



PLANNING COMMITTEE REPORT

TO: Planning Committee (North)
BY: Development Manager
DATE: 7 March 2017
DEVELOPMENT: Change of use and extension of existing office building to provide 4no. 1-bedroom residential flats and 1no. studio flat
SITE: Landmark House 75 Station Road Horsham West Sussex
WARD: Roffey South
APPLICATION: DC/16/1760
APPLICANT: Mr Dennis Guile

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received which are contrary to the Officer recommendation

RECOMMENDATION: That delegated powers be granted to the Development Manager to approve the application subject to the conditions as set out in paragraph 7 of this report and the completion of a section 106 agreement to secure either an on-site affordable unit or a financial contribution

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

1.1.1 The application seeks full planning permission for a change of use of the existing building from office to 3 self-contained residential units with a two storey extension proposed to form a further 2 units to the north eastern section of the site.

1.1.2 The development would provide one studio unit and four 1-bedroom units. Three car parking spaces are proposed as part of the development with the undeveloped curtilage providing communal outdoor space.

1.2 DESCRIPTION OF THE SITE

1.2.1 The application site comprises a three-storey end-terrace building with a pitched roof featuring front and rear gables, the northern section of the site providing surface parking with soft landscaping to the perimeter. The building was previously in office use (within Class B1a) however it is understood to be currently vacant. The building is located at the junction of Station Road and North Street.

- 1.2.2 Station Road is dominated by two-storey dwellinghouses of a consistent two-storey form arranged in semi-detached pairs or short terraces. This contrasts with the less coherent character of North Street, which is marked by the rear boundary of properties on Station Road and substantial former commercial buildings, two/three storeys in height, which have recently been converted to residential (Horsham Gates).
- 1.2.3 The site is situated in a sustainable location in close proximity to Horsham town centre. The nearest bus stop is 80 metres south west of the site and the train station is a five minute walk. Retail, restaurants, leisure, schools and other amenities are within walking distance.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

- 2.1.1 The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

- Section 1: Building a strong, competitive economy
- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality housing
- Section 7: Requiring good design
- Section 14: Presumption in favour of sustainable development

- 2.2.2 National Planning Policy Guidance 2014 (NPPG).

2.3 RELEVANT COUNCIL POLICY

- 2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 1 – Strategic Policy: Sustainable Development
 Policy 3 – Strategic Policy: Development Hierarchy
 Policy 5 – Strategic Policy: Horsham Town
 Policy 9 – Economic Development
 Policy 15 – Strategic Policy: Housing Provision
 Policy 16 – Strategic Policy: Meeting Local Housing Needs
 Policy 24 – Strategic Policy: Environmental Protection
 Policy 32 – Strategic Policy: The Quality of New Development
 Policy 33 – Development Principles
 Policy 35 – Strategic Policy: Climate Change
 Policy 37 – Sustainable Construction
 Policy 40 – Sustainable Transport
 Policy 41 – Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

- 2.4.1 The un-parished part of "Horsham Town" (that being the Forest, Denne and Trafalgar Neighbourhood Council areas) was designated as a Neighbourhood Forum (Horsham Blueprint) on 5 June 2015.

2.5 PLANNING HISTORY

HU/9/91	Erection of 3-storey office block, alterations to vehicular access & car parking Site: 75 Station Rd Horsham	PER
DC/15/2863	Change of use of existing office building, to be converted to 3 residential flats, and construction of 3 new 2 bedroom residential flats	WDN
DC/16/1565	Prior approval change of use of existing three storey office building to be converted to 3 No two bedroom flats. No parking spaces to be included in the development, existing vehicle crossover to be removed and pavement made good	WDN

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.

3.2 INTERNAL CONSULTATIONS

3.2.1 **Environmental Health** – No objection subject to conditions requiring a scheme of works to reduce the intrusion of noise to all habitable rooms to be drawn up which has regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation to habitable rooms and requiring a remediation strategy to be submitted should any contamination be found to be present at the site.

3.2.2 **Economic Development** – Objection to application on the grounds of a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies and the proposal would be contrary to Policy 9 of the HDPF.

3.3 OUTSIDE AGENCIES

3.3.1 **Southern Water** – No objection subject to noting that a public water trunk main lies in the immediate vicinity of the site and its exact position should be determined and all existing infrastructure protected during the course of construction works. Additionally, an informative should be added requiring a formal application to be made to Southern Water for connection to the public sewerage system.

3.3.2 **WSCC Highways** – No objection subject to conditions.

3.3.3 **Horsham District Cycling Forum** – Object on the grounds of an absence of cycle parking, the lack of cycle lanes on either Station Road or North Street and the difficulty for a cyclist travelling north to turn right into Station Road from North Street without needing to change lanes or dismount and using the crossing.

3.4 PARISH COUNCIL

3.4.1 Horsham Forest Neighbourhood Council objects to the application on the following grounds:

- Overdevelopment of the site
- Unsustainable and unsuitable accommodation commensurate with the Horsham area

- Concerned with the level of parking provision and the pressures this under-provision puts on surrounding streets and neighbours
- WSCC standard is for one space per property and this will not be achieved with this proposal
- Positioning of this development between a major road into Horsham and a feeder road usually blocked with traffic

3.5 PUBLIC CONSULTATIONS

3.6.1 16 letters/emails of objection from 9 households have been received which raise the following concerns:

- Lack of car parking provision
- Additional pressure for on-street car parking spaces
- Site currently used as overflow parking
- Not sensible to assume that future residents will use public transport
- Consideration for extension of residents only parking restriction
- Overbearing impact on neighbouring properties
- Loss of trees on the site
- Flooding issues with site
- Impact of construction vehicles on local road network
- Overdevelopment of the site
- Noise concerns for future residents
- Offices should be retained for small start-up businesses
- Size of proposed units

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 consideration of the application are:

- Principle of development
- Impact on character and appearance of the streetscene
- Highway safety and parking provision
- Impact on occupiers of neighbouring properties
- Amenity of future occupiers

Principle of development

6.2 The existing building provides approximately 210sqm of office accommodation. The Council's Economic Development team have raised an objection to the application on the basis that there is a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies and the proposal would be contrary to Policy 9 of the HDPF which seeks to retain employment sites and premises. It is acknowledged that the proposal would result in the loss of commercial floorspace and it is

noted that whilst the building is currently vacant there is no evidence to suggest the premises is no longer or is genuinely redundant for such a use, with no evidence that attempts were made to re-let the premises as a commercial use. Discussions with the agent confirm that the building has been vacant since December 2015 and that at the time the owner undertook discussions with a local agent (believed to be Colyer Commercial Consultant Surveyors) as to the likelihood of re-letting the property. It has been advised that they were not confident that a tenant could be found for the property and that on that basis, and given that the buildings at Horsham Gates were being converted from office to residential, the building was not marketed for commercial use. Given that the applicant did receive some advice on the likelihood of re-letting the building for a commercial use and that that advice was not positive, combined with the limited size of the unit, it is considered that the conversion of the building to residential is acceptable. It is worth noting that subject to certain criteria being met, the conversion of office buildings to residential can be undertaken as permitted development.

- 6.3 Policies within the HDPF seek to direct new development to the main settlements of the District to ensure that the countryside is protected from inappropriate development. The site is located within the built-up area boundary of Horsham, categorised as 'Main Town' in the HDPF and is therefore sited in a settlement that has "*...a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.*" The principle of providing residential accommodation in this location is therefore supported.
- 6.4 Policy 16 of the HDPF states that on sites providing between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or, where on-site provision is not achievable a financial contribution equivalent to the cost of providing the units on site. The proposed development would therefore be expected to provide one affordable unit or an equivalent financial contribution.

Impact on character and appearance of the streetscene

- 6.5 Policy 32 of the HDPF requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. It further requires development to provide an attractive, functional, accessible, safe and adaptable environment which complements locally distinctive characters and heritage of the district. Policy 33 relates to development principles and requires development, amongst other matters, to recognise any constraints that exist, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.6 The existing gable fronted building provides three-storeys of office accommodation, partly within the roof space, which complements the adjacent terrace row of housing in a relatively sensitive manner, reflecting the vertical emphasis of Station Road. The site incorporates a large area of open curtilage which is currently allocated for car parking. It is considered that there is scope to accommodate additional development on this open section of the site subject to the resulting building being of a high standard of design and relating sympathetically to the built surroundings.
- 6.7 Following amendments to the original scheme to reduce the scale and footprint of the extension, it is considered the proposal now reflects the form and detailing of the existing building and neighbouring terrace and would be of a scale and form that would be appropriate in this location. It is therefore considered that the proposed scheme for the conversion and extension of the site is compliant with policies 32 and 33 of the HDPF which seek to conserve and enhance the built environment.

Highway safety and parking provision

- 6.8 Policy 40 of the HDPF states that development will be supported where it, amongst other things, provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.9 The development would create 5 self-contained residential units with limited on-site parking provision. The site is in a sustainable location where other means of transport are available. It is understood that the existing parking area associated with the currently vacant office building may be being used by local residents. While the development would result in increased demand for on-street parking, there is no evidence to suggest that this could not be accommodated in surrounding streets, or that additional parking would create a highway safety hazard, particularly when trip generation from an existing office use is taken into account.
- 6.10 West Sussex County Council, as the Local Highway Authority, have advised that they would not raise highway safety concerns with the level of car parking spaces proposed and that comprehensive parking restrictions in the vicinity would deter any overspill parking in locations that would be deemed a detriment to highway safety. They have further advised that they do not consider that the development will cause a 'severe' residual effect on the safety of the nearby highway network and thus it accords with Paragraph 32 of the National Planning Policy Framework.
- 6.11 While no details of secure cycle parking facilities have been identified, there is sufficient space within the boundary of the site to make such provision, and further details are to be secured through condition.
- 6.12 For the reasons outlined above, it is considered that the proposed development would not have an adverse impact on the local highway network in terms of the level of activity at the site and highway safety. The proposal therefore complies with Policy 40 of the HDPF.

Impact on occupiers of neighbouring properties

- 6.13 Policy 33 of the HDPF requires development, amongst other matters, to not cause unacceptable harm to the amenity of surrounding occupiers.
- 6.14 The siting of the proposed extension, which has been significantly reduced from that as originally submitted, and the remaining separation from adjoining properties would be sufficient to prevent any harmful loss of light or outlook to neighbouring occupants. The introduction of additional residential units into a predominantly residential area would not be expected to generate harmful levels of noise or disturbance, with Building Regulations sufficient to prevent harm to the abutting terraced property, no. 73 Station Road, through noise transference.

Amenity of future occupiers

- 6.15 The development would create five self-contained residential units on the site which would be sited in close proximity to North Street and its junction with Station Road, with North Road in particular being an active noise source. A noise assessment of the site has been undertaken and a report has been submitted which the Council's Environmental Health team are satisfied with subject to a condition requiring a scheme of works to reduce the intrusion of noise to all habitable rooms to be drawn up which has regard to the requirements of BS8233:2014 and includes provision for appropriate alternative ventilation to habitable rooms.

6.16 Other issues

While the representation regarding flooding is noted, the development would create an opportunity to provide increased soft landscaping at ground floor level which would potentially reduce surface water run-off. Further details of landscaping and surface water drainage are recommended to be secured by condition.

Conclusion

- 6.16 For the reasons as set out above, it is considered that the proposal meets the policy requirement to provide a range of housing in the District and will not have a significant adverse impact on the character and appearance of the streetscene, highway safety or the privacy and amenity of occupiers of the neighbouring residential properties sufficient to warrant refusal of the application.

7. **RECOMMENDATIONS**

- 7.1 It is recommended that delegated powers be granted to the Development Manager to approve the application subject to the conditions as set out below and the completion of a section 106 agreement to secure either an on-site affordable unit or a financial contribution:

- 2 **Standard Time Condition:** 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 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- a. method of access and routing of vehicles during construction
- b. the parking of vehicles of site operatives and visitors
- c. loading and unloading of plant and materials
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoarding, where appropriate
- f. the provision of wheel washing facilities if necessary
- g. measures to control the emission of dust, dust and noise during construction
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of occupiers of neighbouring residential properties; during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** A scheme of works to reduce the intrusion of noise to all habitable rooms shall be drawn up. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation to habitable rooms where appropriate. The scheme shall be submitted to and approved in writing by the local planning authority. The scheme as approved by the local planning authority shall be fully installed before the development is occupied.

Reason: Reason: In the interests of amenity of future occupiers of the properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** 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) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted 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 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works 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 first occupation of any part of the development. 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).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan S15/LHH/39 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and

approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** The development/use hereby approved shall be carried out in accordance with the Noise Impact Assessment dated 23 January 2017 and prepared by KP Acoustics Ltd.

Reason: In the interests of amenity of future occupiers of the properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

Background Papers: DC/16/1760