



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 20 September 2016
DEVELOPMENT: Construction of three bedroom detached dwelling
SITE: 1 Woodcot New Road Billingshurst West Sussex
WARD: Billingshurst and Shipley
APPLICATION: DC/16/1415
APPLICANT: Mr Peter Coulstock

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 full planning permission for the construction of a detached three bedroom dwelling with access onto New Road. The proposed dwelling would be 11.8 metres wide, 6 metres deep with a height to the ridge of 6 metres. The building would be timber clad and oak framed with a tile roof. Accommodation would be provided within the roof slope with roof lights placed to the front and rear.

DESCRIPTION OF THE SITE

- 1.2 The application site is an irregular triangular shaped plot located outside of the defined built up area boundary in a rural location. It is sited on the northern side of New Road, to the east of 1 Woodcot. To the front of the site is a wooden gate with post and rail fencing set behind a hedge fronting onto New Road. Opposite the site entrance is a pair of two storey semi-detached dwellings. 1 Woodcot is a semi-detached two storey dwelling with a rendered ground floor and timber cladding to the first floor. To the side of the dwelling is a detached garage, whilst to the rear of the dwelling is a stable block. On the boundary between the application site and 1 Woodcot is a hedgerow and associated trees, with further mature trees to the rear and eastern boundaries. The site is higher than 1 Woodcot.

2. INTRODUCTION

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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

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, 24, 25, 26, 30, 21, 31, 32, 33, 35, 36, 37, 40 and 41.

RELEVANT NEIGHBOURHOOD PLAN

2.5 Billingshurst was designated as a Neighbourhood Plan Area in December 2015.

PLANNING HISTORY

BL/148/03	Erection of double garage/workshop with leisure room over Site: 1 Woodcot New Road Billingshurst	PER
BL/1/88	Single storey extension (From old Planning History)	PER
BL/130/73	Continued use of dwelling without compliance with cond 2 of permission granted on 05/05/48 (ref no 2859) (From old Planning History)	PER
BL/36/82	Detached garage (From old Planning History)	PER
BL/57/81	2 bed detached bungalow Comment: Land adj. (From old Planning History)	REF
BL/112/93	First floor extension Site: 1 Woodcot New Rd Billingshurst	PER
BL/12/97	Single-storey rear extension Site: 1 Woodcot New Road Billingshurst	PER
BL/61/99	Construction of an all weather exercise area Site: 1 Woodcot New Road Billingshurst	PER

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 **Environmental Management, Waste and Recycling** – Comments are awaited and will be reported verbally to the committee.

OUTSIDE AGENCIES

- 3.3 **Southern Water** – There are no public sewers in the area to serve the development.
- 3.4 **West Sussex County Council Highways** (summarised) – A plan should be provided showing the visibility from the proposed access. New Road is subject to a 60mph speed restriction, and therefore the maximum achievable visibility spays should be provided.

PUBLIC CONSULTATIONS

- 3.5 **Billingshurst Parish Council** has objected to the application.
- 3.6 **Two letters** have been received objecting to the application on the following grounds;
- Concern with regards to noise and disturbance due to position of entrance
 - The existing hedge and trees should be preserved
 - Concern with regards to highways safety
 - Change of use of land would be unattractive for the overlooking houses and dangerously close to the road.

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
- Highway impacts

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 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

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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.

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

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to take the opportunities available for improving the character and quality of an area and the way it functions.

- 6.11 The proposed dwelling would be single storey in height with accommodation provided within the roofspace. The proposed dwelling would be lower in height than 1 Woodcot and would be set behind the existing hedgerow. It is considered that whilst the existing hedgerow to the front of the site may screen the development, it is not considered that because the dwelling may not be clearly visible this would make the development acceptable. Such arguments could be repeated often to the serious detriment of the character, if not always public appearance of the countryside as a whole. The character of the area is rural in form with the houses immediately to the south and west of the site forming a small cluster of development on a lane which otherwise has intermittent residential development. It is considered that the provision of a new dwelling in this location would consolidate sporadic development in the countryside and would therefore be contrary to policy 25, 26, 32 and 33 of the HDPF.
- 6.12 Notwithstanding the principle of development as outlined above it is considered that the proposed development due to its siting and design would not have an adverse impact on the amenities of neighbouring properties. The proposed dwelling would be orientated with its principle elevation to the north, and would be situated 1.5 metres from the front boundary of the site, and some 11 metres from the facing wall of the dwelling to the south. The dwelling would be located 24.5 metres from the flank wall of 1 Woodcot. It is considered that the distance and the existing boundary treatment between the proposed dwelling and 1 Woodcot would preserve the privacy of the occupiers of 1 Woodcot, whilst to the south of the site the proposed dwelling would be separated from the neighbouring property by New Road. It is therefore considered that the proposed development would not have an adverse impact on the amenities of neighbouring properties.
- 6.13 The application site is enclosed by a hedgerow and mature planting on each of its boundaries. It is considered that this enclosure of the site would result in shading and a minimal outlook for the occupiers of the proposed dwelling. It is therefore considered that the quality of the resulting residential environment for future occupiers would not be acceptable in this instance.

Highways

- 6.14 The application seeks to utilise the existing access onto New Road. 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 extent of visibility splays that could be provided on the site. 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.

Conclusion

- 6.15 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 HDPF, 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.

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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 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.
4. The site is enclosed by a hedgerow and mature planting on each of its boundaries. It is considered that the enclosure of the site would result in shading and a minimal outlook for the occupiers of the proposed dwelling. The proposal would therefore result in a form of development which would have an adverse impact on the residential environment of future occupiers. The proposal would therefore be contrary to Policies 32 and 33 of the Horsham District Planning Framework 2015.

Background Papers: DC/16/1415