



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee

BY: Development Manager

DATE:

DEVELOPMENT: Proposed live/work unit in connection with existing B1 light industrial use of site

SITE: The Piggery West End Lane Henfield West Sussex

WARD: Henfield

APPLICATION: DC/16/1356

APPLICANT: Mr and Mrs Lee McCatty

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, represents a departure from the development plan, and more than 5 letters of support have been received.

RECOMMENDATION: Application Refused

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the erection of a new dwelling on the site, to be habituated in connection with the existing B1 Industrial business on the site. The existing workshops in association with the business would be retained, with the existing access also retained and the hardstanding re-built and extended up to the proposed dwelling.
- 1.2 The proposed dwelling would be positioned to the south-west of the site, within 6.1m of the western boundary, and 10m of the southern boundary. The dwelling would extend to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls and cedar shingles to the roof. The dwelling would be of a single storey with attic space incorporated, and would provide 4 x bedrooms (including master bedroom with ensuite), kitchen/dining/family room, bathroom, utility room, and boot room.

DESCRIPTION OF THE SITE

- 1.3 The application site is currently under B1 (Industrial Use) and is used by a local joinery business. The site consists of 3 x workshop buildings used as a machine room, assembly

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workshop, and joinery store, with two separate sheds on the site utilised for the storage of raw timber.

- 1.4 The site is accessed from the south of West End Lane, outside of the designated built up area of Henfield. The site lies to the rear of a ribbon of residential development, with the dwellings fronting the highway and positioned approximately 68m from the proposed site of the dwelling. The surrounding landscape consists of an orchard and a number of mature trees, with open countryside to the south.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

National Planning Policy Framework:

NPPF1 - Building a strong, competitive economy

NPPF3 - Supporting a prosperous rural economy

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

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

HDPF7 - Strategic Policy: Economic Growth

HDPF9 - Employment Development

HDPF10 - Rural Economic Development

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

Henfield Parish Development Plan 2015-2035

- Made April 2016

PLANNING HISTORY

PE/15/0138	Erection of a single dwelling	CLO
HF/5/01	Change of use of redundant agricultural buildings to b1-business use & extension of existing b1 use to adjoining buildings Site: The Piggery West End Lane Henfield	REF
HF/11/7/88	Change of use from garage/workshop to shoe repair workshop Comment: Appeal allowed 09/11/89 (From old Planning History)	PER

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HF/10/97	Erection of 3 dwellings (outline) Site: Land Adj Willows West End Lane Henfield	REF
HF/58/98	Demolition of existing light industrial and agricultural buildings and erection of a single dwelling house Site: Land Adj Willows West End Lane Henfield	REF
HF/107/99	Conversion of buildings into one dwelling Site: The Piggery West End Lane Henfield	REF
DC/15/1078	New single dwelling with existing access drive and existing septic tank	WDN

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

Public Health And Licensing (Env. Health), consulted on the 30 June 2016. Their comments dated 30 August 2016 can be summarised as follows: Concur with the recommendations contained within the report. Should the Planning Authority be minded to grant planning permission, a suitably worded pre-commencement condition may be applied.

Env Management, Waste and Cleansing, consulted on the 30 June 2016. The response received 08 August 2016 can be summarised as follows: No objection.

OUTSIDE AGENCIES

County Council - Highways, consulted on the 30 June 2016. The response received 18 July 2016 can be summarised as follows: No anticipated highway safety concerns.

Southern Water, consulted on the 30 June 2016. There was no response from this consultee at the time of report preparation.

Environment Agency, consulted on the 30 June 2016. There was no response from this consultee at the time of report preparation.

PUBLIC CONSULTATIONS

Parish Council Consultation, consulted on the 30 June 2016. Their comments dated 8 July 2016 can be summarised as follows: No Objection

50 letters of support were received, and these expressed support on the following grounds:

- Sympathetic to surroundings
- Encourage economic development
- Enhance the amenities of the site
- Sustainable construction
- Improve security of the business

7 letters of objection from 5 households of objection were received, and these expressed concerns on the following grounds:

- Not essential
- Set an unacceptable precedent
- Built on greenfield land
- Scale not in keeping
- Inadequate site access

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- Would not provide employment additions
- Unsustainable location
- Impact on traffic and highway safety
- Will not create new or local jobs
- Isolated and not essential to the countryside location

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 application seeks full planning permission for the erection of a new dwelling to be occupied in conjunction with the B1 use of the site.

Principle of Development

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any 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 settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced.
- 6.3 Furthermore, policy 26 seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: 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.
- 6.4 In addition, paragraph 55 of the National Planning Policy Framework states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need to for an agricultural worker to live at or near the site; where such development would represent the optimal viable use of a heritage asset; where the development would re-use redundant or disused buildings and lead to enhancement of the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling.

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- 6.5 The proposal seeks to erect a dwelling on the site, which as submitted within the Design and Access Statement, would be occupied in connection with the existing joinery business (under Class B1 Industrial Use) on the site.
- 6.6 The site lies approximately 1.6km from the centre of Henfield, and is positioned outside of the designated built-up area. For this reason, in policy terms, the site is located within a countryside location. As stated within policy 26 of the Horsham District Planning Framework, development outside of built-up area boundaries must be essential to its countryside location, and in addition meet one of the stated criteria. The proposed dwelling would not be related to agriculture or forestry, would not enable the extraction of minerals or the disposal of waste, and would not provide for quiet informal recreational use. Furthermore, whilst it is noted that the applicant operates the joinery business on the site, no justification has been provided to outline an essential need for the applicant to live on the site.
- 6.7 Whilst living on the site, in close proximity to the business, may be desirable, this is not considered essential. As such, given the nature of the development and its position outside of the built-up area, the proposal is not considered to enable the sustainable development of the rural area or meet any of the other criteria as stated within policy 26 of the Horsham District Planning Framework. Therefore, the proposed residential dwelling is considered to be contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).

Character of the site and surroundings

- 6.8 Policies 25, 32 and 33 of the Horsham District Planning Framework promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.9 The proposed dwelling would be of a single storey, extending to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls, and cedar shingles to the roof.
- 6.10 The wider surroundings are characterised by two storey detached and semi-detached dwellings that front the public highway, along a continuous build line. These are of an eclectic vernacular incorporating facing brick, tile hanging, and render, with hardstanding built in front. Although positioned within close proximity to this ribbon of residential development, the set back and setting of the site as a whole is more reflective of the surrounding countryside than the urbanised development to the north. The proposed design of the dwelling seeks to reflect this rural character, utilising natural materials that would be reflective of the countryside character of the site and surroundings.
- 6.11 Whilst the local vernacular of the surrounding properties consist of facing brick, tile hanging, and render, it is recognised that the site itself reflects a rural context, set back from the built form of the surroundings. The proposed finish and design of the residential dwelling, utilising a 'natural' finish of cedar shingles and oak cladding is therefore considered to appropriately reflect the context of the site and the landscape character of the area. Furthermore, although set back from the recognised build line of the surroundings, the proposed siting is considered to reflect the built form of the workshop and associated buildings within the site itself. As such, the scale and siting of the dwelling is considered to sit appropriately within the site and the context of the surroundings, in accordance with policies 25, 32 and 33 of the Horsham District Planning Framework.

Amenities of the occupiers of neighbouring properties

- 6.12 Policy 33 of the Horsham District Planning Framework states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.13 The proposed dwelling would be positioned to the south-west of the site, approximately 68m from the rear elevation of the adjacent properties. Whilst noted that the boundary treatment of the adjacent properties consists of post and rail fencing, the distance between the proposed dwelling and neighbouring properties is considered sufficient so that the proposal would not result in unacceptable outlook or loss of privacy. It is proposed to plant mixed deciduous and coniferous landscape screening to the north, west and south of the site, and whilst this cannot be relied upon to make a scheme acceptable, this is considered sufficient to mitigate potential impact. Therefore, given the distance between the properties, and the addition of landscape screening, the proposal is not considered to result in harm to the amenities of neighbouring properties, in accordance with policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Conditions

- 6.14 Policy 41 of the Horsham District Planning Framework states that development should provide safe and adequate parking, suitable for all anticipated users.
- 6.15 Whilst objection has been raised within public representations in regard to increased traffic movements and inadequate access, the proposal would utilise the existing, established access, with hardstanding provided to the front of the dwelling. This established access would continue to service the joinery workshops, as well as the new dwelling.
- 6.16 No previous highway issues have been raised with the use of the established access, and this conclusion is retained by WSCC Highways within the consultation response submitted. As such, the residential nature of the development is not considered to result in further intensification or impact upon public highway safety, in accordance with policy 41 of the Horsham District Planning Framework.

Other Matters

- 6.17 The proposed development is located within the curtilage of, and in close proximity to, existing commercial activities. An adequate assessment of exposure to noise for future residents by a suitably competent person has not been submitted. Furthermore, the application identifies that the site has a history of agricultural use and proposes to introduce residential receptors onto this land.
- 6.18 Paragraph 122 of the NPPF clearly states that planning decisions should be based on adequate site investigation information, prepared by a competent person, which demonstrates suitability for use. Without this information it is not possible to fully assess this application.
- 6.19 The agent has since supplied a Contamination Assessment, with the Environmental Officer re-consulted for comments. This response concurs with the recommendation within the submitted report, and as such, no objection is raised.

Conclusion

- 6.20 The proposed residential dwelling, located outside of the built up area, would not accord with the criteria as outlined within policy 26 of the Horsham District Planning Framework, and is therefore considered to result in unsustainable and inappropriate development within

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the countryside, contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

The application be refused on the following grounds:

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not 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 proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location. Consequently, it represents unsustainable development contrary to policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/1356