



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 15 November 2016
DEVELOPMENT: Erection of one dwelling on residential land at Longbury Hill House
SITE: Longbury Hill House, Veras Walk, Storrington, West Sussex
WARD: Chantry
APPLICATION: DC/16/1908
APPLICANT: Mr Tim Drake

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

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks full permission for a new detached dwelling with detached garage and a new drive to serve the existing dwelling.

1.3 An existing detached double garage would be demolished and an existing large pond infilled to facilitate the proposed development, whilst part of an existing narrow driveway would be upgraded and extended to serve the proposed new dwelling, located to the eastern side of the host plot.

1.4 The proposed new dwelling would have a footprint of some 9.2m x 12.6m, with a chimney stack located to the western elevation. The principal elevation would face north, whilst the southern elevation would look towards the applicant's own land and driveway. The proposed new dwelling would have 4 bedrooms on the first-floor and open plan living spaces on the ground floor, along with a study and utility. A level patio area is proposed to the southern elevation.

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- 1.5 The proposed new dwelling would have an irregularly shaped plot. The eastern flank wall would be set some 8.3m off the site's eastern boundary, which adjoins the boundary of Hardwicke Lodge. The new dwelling would be set some 31m off the north-eastern corner of Windrush. It would also have a separation distance from the host dwelling's southern wall of about 25m. The new property would also be some 40m back from the site's entrance gate.
- 1.6 The proposed new dwelling would be clad in stacked sandstone with timber panels and with a black feature band to the front and rear walls. It would also have a slate roof and timber louvres to some of the windows.
- 1.7 A new driveway to serve the existing dwelling would utilise part of an existing driveway and gain access to the existing / retained parking area located to the western side of the host plot. Two trees, a Yew and an Oak tree would require removal as part of the development proposal.

DESCRIPTION OF THE SITE

- 1.10 The site currently comprises a detached single-storey dwelling, arranged broadly in a horse-shoe floor-plan facing south, which has wide-ranging views over the South Downs, owing to its elevated position. The host dwelling is appreciably set far above neighbouring properties and adjoining plots, but, owing to the vegetation on and around the plot, is well-screened from views outside of the site.
- 1.11 The property has vehicular access off a shared track which joins Veras Walk, some 140m away from the site entrance. A steep access drive currently leads past a level area adjacent to a pond then curves around the eastern site boundary to a further levelled parking area alongside a double garage. An original single-width driveway is evident alongside the eastern side of the garage and site boundary, climbing to the rear garden of the house.
A further access drive leads from the western side of the garage up to a levelled parking area to the front (south side) of the host dwelling.
- 1.12 The existing site includes numerous winding pathways and established landscaping throughout the plot, with a swimming pool to the rear, and a disused timber cabin which shows signs of some form of occupation, positioned about 6m west of the existing pond.
- 1.13 The entire site lies outside of the defined built-up area boundary of Storrington, which runs alongside the boundary of the adjacent property Heath Barn to the west, along the southern site boundary of Longbury Hill House, the application site, and then cuts across the rear gardens of Hardwicke Lodge to the east. Neighbouring properties of Jura, Wrens Hill, Little Yew and Longbury Chine are all located outside of the BUAB.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework (2012)**

NPPF1 - Building a strong, competitive economy

NPPF4 - Promoting sustainable transport

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF11 - Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

2.3 **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

HDPF15 - Strategic Policy: Housing Provision

HDPF24 – Strategic Policy: Environmental Protection

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF31 – Green Infrastructure and Biodiversity

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF37 – Sustainable Construction

HDPF40 - Sustainable Transport

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Storrington, Sullington and Washington Neighbourhood Development Plan has been through the examination process but it has not been progressed to Referendum.

2.5 OTHER DOCUMENTS

Storrington & Sullington Parish Design Statement 2010

Heath Common Village Design Statement 1999

PLANNING HISTORY

WS/45/88	Erection of double garage	PER
WS/2/79	Outline 1 dwelling	REF
WS/18/78	Extension	PER
WS/45/63	Extension	PER

3. **OUTCOME OF CONSULTATIONS**

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk

OUTSIDE AGENCIES

3.1 **West Sussex Highways** - No Objection.

- The proposal is for a single dwelling unit with access onto Veras Walk an unmaintained road, which meets the publicly maintained network at junctions with Rock Road and Washington Road. From an inspection of the plans alone, there is no apparent visibility issue at the point of access onto Rock Road or Washington Road. The most recently available verified accident records reveal there have been no personal injury accidents relating to the existing points of access, indicating a low risk of highway safety issues with this proposal.
- The addition of a single dwelling at this location should not generate a severe detriment to Highway users, and therefore accords with paragraph 32 of the National Planning Policy Framework.
- There are no anticipated Highway safety or capacity concerns with this proposal, subject to appropriate planning conditions regarding secure cycle parking

3.2 **Southern Water** - No Objection.

- Initial investigations indicate no public surface water sewers in the area so alternative means of drainage for surface water are required
- Appropriate conditions and informatives are advised regarding drainage, formal connections to public sewerage systems, and the potential for public sewers to be crossing the site

3.3 **Archaeological Advisor** - No Comments have been received.

INTERNAL CONSULTATIONS

3.4 **Arboricultural Officer** - No objection.

- The site would retain most of the existing tree coverage, even with the stated felling of 14 of 60 trees (it is acknowledged that only two trees would be required to be felled to facilitate the development, the others are recommended for removal)
- In public amenity terms, the individual trees are of no great merit, particularly as this site lies somewhat removed from public access

3.5 **Environmental Health** - No objection.

- The development site is in very close to proximity to a former sand quarry. It is unclear whether the sand pit has been filled in part or in full following cessation of the extraction workings. Having viewed the site surround and given the slope to the north of the Longbury Hill House boundary, it is unlikely that the former sand pit has been subject to landfill. A watching condition relating to potential contamination is advised should permission be granted.

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- Site preparation and construction activities have the potential to impact on neighbouring residential amenity on account of noise. Conditions are advised

PUBLIC CONSULTATIONS

3.6 **Washinton Parish Council Consultation** – Objection

- Site appeared to be sufficiently sized to accommodate the proposed development, there are compelling reasons why the proposal would be detrimental to the area
- Additional impact on narrow lanes within area to access the development – increasing problems of traffic navigating small roads
- Proposal lies outside BUAB and would be detrimental to the preservation of the countryside – line clearly protects the green space of Longbury Hill and Heath Common which is defined as protected green space in the emerging Storrington, Sullington and Washington Neighbourhood Plan
- Proposal would encroach on a significant green area which is shared by local residents as a natural sound buffer to the A24

3.7 **Heath Common Residents Association** - Objection

- Overload of traffic on the access to the site and the lanes themselves
- Loss of further trees within the area would cause considerable damage to environment – contrary to Village Design Statement
- Longbury Hill House sits within the countryside, and outside the BUAB – Local Plan and forthcoming Neighbourhood Plan emphasise that these boundaries should be upheld

3.8 **Public Consultations** – Letters of representation have been received from 29 nearby and neighbouring residential properties, objecting for the following reasons:-

- Overdevelopment of host site
- Located outside of BUAB and in Countryside
- Additional traffic – estimated additional 42-56 vehicle movements per week for each new house – insufficient passing places along narrow lanes and therefore increased danger to pedestrians and walkers
- Increasing traffic using lanes as a through route, by way of increased internet shopping and additional housing in area – no street lighting
- Loss of trees
- Impact on wildlife
- Proposal not supported by an archaeological report
- Increased flood risk as area would be susceptible to magnified surface water run-off – proposal not supported by appropriate flood risk and drainage assessment
- Proposed new drive alongside Windrush and noise sensitive rooms – particularly owing to steep slope and high power levels required for vehicles using the drive
- Intrusive noise and headlights from cars using new driveways
- Incorrect Certificate as access drive from Veras Walk is shared
- Located in a remote location with no nearby access to public transport – totally reliant on car use and therefore unsustainable
- Not in keeping with rural character of the Heath Common lanes

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- Will be clearly visible from South Downs National Park
- Local infrastructure already overburdened by increased residents and traffic

Four letters in support are also noted:

- Lanes around Veras Walk comprise a mix of houses ranging from original to modern properties with a number built in the garden land of other properties, such as Little Warren and Hardwicke Lodge
- Neighbouring properties not directly overlooked
- Proposal in keeping with eclectic mix of housing and will add to uniqueness of area
- Car movements in lane from Veras Walk is currently limited and children play unsupervised in the road
- Current topography and vegetation will mean property is not overlooked by proposal

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 It is considered that the main issues in the determination of the application are:

- Principle of the development
- Impact upon the surrounding countryside
- Impact on neighbour amenity
- Highways
- Design & Appearance

Principle

- 6.2 Policy 2 of the HDPF seeks to maintain the Districts unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment as set out within policy criteria. The policy sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the main settlement of Horsham and to allow growth in the rest of the District in accordance with the settlement hierarchy.
- 6.3 Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and

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function of the settlement in accordance with the identified settlement hierarchy set out within the policy. The application site is noted to immediately adjoin the settlement boundary of Storrington, which is identified in the Local Plan as being within the 'Small Towns and Larger Villages' category, where there is a good range of services available to residents.

However, the site is also noted to be some 3km from the village centre where it is unlikely that services would be reached on foot. Policy 3 directs development towards towns and villages which have defined built up area boundaries, according to the hierarchy set out in Policy 3, whereas the application is located in open countryside.

- 6.4 Policy 4 of the HDPF makes provision for expansion outside of BUAB provided certain criteria are complied with. The first criteria states that a site should be allocated in either the Local Plan (HDPF or any future Land Allocations document) or a Neighbourhood Plan, and adjoining an existing settlement edge. Although the site adjoins a settlement edge, it is not allocated in the Local Plan. This view has been supported by recent appeal decisions such as the Hatches site, West Chiltington (DC/15/2758, appeal decision dated September 2016), where the Inspector concluded:

"I accept the Council's view that the existing definition has to be read in the context of its housing strategy, namely any sites outside the built up area boundaries coming forward only through allocations.

I can find no fault with this approach, which in any event through the wording of Policy 4, including criterion 1 requiring an allocation for housing in the HDPF or a Neighbourhood Plan, has been adjudged 'sound' by the Local Plan Inquiry Inspector. The appeal scheme is in clear conflict with Policy 4 and because a departure from it would be contrary to sound planning and undermine the adopted housing strategy I consider that this conflict would also be harmful."

- 6.5 The applicant's comments regarding the ambiguity of the line defining the BUAB are noted. However, it can be confirmed that the BUAB sits tight alongside the south-western boundary of the application site and the neighbouring property Windrush, with the entirety of the site falling outside of the built up area boundary of Storrington, removing any ambiguity regarding the position of the boundary of the BUAB.
- 6.6 Since the adoption of the HDPF in November 2015, the Council is able to demonstrate a full 5-year supply of housing land sufficient to meet the needs of the District to 2031, with a forecast that some 750 residential units will come forward by way of windfall sites (Policy 15). Any windfall development must though accord with the housing strategy outlined in Policies 3 and 4 of the Horsham District Planning Framework, and be located within the defined built-up area boundary.
- 6.7 Therefore, the principle of residential development on the site would be contrary to the strategic approach to housing outlined in the adopted HDPF

Impact on the Countryside Setting:

- 6.8 In respect of the countryside setting, Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate

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development. Any proposal must be essential to its countryside location and meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

- 6.9 There is no suggestion within the application that one of the above criteria is relevant to the proposal, and it has not therefore been demonstrated that the proposal is essential to its countryside location.
- 6.10 Policy 25 of the HDPF requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation; policy 32 of the HDPF requires new development to 'complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'; with policy 33 requiring development to relate sympathetically with the built surroundings.
- 6.11 In this instance, the residential character of the plot is acknowledged. The elevated site and sizable plot has provided past / existing owners to create a multi-tiered property, utilising the sloping site to carve out social areas, patios, ponds and terraces, niches for garages and other domestic structures. Although there is a high degree of tree cover across the site, there is also much hard-standing in the form of paths, driveways, patios, retaining walls and terracing.
- 6.12 The application has been justified in terms of making use of a brownfield site that lies partly within the BUAB and partly outside. The proposal is therefore argued to be set within the context of immediately adjoining dwellings and should be considered as a sustainable form of development, which would not lead to any erosion of the countryside character.
- 6.13 Notwithstanding the above comments, the site's topography restricts views across it, and it is still read as part of the wider Heath Common to the north. Although the site may physically be capable of accommodating the proposed development, the additional level of built form on the site would conflict directly with the wider undeveloped nature of the Heath Common to the north.
- 6.14 It is also acknowledged that any development adjacent to the application site, and therefore outside of the BUAB is set on spacious plots with a high degree of separation between and a significant degree of vegetation and landscaping which retains the wider character of the Heath Common. Although densely vegetated with limited views across the area, the Heath Common is still considered to be a countryside area which should be subject to appropriate policies limiting development.

Impact on Neighbouring Amenities:

- 6.15 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.16 However, given the site's topography and the elevated position of the proposed development, together with the offset and distances of neighbouring properties, particularly Windrush, Heath Barn, Hardwicke Lodge, Jura and Wrens Hill, it is considered that the development of the site as proposed, would lead to minimal harm occurring to the residential amenities thereof.

Highways and Traffic:

- 6.17 Policy 40 supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.18 Accordingly, the Highways Authority have assessed the proposed development on highway capacity, safety, and policy grounds. The most recently available verified accident records reveal there have been no personal injury accidents in the vicinity of the existing point of access, indicating a low risk of highway safety issues with this proposal. As there are a large number of dwellings within this estate the Local Highway Authority does not regard the impact of an additional dwelling as severe, and subject to a condition to secure cycle storage, the proposal would satisfactorily accord with paragraph 32 of the National Planning Policy Framework, and local policies.
- 6.19 In terms of proposed parking levels at the property, it is considered that parking provision would be adequate in that the development would provide for parking and turning space within the property for two vehicles. This would also be the situation for the host property in addition to the provision of the new replacement garage for the new dwelling.
- 6.20 The location of the proposed new dwelling within a network of privately maintained roadways and lanes has been acknowledged, with a large number of existing dwellings having access to the private roadways in the immediate locality. Furthermore, these narrow lanes have no footways and limited passing places, with property driveways often used for such purposes and this is a pre-existing situation with affects all residents and associated traffic alike. Despite the increased level of traffic and the reliance on vehicular modes of transport, in addition to the increased demand for online shopping and deliveries, the proposal for one additional dwelling at this location should not generate a severe detriment to Highway users, and therefore accords with paragraph 32 of the National Planning Policy Framework.

Design & Appearance

- 6.21 Paragraph 58 of the NPPF sets out that planning policies and decisions should ensure that developments:

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- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

6.22 The Storrington & Sullington Parish Design Statement was adopted as supplementary planning guidance by the Council in 2010. The Washington Parish Plan was published by the Parish Council in 2004 and the Heath Common Village Design Statement was adopted by the Council in 1999. These documents help define the specific characteristics of their respective areas, including the designated Conservation Areas, and are intended to inform the design of planning proposals and the consideration of those applications by the Council.

6.23 Reference is made within several representation letters to the Heath Common Village Design Statement (1999). The Heath Common Village Design Statement also seeks to minimise the impact of traffic on the character of the lanes, which are noted to be without pavements and used by vehicles and pedestrians alike. As such, one of the criteria is that the character of the Lanes be maintained. This document also carries limited weight, as it is a guidance document only.

6.24 HDPF policies 32, 33 both require any proposed development to complement locally distinctive character and are therefore a material consideration.

6.23 In terms of the design of the proposed dwelling, the massing and external materials being suggested are considered to sit comfortably within the wide range of property styles and architectural features exhibited along the lanes. The use of brick, render, timber weatherboarding, slate and tiled roofs are evident locally. Furthermore, there are contemporary-styled dwellings, some re-modelling and extensions of original houses, and replacement dwellings using more traditional features, all of which sit comfortably within the eclectic character of this area.

Conclusion:

6.27 The proposed development is located in the countryside, outside the defined built-up area boundary of any settlements, on a site which has not been 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 scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements.

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- 6.28 The proposed development has not been demonstrated as being essential to its countryside location and the scheme would have a harmful impact on the character of the rural countryside location.
- 6.29 The proposal therefore represents unsustainable development contrary to policies 1, 2, 3, 4, 26, 31, 32 and 33 of the Horsham District Planning Framework (2015), and would fail to meet the definition of sustainable development within the National Planning Policy Framework. Accordingly, refusal is recommended for the proposal.

7. Recommendation: Application Refused

- 7.1 It is recommended that planning permission be 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 development, by reason of its scale, siting and design, would represent a harmful urbanising form of development which would be out of keeping with and detrimental to the rural character and appearance of the area. The proposal would therefore be contrary to policies 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/1908