



**Horsham  
District  
Council**

# **DEVELOPMENT MANAGEMENT REPORT**

**TO:** Development Management Committee (South)  
**BY:** Development Manager  
**DATE:** 15 November 2016  
**DEVELOPMENT:** Construction of 1no. new, 5 bed dwelling with detached garage and new access driveway  
**SITE:** High Croft, Hampers Lane, Storrington, Pulborough  
**WARD:** Chantry  
**APPLICATION:** DC/16/1930  
**APPLICANT:** Sala Newport

**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, 5 bedroom dwelling and detached double garage. The proposed dwelling would be 16.7 metres wide, 17.55 deep at its furthest point and 9.3 metres in height to the higher ridge. The proposed dwelling would have accommodation within the roofspace with dormer windows to the front and rear elevations, and balconies on the front, rear and south eastern elevations. The proposed garage would be 6.1 metres wide, 5.7 metres deep with a height to the ridge of 4.5 metres.

### DESCRIPTION OF THE SITE

- 1.2 The application site is located outside of the defined built up area boundary of Storrington to the north of Hampers Lane. The application site is accessed from Hampers Lane, to the east of Highcroft, on a shared access to the property Heath Barn to the east of the site. The application site is situated at a higher level than Hampers Lane, and is well screened with mature shrubs and trees to the western boundary.

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

2.5 Heath Common Village Design Statement

#### RELEVANT NEIGHBOURHOOD PLAN

2.6 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/17/53	Outline for bungalow Comment: Land at (From old Planning History)	PER
WS/19/87	Erection of one bungalow Comment: Outline (From old Planning History)	REF
WS/6/82	Detached house and garage Comment: Outline (From old Planning History)	REF
WS/16/91	Erection of 1 chalet bungalow (outline) Site: Highcroft/Heath Barn (Land Between) Hampers La Storrington	REF

### **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](http://www.horsham.gov.uk).

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### INTERNAL CONSULTATIONS

- 3.2 **Archaeology** - comments are awaited and will be reported verbally to the committee.
- 3.3 **Arboricultural Officer** – comments are awaited and will be reported verbally to the committee.
- 3.4 **Environmental Management, Waste and Cleansing** - comments are awaited and will be reported verbally to the committee.

### OUTSIDE AGENCIES

- 3.5 **Southern Water** (summarised) – Southern Water would require a formal application for a connection to the public sewer.
- 3.6 **West Sussex County Council Highways** (summarised) – No objection subject to conditions.

### PUBLIC CONSULTATIONS

- 3.7 **Washington Parish Council** has objected to the application.
- 3.8 **Heath Common Resident's Association** have strongly objected to the application.
- 3.9 **Thirty five letters** have been received objecting to the application (with 13 letters being received from 6 addresses) on the following grounds;
- Proposal out of keeping
  - Additional strain on highways network
  - Proposal would set an unwelcome precedent
  - Consideration needs to be given to management of surface and flood water
  - Private lanes are already saturated
  - Danger and increase in traffic
  - Overlooking of neighbouring property
  - Contrary to village design statement
  - Lanes privately maintained and cannot sustain large lorries and increased vehicles
  - Hampers Lane becoming a rat run
  - Previous appeal decision an important consideration
  - Site outside of built up area boundary
  - Site at blind junction to Hampers and Bracken Lane
  - Loss of natural environment

## **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
- Impact on Neighbouring Properties
- 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 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.*
  - 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 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,

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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 semi-rural location. Development on the northern side of Hampers Lane is sporadic in nature, and due to the nature of the locality forms a wooded edge between the more developed area of the Lanes and the adjoining countryside. 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 The application site has been the subject of an earlier appeal which sought provision for the construction of a chalet bungalow on the site (WS/16/91). The application was refused and dismissed at appeal. The Inspector in considering the proposal noted with regards to the sites location outside of the built up area boundary that *"this area is well wooded with only a few sporadic dwellings set in generally well vegetated and spacious gardens, giving a rural appearance to the area. It has a different character from the rest of the Heath Common which is more closely developed. In my opinion, given this different character and appearance, the Council was right to exclude this area from the built up limit. The addition of even one further dwelling would consolidate and intensify the scattered development in this area and with its gardens and outdoor domestic paraphernalia would lead to a more urbanised appearance to the site especially as some trees and much undergrowth would be likely to be removed. These factors would, I consider, unacceptably harm the existing rural character and appearance of the area."* It is considered that whilst planning policy has evolved the character of the area has remained similar to that considered by the Inspector and the policies relating to the character of the area are broadly comparable with regards to landscape character.
- 6.12 It is therefore considered that the proposed construction of a dwelling in this location, of the size and design proposed would have an adverse impact on the rural character of the area. It is considered that the introduction of a dwelling with its 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.

### **Impact on Neighbouring Properties**

- 6.13 The proposed dwelling would be located some 26 metres from the rear of Highcroft and 66 metres from High Trees. It is considered due to the distance between the proposed dwelling and neighbouring properties that the proposal would not have an adverse impact on the amenities of neighbouring properties. It is therefore considered that an objection cannot be raised to the application in this respect.

### **Highways**

- 6.14 The Highways Authority has carefully considered the application and has not raised an objection to the application. The Highways Authority do not consider that the proposal for a single dwelling 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.

### **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 Local Plan, 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 dwelling by reason of its siting, design 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.