



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 15 November 2016
DEVELOPMENT: Removal of existing boundary wall to the rear of the Old Bell to allow access and safe off-street parking for Henfield Funeral Services
SITE: Henfield Funeral Services Ltd The Old Bell High Street Henfield
WARD: Henfield
APPLICATION: DC/16/2127
APPLICANT: Mrs Karen Jordon

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Morgan

RECOMMENDATION: To approve the planning application.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission to remove the existing boundary wall to the rear of the property in order to provide access to the rear hardstanding for the parking of vehicles to allow loading and unloading.
- 1.2 In its current form, vehicles (hearse and Ford Galaxy) associated with the business are parked, loaded, and unloaded on the public highway of Church Lane. The proposal seeks to rectify this obstruction by providing on site hardstanding to allow vehicles to reverse onto the site and exit in forward gear.
- 1.3 The proposal would provide a visibility splay of 2m x 18m to the east, and a splay of 2m x 20.5m to the west. The access itself would be 8.4m wide, with the close-boarded fence to the interior of the site removed to provide a parking area that would be 15.2m deep.

DESCRIPTION OF THE SITE

- 1.4 The application site lies on a corner plot bound by High Street to the east and Church Street to the north. The site lies within the built up area and designated Conservation Area of Henfield.
- 1.5 The site is surrounded by an eclectic array of properties, some of which are listed, with a number of businesses and retail shops positioned to the north and south. On street parking

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is provided along the High Street, with parking limited within the direct surrounds of Church Lane.

- 1.6 An area of hardstanding is positioned to the rear of the application site, with a brick boundary wall separating this area from Church Lane. A close-boarded fence is positioned centrally within the area of hardstanding, separating the outside storage area of the site from the public highway.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework**

NPPF1 - Building a strong, competitive economy
NPPF2 - Ensuring the vitality of town centres
NPPF3 - Supporting a prosperous rural economy
NPPF4 - Promoting sustainable transport
NPPF7 - Requiring good design
NPPF12 - Conserving and enhancing the historic environment
NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

2.3 **Horsham District Planning Framework (2015)**

HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF3 - Strategic Policy: Development Hierarchy
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF34 - Cultural and Heritage Assets
HDPF40 - Sustainable Parking
HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 **Henfield Neighbourhood Development Plan 2015 – 2035**

Following a court decision on 13 October 2016, Henfield Neighbourhood Development Plan has been quashed. The Parish Council is currently considering how they will move forward. Henfield Parish continues to be covered by the Horsham District Local Plan, and this plan remains the current and up to date plan for the area.

PLANNING HISTORY

HF/1/61	Use of lock up shop as fried fish and chip shop. (From old Planning History)	REF
HF/11/90	Extension to public bar area. (From old Planning History)	PER
HF/19/80	Extension. (From old Planning History)	PER

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HF/21/92	Formation of vehicular access at rear Site: Henfield Tavern High St Henfield	REF
DC/14/1517	Change of use of existing public house to form 2 commercial (A1 use class) units and four flats (3 x 1 bed, 1 x studio), with associated works	PER
DC/15/2598	Removal of existing boundary wall to the rear of the Old Bell to allow access and safe off-street parking for Henfield Funeral Services	REF

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 N/A

OUTSIDE AGENCIES

3.2 **County Council - Highways**, consulted on the 23 September 2016, provided the following comments:

The existing situation involves the associated vehicles parking on the public highway whilst they are loaded and unloaded. The nature of these activities is not what would usually be anticipated on the public highway, so this could add an additional risk of distraction. Given the physical constraints of the site, it is considered on balance, that the proposed operational arrangement (including the provision of on-site access) is an improvement over the existing situation. Therefore, no highway objection is raised, subject to the imposition of conditions relating to vehicle access, parking and turning, and visibility splays.

PUBLIC CONSULTATIONS

3.3 **Parish Council**, consulted on the 23 September 2016. Their comments can be summarised as follows: Objection on the following grounds:

- Restricted visibility
- Inadequate sightlines
- Hazards to pedestrians and vehicle traffic

3.4 A total of 5 objections were received from 3 individuals, and these can be summarised as follows:

- Restricted visibility
- Inadequate sightlines
- Hazards to pedestrian and vehicle traffic

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 removal of the existing boundary wall forming the boundary between the site and Church Street, and the close-boarded fence within the site, in order to allow access for vehicles used by Henfield Funeral Services Ltd.
- 6.2 Henfield Funeral Services Ltd operates from the application site, and utilises two vehicles in connection with the operation. A hearse visits the site on the day of a funeral, usually 1 to 3 times a week, with a further vehicle accessing the site on a more regular basis. The existing arrangement means that both vehicles must stop and park on the public highway, obstructing the functioning of Church Street whilst the coffin/trolley is transferred to and/or from the business premises, giving little privacy during the course of these movements.
- 6.3 A previous planning application under reference DC/15/2598 sought permission for the removal of the boundary wall to accommodate on-site parking. Following consultation with WSCC Highways, a number of concerns were raised regarding the access and safety into the site, and the impact this would have on the functioning and safety of the public highway. The application was subsequently refused as it was considered to provide inadequate visibility splays at the access, and would not have provided adequate facilities to enable vehicles to turn on site and enter and leave the highway in a forward gear.
- 6.3 The current application seeks to provide on-site parking that would allow a vehicle to reverse into the site and exit in forward gear. The proposal has sought to overcome the previous refusal by enlarging the on-site parking area by removing the internal close-boarded fencing which separates the storage area from the public highway. This has subsequently provided additional internal turning space for vehicles.

Townscape character and the visual amenities of the street scene

- 6.4 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings. Furthermore policy 34 states that development should reinforce the special character of the historic environment, and make a positive contribution to the character and distinctiveness of the townscape.
- 6.5 The street scene includes an array of both open and closed boundaries to the road, with the adjacent properties open along the frontage, providing access and hardstanding used for on-site parking. These open frontages provide views through the site, contributing to the open character of the designated Conservation Area.
- 6.6 The existing wall along the northern boundary of the site appears as a physically and visually separate entity within the context and reading of the site. It is considered to be of no particular architectural or visual merit, appearing as a discordant addition with the context of the designated historic environment.
- 6.7 The proposed removal of the wall is not considered to result in harm to the character, features or townscape character of the site and surroundings, with the opening up of the site considered to respect the defined character and visual amenities of the street scene. It should be noted that the preceding application was not refused for design related reasons.
- 6.7 As such, the proposed removal of the wall to provide access is considered to preserve the prevailing character and appearance of the street scene and wider Conservation Area, in accordance with policies 32, 33 and 34 of the Horsham District Planning Framework.

Amenities of the occupiers of adjoining properties and users of land

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- 6.8 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.9 The proposal seeks parking space incidental to the use of the premises as a funeral home. The current situation involves the parking of vehicles on the public highway, which obstructs the function of this area of Church Lane.
- 6.10 The proposed use of this area for on-site parking is considered to be of a nature and scale that would not result in a level of activity that would harm the amenities of the neighbouring properties, in accordance with policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Condition

- 6.11 Policy 40 requires that development provides safe and suitable access for vehicles, while policy 41 states that development should provide adequate parking for anticipated users.
- 6.12 Previous applications under references HF/21/92 and DC/15/2598 have been refused due to concerns over visibility from the site and lack of turning area within the site, and the impact such an access would have on public highway safety.
- 6.13 Since these previous refusals, the applicant entered into preliminary discussions with WSCC Highways in order to try and overcome the reasons for refusal. Following this, further information has been provided in the form of tracking plots and daily vehicle activity.
- 6.14 The speed limit of Church Street is 30mph, however due to its narrow nature and close proximity to the junction with High Street speeds are estimated to be well below this limit. Church Street is subject to waiting restrictions, but unrestricted loading/unloading can occur since there are no orders restricting this at the location.
- 6.15 The existing situation for the business involves loading/unloading on the public highway which inevitably blocks one lane of Church Street for an extended period of time. The nature of the loading is not one that would typically be seen occurring on the highway, and in its current form there is an added risk of distraction to other drivers on the approach to the junction or while undertaking a passing manoeuvre.
- 6.16 The submitted information demonstrates that vehicles could reverse onto the site and exit in forward gear, with swept path analysis showing that a large car, such as a hearse, can turn in and out of the access.
- 6.17 Whilst a number of objections have raised concern with the safety of the access and the impact upon the busy junction between Church Street and High Street, WSCC Highways have indicated that the proposed operational arrangement (including the provision of site access) is an improvement over the existing situation.
- 6.18 Whilst it is acknowledged that the proposed situation could still result in obstruction to the public highway (occurring when a vehicle is required to reverse into the site) the frequency of the obstruction would be appreciably less than the existing situation. For this reason, WSCC Highways have removed their objection to the proposal as it is considered to reduce the impact upon the public highway, providing adequate sightlines and internal turning space in conjunction with the scheme.
- 6.19 Therefore, on balance, the proposal is considered to provide safe and adequate access, suitable for all users, with a number of conditions considered reasonable to protect the visibility into and out of the site, and the safety of highway users and pedestrians. Should these conditions be attached, the proposal is considered to accord with policy 41 of the Horsham District Planning Framework.

Conclusion

- 6.20 The removal of the boundary wall and close-boarded fence to accommodate access and parking space for Henfield Funeral Services is considered to preserve and respect the special character and distinctiveness of the site and surrounding Conservation Area, whilst of a nature, form and layout that would provide safe, adequate access and on-site manoeuvring space, in accordance with policies 32, 33, 34, and 41 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

- 7.1 It is recommended that the application be approved, subject to the following conditions.

- 1 A list of approved plans
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework (2015).

- 4 No on-site parking of vehicles shall take place until such time as the vehicular access serving the development has been constructed in accordance with the approved drawing.

Reason: In the interests of road safety affecting vehicle and pedestrian movements into and along Church Street and in accordance with policy 41 of the Horsham District Planning Framework.

- 5 No on-site parking of vehicles shall take place until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: In the interests of road safety affecting vehicle and pedestrian movements into and along Church Street and in accordance with policy 41 of the Horsham District Planning Framework.

- 6 No on-site parking of vehicles shall take place until visibility splays of 2 metres by 18 to the south and 2 meters by 20 metres to the north (left) have been provided at the proposed site vehicular access onto Church Street in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety affecting vehicle and pedestrian movements into and along Church Street and in accordance with policy 41 of the Horsham District Planning Framework.

Background Papers: DC/16/2127