



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Planning Committee (South)
BY: Development Manager
DATE: 20 December 2016
DEVELOPMENT: Erection of a new detached dwelling
SITE: Land at New Hall Lane Small Dole West Sussex
WARD: Bramber, Upper Beeding and Woodmancote
APPLICATION: DC/16/2151
APPLICANT: Mr & Mrs Peter and Diana Savage

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation received contrary to Officer's recommendation

RECOMMENDATION: To grant planning permission.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks planning permission for the erection of a detached 3-bed dwelling, positioned to the south of New Hall Lane. The dwelling would be set back from the highway by approximately 11m, with the proposed dwelling seeking to utilise an existing entrance to the north-east. The proposed dwelling would extend in a 'T' shape to a total width of 13.55m and a depth of 13m, incorporating a cat-slide roof extending to an overall height of 8m. This would incorporate the main bulk of the dwelling and an attached single garage that would extend from the western elevation, and would be set back from the frontage to project further to the rear of the living room. A number of dormers would be positioned on the front and rear elevations, and these would be hipped and would extend from the roofslope to a height of 2.4m.

1.3 A gravel driveway with access gate would be provided to the front of the dwelling, and patio and lawn provided to the rear, with garden shed provided in the south-western corner of the site (for use as shed and cycle store).

DESCRIPTION OF THE SITE

1.4 The application site is an open area of land on the southern side of New Hall Lane within the designated built-up area of Small Dole. The site sits within a ribbon of residential development, with a single storey dwelling to the east and a two storey dwelling to the west, similar properties are positioned directly to the north.

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- 1.5 The neighbouring property to the east is separated by mature hedging along the boundary, and is slightly raised above the ground level of the application site. The dwelling is oriented at an angle to the application site, and is separated by a distance of approximately 13m from the boundary. The neighbouring property to the west includes a detached garage building along the shared boundary, with the residential property set at a distance of approximately 10m.
- 1.7 The site is bound to the west by mature hedging, with post and rail fencing around the perimeter. Open agricultural fields are positioned to the south of the site, with the existing access incorporating a track that opens into these fields.

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

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

HDPF3 - Strategic Policy: Development Hierarchy

HDPF4 - Strategic Policy: Settlement Expansion

HDPF15 - Strategic Policy: Housing Provision

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

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/69/01	WDN	Erection of 1 house
HF/86/02	WDN	Erection of 1 house
HF/121/02	WDN	Erection of 1 house
HF/49/03	WDN	Erection of one house and access
HF/5/04	REF	Erection of one house and access

3. OUTCOME OF CONSULTATIONS

- 3.1 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

INTERNAL CONSULTATIONS

- 3.2 None

OUTSIDE AGENCIES

- 3.3 **County Council - Highways**, consulted on the 25 October 2016. The response received can be summarised as follows: No objection, having reviewed data supplied by Sussex Police over the last three years there have been no recorded injury accidents within the vicinity of the site or at the junction of New Hall Lane. There is no evidence to suggest that the existing access or nearby junction is operating unsafely, or that the proposed development would exacerbate an existing safety concern. In addition, the submitted plans are considered to provide adequate parking on site, creating 4 x off-road parking spaces for vehicles. Sufficient turning space, in line with MfS guidance, has also been provided to enable cars to exit onto the lane in a forward gear. Therefore, the proposed development is not considered to result in 'severe' impact upon the operation of the highway network.
- 3.4 **Southern Water**, consulted on the 25 October 2016. The response received can be summarised as follows: The exact position of the water mains and foul sewer must be determined on site by the applicant before the layout of the proposed development is finalised.

PUBLIC CONSULTATIONS

- 3.5 **Parish Council Consultation**, consulted on the 25 October 2016. The response received can be summarised as follows: No Objection.
- 3.6 15 letters of objection were received from 11 households objecting on the following grounds:-
- Site is not included within the Henfield Neighbourhood Development Plan
 - Drainage issues and increase flooding caused by additional development
 - Increase in traffic down the private lane and onto Shoreham Road
 - Development would result in unnecessary infilling
 - Visual impact upon the South Downs National Park
 - Impact on sewage and wastewater disposal
 - Detrimental impact on wildlife and biodiversity
 - Scale of development would represent overdevelopment of site
 - Result in harm to the amenities of single storey neighbouring property
 - Insufficient parking and turning space provided on site
 - Loss of trees and hedges and subsequent impact on rural character
 - Noise and congestion during construction
 - Detrimental impact on the public right of way
 - Visibility splays from site and onto Shoreham Road are inadequate
- 3.7 Cllr Coldwell has commented that the structure is large, occupying the full width, but other than this no particular objection.

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 erection of a new detached 3-bed dwelling, to the south of New Hall Lane.

Principle of development

- 6.2 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages that have defined built-up areas, and that any infill development will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.3 The site lies within the built-up area of Small Dole, which is characterised as a “Smaller Village” within the settlement hierarchy. Smaller Villages are considered to have limited services, facilities, and social networks, but good accessibility to larger settlements or settlements with some employment but limited services, facilities or accessibility.
- 6.4 It is acknowledged that the site has not been previously developed and that the HDPF supports the re-use of brownfield sites within built-up areas. As existing the site appears as an anomaly within the context of immediately adjoining development, is not reflective of the prevailing characteristic of the street, and does not serve to link the built-up area of Small Dole with the surrounding countryside. The location of the site within the built-up area of Small Dole is considered to make a residential infill development acceptable in principle, with the impact of any loss of openness subject to normal considerations rather than a barrier to development taking place on the site. The proposal would therefore be acceptable in principle, in accordance with the strategic approach to housing outlined in the HDPF.

Character and appearance

- 6.5 Policies 32 and 33 of the HDPF promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.6 The site and surroundings are characterised by an eclectic form of development, comprising single and two storey dwellings which incorporate facing brick, tile hanging, cladding, and render. The surrounding dwellings are positioned along a relatively continuous build line, set back from the public highway, with a mixture of open boundary frontages, low-lying fencing, and hedging. The surrounding properties sit within relatively spacious plots, with each dwelling located centrally within the curtilage. The street incorporates a variety of properties of differing appearance, features and materials, and as such there is no defined or discernible local character or vernacular within the street scene and surroundings.

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- 6.7 In this context the proposed dwelling, which would be in the style of a chalet bungalow with traditional detailing, would be an appropriate addition to the street scene. The proposed dwelling would extend to an overall height of 8m, and would incorporate half-hipped roof, with a cat-slide projection to the frontage. The height of the proposal would correspond and reflect similar two storey dwellings within the wider street scene and, whilst extending above the neighbouring property to the east, would be of a scale that would not overwhelm or detract from the visual amenities and context of the street scene.
- 6.8 The proposed dwelling would utilise a material palette reflective of other dwellings within the street scene, and symbolic of the local Sussex vernacular, and this is considered to respond and relate to the general appearance of surrounding properties. As such, the overall character and appearance of the proposed dwelling is considered to reflect the visual amenities and distinctiveness of the street scene and rural surroundings.
- 6.8 It is noted that objections have been raised on the grounds that the proposed dwelling would result in overdevelopment of the site and would detract from the character of the area. Whilst the proposed plot size of the application site would be slightly smaller than the elongated plots of the surrounding properties, the infilling of the site is considered to maintain the characteristics and layout of the surroundings. The proposed dwelling is would be of a similar scale and footprint to other dwellings within the area and would sit appropriately within the plot. The central position of the dwelling is considered to provide an acceptable amount of amenity space to the front and rear, with the set back from the east and west boundaries providing views through the site.
- 6.10 The proposal would retain soft landscaping along the frontage, as well as to the east and west boundaries, with grass and gravel driveway provided within the plot. These finishes are considered to be reflective of other development within the street scene and wider surroundings, and are considered to be sympathetic to the rural and landscape character of the area. As such there is no objection to the loss of openness currently provided by the site.
- 6.11 The proposed dwelling and associated works is therefore considered to be sympathetic to the form, appearance, and character of the wider street scene and surroundings, utilising design and features that would reflect the rural character of the site and wider landscape. As such, the proposal is considered to accord with policies 25, 32 and 33 of the Horsham District Planning Framework.

Impact on neighbouring amenity

- 6.12 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.13 The proposed dwelling would be built in line with the neighbouring properties and the existing hedging to the eastern and western boundaries is proposed to be retained. The neighbouring property to the west includes a detached garage along the boundary, with the neighbouring property to the east oriented at an angle from the site and positioned at a distance of approximately 13m. Whilst the proposal would extend above the neighbouring single storey property to the east this property sits on higher ground level which is considered to mitigate any impact on amenity. The siting and distance between properties is considered sufficient to limit overshadowing and loss of light.
- 6.14 A first floor window is proposed within the eastern elevation which would serve a bathroom and as such, provided obscure glazing is installed, would not result in a loss of privacy. A first floor window within the western elevation would be a secondary window serving a bedroom. Given the nature and siting of this window, coupled with the distance between

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the properties, this addition is not considered to materially harm the amenities of the neighbouring property.

- 6.15 The proposed dwelling is considered to be of a scale, siting and orientation that would sit reasonably in the plot, in a manner that would not materially harm the amenities of neighbouring properties through overshadowing, loss of light, or privacy, in accordance with policy 33 of the Horsham District Planning Framework.

Highways impact

- 6.16 Policy 41 of the HDPF states that development should provide safe and adequate access and parking suitable for all users.
- 6.17 The site is located on a private road, which is also a public footpath, which joins the publicly maintained A2037 Shoreham Road to the east. The proposal would utilise an existing access, and no alterations to existing access arrangements onto the private lane would be undertaken. A previous planning application under reference HF/5/04 was refused on the grounds that the width of New Hall Lane was unsatisfactory to serve the proposed development, as it would not allow 2-way traffic to pass freely with no provision possible for passing lay-bys.
- 6.18 A number of objections have been raised regarding the increase in traffic down the lane resulting from the additional dwelling, along with the increased intensity of use and safety concerns at the junction with the A2037 Shoreham Road. However, the Highway Authority have raised no concerns regarding the junction of New Hall Lane and the Shoreham Road, with no recorded accidents in the vicinity of the site. As such there is no evidence to suggest that the existing access or nearby junction is operating unsafely, or that the proposed development would exacerbate an existing safety concern.
- 6.19 It is noted that previous decisions for new dwellings along New Hall Lane have raised objections on the grounds of the width of New Hall Lane, which does not allow for 2-way passing traffic. This is though, an established arrangement which, despite the limitations of the road, is sufficient to serve the existing properties without apparent detriment to the wider highway network. The proposed development, of a single dwellinghouse, would not result in a disproportionate increase in traffic movements to or from the site. In the absence of any concerns from the Highway Authority it would be difficult to argue that a single dwelling would amount to such harm as to create a safety hazard or amenity impact. It is therefore considered that the existing situation provides adequate access, with the current form of the lane capable of dealing with the net increase in traffic resulting from the proposal.
- 6.20 The submitted plans provide adequate on-site parking, creating 4 x off-road parking spaces for vehicles. Sufficient turning space, in line with MfS guidance, has also been provided to enable cars to exit onto the lane in a forward gear. This is considered to provide an adequate level of parking, and a safe ingress and egress into the site.
- 6.21 The Highway Authority does not consider that the proposal for a single dwelling would have a 'severe' impact on the operation of the highway network, and therefore there are no transport grounds to resist the proposal. As such, the proposal is considered to accord with policy 41 of the Horsham District Planning Framework.

Other Matters

- 6.22 It is recognised that objections have been raised on the grounds of drainage and flooding issues; impact on sewage and wastewater disposal; and construction noise and congestion. Where these issues raise material planning issues it is considered reasonable

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and necessary to impose relevant conditions relating to these aspects to ensure that these matters are controlled and managed.

Conclusion

- 6.23 The proposed dwelling is considered to be of a scale, design and form that would be sympathetic to the character and distinctiveness of the site and wider landscape, whilst of a siting and orientation that would not materially harm the amenities of neighbouring properties. In addition, the proposal is considered to provide sufficient parking and turning space on site, with the increased level of activity not considered to result in 'severe' harm to the function of the public highway network. As such, the proposal is considered to accord with policies 3, 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be approved, subject to the following conditions:

- 1 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 No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 No development shall commence until a drainage strategy detailing the proposed means of foul and surface disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and complies with the current Building Regulations as well as Policy 38 of the Horsham District Planning Framework (2015).

- 5 No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: As this matter is fundamental to avoid undue congestion of the site and subsequent obstruction to access and in accordance with policy 41 of the Horsham District Planning Framework (2015).

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- 6 No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the proposed building(s) have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 Prior to the occupation of any part of the development hereby approved full details of all hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan reference 2750-01B rev. B received 03 October 2016. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with policy 41 of the Horsham District Planning Framework (2015).

- 9 No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the details as shown on approved plan reference 2750-01B rev. B received 03 October 2016

Reason: To provide alternative travel options to the use of the car in accordance with policy 41 of the Horsham District Planning Framework (2015).

- 10 No development above ground floor slab level of any part of the development hereby permitted shall take place level until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).