



TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Retrospective application for a new vehicular crossover to highway, serving Millers Mead and the refurbishment of 2 no existing crossovers - accessing land to the rear of Millers Mead

SITE: Millers Mead Nuthurst Street Nuthurst Horsham

WARD: Nuthurst

APPLICATION: DC/16/2062

APPLICANT: Mr Tingey

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations received contrary to the officer recommendation

RECOMMENDATION: That planning permission is granted.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application is seeking planning permission for the formation of a new vehicular access and associated hard-standing serving Millers Mead and the refurbishment of two existing vehicular accesses that serve land to the rear of Millers Mead. The application does not propose any change of use of the paddock to the rear of the site.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises a single storey dwellinghouse on the eastern side of Nuthurst Street, a classified road, and adjoining land, in use as a paddock which extends to the rear of Winthrift, Micklethrift, Millers Mead and Meadcot. Nuthurst does not have a defined built-up area boundary and is therefore an unclassified settlement.
- 1.3 The site and immediate surroundings have a semi-rural character with sporadic pockets of residential development, made up of an eclectic mix of single and two-storey house types with varying plot sizes bounded by hedges with a high degree of vegetation in and around the properties enhancing the village's attractive visual amenity.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework (2015), the following policies are of relevance:-

HDPF 25 - The Natural Environment
HDPF 26 - Countryside Protection
HDPF 32 - Strategic Policy: The Quality of New Development
HDPF 33 - Development Principles
HDPF 40 - Transport and Access

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Nuthurst Neighbourhood Plan was 'made' in October 2015 and forms part of the development plan. The application site has not been allocated within the Plan.

PLANNING HISTORY

| | | |
|------------|--|------|
| N/4/62 | Proposed vehicular access. | PER |
| N/46/63 | Proposed garage. | PER |
| DC/15/1641 | Prior notification for a single storey rear extension that would extend to a depth of 6m, with an eaves height of 2.7m and an overall height of 3.3m | PANR |

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 None received.

OUTSIDE AGENCIES

- 3.2 WSCC Highways Authority: No objection. The proposed would not have a '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. The crossovers have not been implemented to current WSCC specification and the applicant would be required to apply for the required licence agreements which may require reconstruction of the access points.
- 3.3 WSCC Rights of Way: No objection.
- 3.4 Nuthurst Parish Council – Object, the crossovers contravene the principles of the neighbourhood plan and Parish Design Statement, are not necessary to access the rear part of the site which has recently been serviced with water and electricity.

PUBLIC CONSULTATIONS

3.5 24 representations have been received objecting for the following reasons:-

- Design
- Highway Access and Parking
- Loss of General Amenity
- Overdevelopment
- Privacy, Light and Noise
- Trees and Landscaping
- Contrary to the Nuthurst neighbourhood plan and Parish Design Statement

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 main issues in the determination of this planning application are the principle of the development, the impact on visual amenity, neighbouring amenity and highways issues.

Principle

6.2 The new crossover would provide vehicular access to off-street parking associated with the residential use of Millers Mead, with the two remaining crossovers allowing for improved access to the paddock at the rear of the site. The proposal is associated with existing uses and would not lead to a significant increase in the overall level of activity, it is not therefore considered to represent a form of development which is inappropriate to the countryside location and there is no conflict with policy 26 of the HDPF.

Visual amenity

6.2 There are a number of crossovers and associated access drives to residential properties along Nuthurst Street of varying width and construction, and in this context the proposed crossovers would not appear incongruous or unsightly. The frontage to Millers Mead is currently open and this contrasts with adjoining properties which feature established hedgerows in keeping with the semi-rural character of the area. A condition is therefore recommended to secure a landscaping scheme and new planting to the frontage of the Millers Mead section of the site.

6.3 It is considered, for the reasons outlined above and subject to the recommended landscaping condition, that the proposal would preserve the prevailing character and appearance of the street and wider semi-rural area, and complies with policies 25, 32 and 33 of the HDPF.

Neighbouring Amenity

- 6.3 The proposal does not entail or facilitate a change of use of any part of the site and there would not be a material increase in vehicular movements to or from the different parts of the site. The proposal would not therefore be expected to result in harmful levels of noise or disturbance for adjoining residents. The proposal is therefore considered to comply with policy 33 of the HDPF.

Highways Impact

- 6.4 Nuthurst Street is a classified highway with a speed limit of 40 mph. The crossovers subject of this application do not meet current standards for visibility splays, this is though also true of existing access points to adjoining properties. There are no records of accidents within the last three year period which suggests that all accesses are operating safely. The Highway Authority has commented that recent speed survey data on Nuthurst Street indicates that vehicle speeds are below 34mph and the road is lightly trafficked, with average daily vehicular movements below 500 in each direction. In this instance, and for the reasons outlined above, the visibility splays associated with each crossover are considered acceptable.
- 6.5 The application does not include a change of use of any part of the site and the proposal would therefore not be expected to result in a material increase of vehicular movements to or from the site(s). The layout allows for vehicles to stop clear of the highway while accessing and egressing and no obstruction would therefore result. The Highway Authority has not objected to the application and there are considered to be no compelling reasons to refuse the application on transport grounds, the proposal would not create a safety hazard for users of adjoining highways and complies with policy 40 of the HDPF. An informative is though recommended to remind the applicant of the need to secure consent from the Highway Authority.

Other considerations

- 6.6 A number of representations have been received objecting on the basis of a potential future change of use to the rear paddock. The application does not though propose a change of use and the refurbished northern access and new access to Millers Mead would not facilitate or make any change of use inevitable. Any future material change of use which required planning permission would be considered on its own merits having regard to the relevant planning policy in force at the time of an application. The possible future use of the land would not therefore be a reason to refuse this application. It should though be noted that the Council's Compliance Team is monitoring the situation.

Conclusion

- 6.7 The proposal would not result in harm to visual or neighbouring amenities and would not result in a highway safety hazard.

7. RECOMMENDATIONS

- 7.1 It is recommended that outline consent is granted, subject to the following conditions:
- 1 A list of the approved plans
 - 2 Within 3 months of the date of this decision full details of soft landscaping works, which shall include new planting, to the frontage of Millers Mead shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape

scheme shall be fully implemented in accordance with the approved details within the first planting season following the approval of the landscaping scheme. Any plants, which within a period of 5 years, 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 the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

The applicant is advised to contact the Highway Licencing Team (tel: 01243 642105) to obtain formal approval from the Highway Authority to regularise the site access works on the public highway.

Background Papers: DC/16/2062