



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (North)
BY: Development Manager
DATE: 4 October 2016
DEVELOPMENT: Erection of single dwelling with associated garden, landscaping, driveway and carport (Outline)
SITE: Home Farm Cottage Denne Park Horsham West Sussex
WARD: Southwater
APPLICATION: DC/16/1213
APPLICANT: Mrs Diana McKnight

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: 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 outline planning consent in relation to the principle of development for 1 new dwelling (passive house) on the application site which comprises land to the south of Home Farm Cottage (the donor dwelling), with all matters reserved.
- 1.3 Although in outline plans have been submitted which indicate a two-storey (flat roofed) dwelling to the south of Home Farm Cottage. The plans indicate a maximum height of 6.2m and a footprint of 172.2sqm. Solar panels are indicated to the flat roof of the dwelling. A detached three bay car port is indicated with a garden roof of native planting, with a maximum height of 2.6m and a footprint of 48sqm. The proposed car port would be located to the east of the proposed dwelling. The driveway itself is indicated as being just over 110sqm.
- 1.4 Indicative floor plans indicate an open plan layout at ground floor comprising living room, dining room, kitchen cloaks, and utility and first floor comprising 1 x en-suite bedroom with 2 additional bedrooms and a family bathroom. The plans indicate an L shaped decked area at ground floor along the south and west elevations with an external spiral staircase on the south western corner of the dwelling leading to a first floor decked area along the west elevation.

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- 1.5 The indicative plans also show the proposed access (involving the removal of part of the existing mature hedge) with a new gate off of the private access road which leads towards the existing dwelling and which is part shared by Horsham Golf and Fitness Club, which adjoins the northern boundary of the existing dwelling 'Home Farm Cottage'. The proposed access is located opposite the neighbouring property known as Harwood Cottage.
- 1.6 The outline application is accompanied by a Sustainability Appraisal comprising a Passive House Standard Design Statement and the applicants advise that the unit could be built to a higher specification which would be Bere Architects 'Passive House Plus' standard.

DESCRIPTION OF THE SITE

- 1.6 The application site (approximately 0.12 hectares) comprises a parcel of land within the residential curtilage to the south of Home Farm Cottage (the donor site), which is itself a traditional two storey brick built dwelling with pitched roofs featuring two gable projections. The site is located outside of any defined Built up Area boundaries and is thus located within the Countryside.
- 1.7 The site is accessed via a private track off of the east side of Worthing Road (B2237). The access track leads up to the donor dwelling Home Farm Cottage and is also shared by Horsham Golf and Fitness Club which adjoins the northern curtilage of the application site, and two further detached houses located close to the application site, Harwood Farm House to the west and Harwood Cottage to the South. There is no prevailing style or design of dwellings along the access track, however both properties are timber clad and of appropriate design and character within this rural location.
- 1.8 The site is well screened by a mature hedgerow along the south, east and west boundaries. Within the site itself there are a number of mature trees and there are some established trees close to the boundaries. There is a gated access within the west boundary of the site.
- 1.9 To the west of the access track leading to the application site and on the opposite side of Worthing Road is the Park and Ride facility. To the east of the application site is a Public Right of Way (ROW1666) which runs along a north / south axis. The site falls within Flood Zone 1.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
 - NPPF6 - Delivering a wide choice of high quality homes
 - NPPF7 - Requiring good design
 - NPPF11 - Conserving and enhancing the natural environment
 - NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 - HDPF1 - Strategic Policy: Sustainable Development
 - HDPF2 - Strategic Policy: Strategic Development

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HDPF3 - Strategic Policy: Development Hierarchy
HDPF4 - Strategic Policy: Settlement Expansion
HDPF15 – Housing Provision
HDPF26 - Strategic Policy: Countryside Protection
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 There is currently no Neighbourhood Plan for the Parish of Southwater.

PLANNING HISTORY

SQ/16/92	2 storey extension Site: Home Farm Cottage Denne Park Southwater	PER
SQ/94/92	Single storey extension to form cloakroom and link Site: Home Farm Cottage Denne Park Horsham	PER
SQ/102/93	Conservatory extension Site: Home Farm Cottage Denne Park Horsham	PER
SQ/1/97	2-storey extension Site: Home Farm Cottage Denne Park Horsham	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 **Arboricultural Officer** There was no response from this consultee at the time of report preparation.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Council Highways**: To be reported verbally at committee

PUBLIC CONSULTATIONS

- 3.4 No neighbour letters received.
- 3.5 Cllr Vickers and Cllr Chidlow support a refusal of the application on the basis that the proposals are contrary to housing and countryside policies.

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

The application seeks outline consent for 1 new dwelling with all matters reserved. Indicative details are as set out in Paras. 1.3 & 1.4 of the detailed description.

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 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.

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- 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.

Character and appearance

- 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 Whilst the application seeks approval of the principle of development only, the indicative design is based on a passive house proposal and would be of a contemporary design. The proposed dwelling with associated garden and parking would result in the sub division of the existing plot of land associated with Home Farm Cottage. The proposed dwelling would be sited on the southern side of the existing dwelling and, although behind the existing mature hedgerow, would be visible from views approaching the site from the west. While the submission suggests the dwelling would not be as high or bulky as neighbouring dwellings there would be some impact on the openness and views through the site, resulting in some impact on the visual amenities of the rural area in which the existing small cluster of residential dwellings exists. In this respect, there is concern that the erection of a dwelling on this site would lead to the consolidation of sporadic development in the countryside which would have an adverse impact on the visual amenities of the locality and would therefore be contrary to policy 25, 26, 32 and 33 of the HDPF.

Impact on neighbouring amenity

- 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. It is considered that adequate separation could be achieved between the proposed dwelling and neighbouring properties in order to prevent any harmful loss of light or outlook. Similarly it would be possible to design a dwelling so as to prevent any harmful overlooking of adjoining properties. If this current outline application was approved the impact of the dwelling would need to be considered further as part of a reserved matters application.

Sustainability

- 6.13 It is considered there are some benefits deriving from the use of Passive House Homes, in that they provide an advanced low energy construction standard in terms of energy consumption, a thermal bridge free super insulation, draft free construction solar shading, natural and high efficiency ventilation and renewable energy systems (as asset out in their accompanying Passive House Standard Design Statement). It is not though considered that the benefits of the Passive House are as innovative or outstanding as to justify a new dwelling in the countryside which is contrary to the HDPF.

Conclusion

- 6.14 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.

7. RECOMMENDATIONS

- 7.1 It is recommended that the application be refused for the following reason:
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 result in the consolidation of sporadic development within the countryside which would be detrimental to the visual amenities of the surrounding area and 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.