** – Objection to application, and would request to speak at committee.
- 3.10 Eleven letters have been received objecting to the application on the following grounds;
- Proposal out of character with the area
 - Proposal would set a precedent
 - Proposal would increase housing density in locality
 - Site outside the built up area boundary on a greenfield site
 - Single lane already causes concern
 - No mains sewerage or services
 - Site near to a Site of Special Scientific Interest
 - Increase in light pollution
 - Site close to Listed Buildings.

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 The key issues for consideration in relation to this proposal are:
- The principle of the development
 - Impact on the character and appearance of the surrounding area
 - Impact on Heritage Asset
 - Highway impacts
 - Ecology

Principle of development

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the

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approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.

- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal moves to be considered in the context of paragraph 55 of the NPPF, and Policy 3, 4 and 26 of the Horsham District Planning Framework (HDPF).
- 6.4 Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land. As the site is outside of the built-up area boundary of a town or village it would not meet the requirements of Policy 3 of the HDPF.
- 6.5 Policy 4 relates to settlement expansion and states that; *“Outside built-up area boundaries, the expansion of settlements will be supported where;*
a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
b.the level of expansion is appropriate to the scale and function of the settlement type.
c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.
d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.” The Council can demonstrate that it has a 5-year HLS against this newly adopted strategy.
- 6.6 The site has not been allocated for development in any Made Neighbourhood Plan or within the HDPF and the application has not sought to demonstrate how it would meet identified housing needs, nor would it maintain or enhance the locality’s landscape character features. It is therefore considered that the proposal does not comply with Policy 4.
- 6.7 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.
- 6.8 The proposed development of the site for residential purposes would not constitute a development which is essential to this countryside location, neither is it considered that the proposal would contribute to existing rural enterprises, activities or recreational opportunities. The proposal does not involve the conversion of existing rural buildings. The proposal therefore fails to accord with the NPPF and with Policy 26 of the HDPF.
- 6.9 The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. This strategy was examined through the Examination in Public and was found to be sound and the plan was adopted in November 2015. On these grounds the proposal is not in accordance with Policies 1, 2, 3, 4 and 26 of the HDPF Development Plan and thus is not acceptable in principle.

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Impact on the character and appearance of the surrounding area

- 6.10 The application site is situated in a rural location, where development is sporadic and organic in form. Section 7 of the NPPF provides guidance relating to design and states that good design is a *"key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* It also notes in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.11 As the application is outline in form, the full impact of the proposed development cannot be fully considered at this stage. However, it would appear from the size of the site area that two units could be accommodated within the site. In terms of the acceptability of the proposed scheme in relation to the amenity levels of future occupiers of any new dwellings, as the proposal is only submitted in outline form as noted above with an indicative layout, it is not possible to accurately consider this issue at this stage. However, the indicative layout provided does show that the number of dwellings proposed, could, with careful consideration of siting, landscaping and screening, be provided within the site without a likelihood of giving rise to significant amenity issues for future residents.
- 6.12 However, it is considered that whilst the site may be of sufficient size to accommodate two dwellings, the proposed construction of two new dwellings in this rural location on the edge of the South Downs National Park would have an adverse impact on the rural character of the area. It is considered that the introduction of two dwellings with their associated domestic built form, paraphernalia and lighting, would have an adverse visual impact on the setting of the National Park. Policy 30 of the HDPF notes that development close to protected landscapes will be supported where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes. It is not considered with regards to the current application that the proposal meets the requirements of Policy 30 in this respect.

Impact on Heritage Asset

- 6.13 The application site is located to the north of Oak House Farmhouse which is a Grade 2 Listed Building. Oak House Farmhouse is situated approximately 67 metres from the southern boundary of the site. It is considered due to the distance between the application site, the existing boundary treatment and the sites topography that the proposed development would not have an adverse impact on the setting of the neighbouring Heritage Asset.

Highways

- 6.14 The application seeks to provide a common shared access to the north of the site onto Coombelands Lane. Paragraph 32 of the NPPF states that *'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'* The Highways Authority has considered the proposal and has requested additional information with regards to the proposed access. The requested information has yet to be submitted by the applicant. Therefore at this stage it has not been demonstrated that the site would be acceptable in highway safety terms and thus the proposal is contrary to Policy 40 of the HDPF.

Ecology

- 6.15 The application site is located within a Site of Special Scientific Interest and therefore the comments of the Councils Ecologist have been sought with regards to the application. The Councils Ecologist has considered the proposal and has raised no objection to the scheme.

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Conclusion

- 6.16 The application site is located outside of the defined built up area boundary. The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. The site has not been allocated for development in the Neighbourhood Plan or the Local Plan, and is not essential to its countryside location. It is therefore considered that the proposal does not comply with policy 1, 2, 3, and 26 of the HDPF and paragraph 55 of the NPPF.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is refused for the following reasons;
1. The proposed development would be located outside of a built-up area boundary on a site not allocated for development within the Horsham District Planning Framework, or in an adopted Neighbourhood Development Plan. The proposed development would therefore be inconsistent with the overarching strategy for development set out within the Horsham District Planning Framework. The proposed development is therefore contrary to Policies 1, 2, 3 and 4 of the Horsham District Planning Framework (2015) and to the National Planning Policy Framework (2012).
 2. The site lies within a rural location outside the limits of any existing settlement and does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with Paragraph 55 of the National Planning Policy Framework, and with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework 2015.
 3. The proposed dwellings by reason of their siting, plot subdivision, and associated domestic paraphernalia would be out of keeping with the character of the area and would represent a form of development which would be detrimental to the rural appearance of the area. The proposal therefore conflicts with paragraph 64 of the National Planning Policy Framework, and policies 30 and 33 of the Horsham District Planning Framework 2015.
 4. The applicant has failed to demonstrate that appropriate visibility splays can be provided on the site and that the proposed development would provide a safe and suitable access. The proposed development is therefore contrary to Policy 40 of the Horsham District Planning Framework 2015.

Background Papers: DC/16/1082