



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 15 November 2016

DEVELOPMENT: Outline application for the erection of 4x2 bed semi detached dwellings, 1x3 bed detached dwelling and 2x5 bed detached dwellings. Construction of access road and provision of garage parking with all matters reserved except for access.

SITE: High Chaparral London Road Washington Pulborough

WARD: Chantry

APPLICATION: DC/16/1963

APPLICANT: Mr S Page

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 4x2 bed semi detached dwellings, 1x3 bed detached dwelling and 2x5 bed detached dwellings, the construction of an access road and provision of garage parking. 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. The application site is located to the south of High Chaparral which is a detached single storey dwelling in an elevated position. The proposed dwellings would be located on greenfield land to the south of the dwelling and would utilise part of the existing access to High Chaparral. To the north of the site is a sandschool, whilst to the east of High Chaparral is a stable complex.
- 1.3 The existing site access to High Chaparral is located on the London Road, close to its junction with the A24 dual carriageway. The access is also a public footpath. To the south

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of the access are five residential dwellings whilst to the north west are the dwellings in Spring Gardens.

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

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, 15, 25, 26, 32, 33, 35, 36, 37, 40 and 41.

RELEVANT NEIGHBOURHOOD PLAN

2.5 Storrington & Sullington and Washington Pre-Submission (Regulation 14) Draft Neighbourhood Plan was subject of public consultation running between 06 July 2016 - 17 August 2016.

PLANNING HISTORY

WS/20/00	Sandschool Site: Hillyfield London Road Washington	PER
WS/10/82	Extension (From old Planning History)	PER
WS/10/49	Pig sties and glasshouse (From old Planning History)	PER
WS/21/62	Site for bungalow grid ref: 1230/1448 Comment: Appeal withdrawn 23/03/63 (From old Planning History)	REF
WS/24/64	Site for bungalow grid ref: 1230/1448 (From old Planning History)	REF
WS/34/57	Residential development (From old Planning History)	REF
WS/36/64	Site for bungalow grid ref: 1230/1448 Comment: Appeal dismissed 28/02/66 (From old Planning History)	REF
WS/65/58	Change of use from agricultural to residential (From old Planning History)	WDN

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WS/73/58	Additions (From old Planning History)	PER
DC/05/2273	Removal of condition 3 of WS/8/63 (the proposed bungalow shall be occupied only be persons employed at Hillyfield)	PER
DC/06/0479	Erection of stables	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 **Strategic and Community Planning** (summarised) - The principle of residential development on this site, outside the BUAB, in the countryside is unacceptable. The proposed development fails to provide affordable housing and is therefore contrary to Policy 16(3)(b) of the HDPF. The site is not allocated for development in the HDPF or the Storrington, Sullington and Washington Neighbourhood Plan and the Council already has a 5 year supply of housing land.
- 3.3 **Environmental Management, Waste and Recycling** – Awaited and will be reported verbally to committee.
- 3.4 **Property Services (Drainage)** - No drainage information has been submitted to make any appropriate comment or observations. Therefore drainage conditions should be applied before any works commence on site, which show full details of the measures to dispose of both foul and surface water.
- 3.5 **Ecology** (summarised)– No objection with regards to ecology.

OUTSIDE AGENCIES

- 3.6 **West Sussex County Council Highways** (summarised) – The Highways Authority does not consider that the proposal for seven dwellings would have ‘severe’ impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.
- 3.7 **West Sussex County Council Public Rights of Way** (summarised) – No objection subject to suggested conditions and guidance.
- 3.8 **Southern Water** (summarised) – A formal connection would be required to the public foul sewer. Details of SUDS would be required.

PUBLIC CONSULTATIONS

- 3.9 **Washington Parish Council** (summarised)– Strongly object to the application.
- 3.10 **Seven letters** (two from the same address) have been received objecting to the application on the following grounds;
- Flood risk
 - Proposal detrimental to the environment
 - Damage to existing trees
 - Highway safety concerns

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- Impact of public footpath
- Intrusive on locality
- Noise and disturbance to neighbouring properties
- Out of keeping
- Occupiers would be dependent on private car as limited bus service

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
- Affordable Housing
- 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 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 Policies 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.*

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- 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. The site was considered for inclusion within the Storrington, Sullington and Washington Pre-Submission Draft Neighbourhood Plan but was not considered appropriate for inclusion. The application has also 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 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 seven 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, this would be fully considered at the reserved matters stage, if outline planning permission

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was granted. 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 Whilst the site may be of sufficient size to accommodate seven dwellings, the proposed construction of seven new dwellings in this rural location would have an adverse impact on the rural character of the area. It is considered that the introduction of the dwellings with their associated domestic built form, paraphernalia and lighting, would have an adverse visual impact on the character of the area. It is therefore considered with regards to the current application that the proposal would not meet the requirements of Policy 33 in this respect.

Affordable Housing

- 6.13 Policy 16(3)(b) of the HDPF sets out the Council's approach to the provision of affordable housing. On sites of between 5 and 14 dwellings, the Council requires 20% of dwellings to be affordable, or an equivalent financial contribution if on-site provision is not practicable. However as the application site covers an area of 0.8 hectares the Council would require 35% of dwellings to be affordable. No information has been submitted with regards to the provision of affordable housing and therefore the proposal does not comply with policy 16 of the HDPF.

Highways

- 6.14 The Highways Authority has carefully considered the application and on receipt of additional information has not raised an objection to the application. The Highways Authority do not consider that the proposal for seven dwellings would have a 'severe' impact on the operation of the Highway network. 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. Consequently, it is considered that there are no transport grounds to resist the proposal.

Ecology

- 6.15 The site is within the Site of Special Scientific Interest (SSSI) Impact Zone for three sites: Sullington Warren, Chantry Mill, and Chanctonbury Hill, and therefore the comments of the Council's Ecologist have been sought with regards to the application. The Council's Ecologist has considered the Preliminary Ecological Appraisal submitted and has raised no objection to the application subject to conditions on ecological grounds.

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, does not provide for affordable housing and is not essential to its countryside location. It is therefore considered that the proposal does not comply with policy 1, 2, 3, 4, 16 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 25, 26, 30 and 33 of the Horsham District Planning Framework 2015.
4. The provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policies 16 and 39 of the Horsham District Planning Framework 2015, and to the NPPF, in particular paragraph 50.

Background Papers: DC/16/1963