



TO: Planning Committee
BY: Development Manager
DATE: 21 March 2017
DEVELOPMENT: Erection of a new house on land adjoining Patuca, Bracken Lane, Storrington, creation of new vehicular and pedestrian access on to Bracken Lane together with minor alterations to Patuca
SITE: Patuca Bracken Lane Storrington Pulborough
WARD: Chanctonbury
APPLICATION: DC/16/2155
APPLICANT: Mr Stuart Oldroyd

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation contrary to the Officer's recommendation have been received

RECOMMENDATION: To grant planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks full planning permission for the construction of a detached four bed room dwelling with integral single garage on land to the south of Patuca. The proposed dwelling would be 10.35 metres wide at its widest point, and 11.65 metres deep at its furthest point. The height of the dwelling would range from 7.5 metres to the ridge to 7.7 metres due to the slope of the land. A new vehicular crossover would be provided onto Bracken Lane, which is a private road. As part of the application the existing conservatory on the southern elevation of Patuca would be removed, and two windows at first floor level blocked up. New windows would be proposed at first floor level in the western and eastern elevation.

DESCRIPTION OF THE SITE

1.3 The application site is located within the built up area boundary of Storrington with the built up area boundary running through the garden area immediately to the west of the host dwelling Patuca. Within the area of land to the west of Patuca are a group of trees covered by a group Tree Preservation Order. The site is located to the south of Patuca and also forms part of its garden area. The site is on higher land than the host dwelling which is a detached two storey property with a detached double garage.

- 1.4 The access to the site would be provided from Bracken Lane which is to the east of the site. A section of the fir hedge to the eastern boundary would be removed to form the new access, whilst within the site the existing pond would be filled in and three trees removed. To the south of the site is the residential dwelling Columbine which is a two storey detached property. The area is characterised by large, detached properties of differing designs sited on spacious plots with mature planting giving a semi-rural appearance.

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
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment
- 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
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF40 - Sustainable Transport
- HDPF41 - Parking
- HDPF15 - Strategic Policy: Housing Provision
- HDPF24 - Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF31 - Green Infrastructure and Biodiversity
- HDPF37 - Sustainable Construction

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Thakeham Neighbourhood Plan will proceed to Referendum following an agreement between HDC and Thakeham Parish Council to accept the Examiner's recommendations. A decision statement will be prepared and the date of the Referendum will be agreed shortly.

PLANNING HISTORY AND RELEVANT APPLICATIONS

T/3/86	Erection of a dwelling and double garage From old Planning History	Application Permitted on 21.02.1986
T/1/94	Erection of new double garage use of existing garage as a playroom hobbies room as amended by letter received 15 2 94 Site Patula Bracken La Storrington	Application Permitted on 21.02.1994
T/28/94	1.6 m high fence with landscaping	Application Refused on

	Site Patuca Bracken Lane Storrington	26.07.1994
T/40/94	Erection of a 1.6 metre high fence Site Patula Bracken Lane Storrington	Application Permitted on 31.01.1995
T/49/95	Use of land as domestic garden Site Patuca Bracken Lane Storrington	Application Permitted on 20.12.1995
T/6/97	Conservatory Site Patuca Bracken Lane Storrington	Application Permitted on 09.04.1997
DC/15/1679	Erection one dwelling and creation of new vehicular and pedestrian access	Application Refused on 19.11.2015
DC/16/0684	Erection one dwelling and creation of new vehicular and pedestrian access - Revised scheme	Application Refused on 18.05.2016

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.

INTERNAL CONSULTATIONS

- 3.2 **Archaeology** – No objection.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Council Highways** – No objection, one additional dwelling using the Bracken Lane/Rock Road junction would not result in a material intensification of use at this point of access. No highway safety or capacity concerns would be raised to the proposal.

PUBLIC CONSULTATIONS

- 3.4 **Thakeham Parish Council** – No objection.

- 3.5 **Washington Parish Council** – Object, the previous reasons for refusal have not been overcome, there would be an increase in traffic in Heath Common and the proposal would be an unsympathetic form of development out of character with surrounding development.

- 3.6 **Nineteen letters** have been received objecting to the application from fourteen separate households on the following grounds;

- Overdevelopment of area
- Contrary to Heath Common Village Design Statement (VDS)
- Proposal would result in further access onto Lanes contrary to VDS
- Reasons for dismissal of appeal remain
- Lanes cannot sustain additional traffic
- Loss of trees
- Not in harmony with general area of large gardens
- Highways safety concerns due to narrow nature of lanes, lack of pavement, visibility at junction, and increased danger for walkers, horseriders and cyclists
- Proposal will set a precedent

- Noise from extract fans and potential air source heat pumps would have an adverse impact on neighbouring properties.
- Site is not previously developed land

3.7 **Heath Common Residents Association** has also objected to the application on the following grounds;

- The proposal does not adequately address concerns raised by appeal Inspector
- Concern remains with regards to the height of the dwelling, the space to the boundary and highways.

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

Principle

6.1 The application site is located within the built up area boundary of Storrington and Sullington which is categorised as a small town or larger village within policy 3 of the HDPF. Small towns or larger villages are categorised as settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. Development will be permitted within towns and villages which have defined built up areas provided that any infilling or redevelopment can demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement. The principle of development is therefore considered acceptable subject to detailed considerations. The built up area boundary in this instance is located to the rear of the residential dwelling Patuca, with the dwelling itself located within the built up area boundary and the rear garden located outside of the defined built up area boundary. The proposed dwelling would be sited within the built up area boundary whilst its garden similarly to the host dwelling Patuca would be outside of the defined built up area boundary.

Character and appearance

6.2 Policy 33 of the Horsham District Planning Framework, which reflects guidance within the NPPF, seeks to ensure that development is of a high quality, well designed and takes account of the existing character of the area. The site is located within Heath Common, with the Heath Common Village Design Statement stating that new dwellings should:-

- reflect the traditional styles of the Heath Common Area,
- any new dwellings should reflect the topography of the site, nestle within the contours and blend sympathetically with the surrounding environment,
- proposals should demonstrate the size of the planned building is appropriate for the plot size, setting and overall context of the area,

- Any new single dwelling development must not create a new access onto the Lanes network
- Any new dwellings should not be of a height which would dominate nearby dwellings, thereby leading to a loss of amenity for neighbours.

- 6.3 The site has been the subject of two previous applications for a single dwelling which were refused, reference DC/16/0684 and DC/15/1679. The most recent application, DC/15/1679, was dismissed at appeal. The Inspector's decision is a material consideration in the determination of the current application. The Inspector noted that the main issues in the determination of the application were the effect of the proposal on the character and appearance of the area. The Inspector noted that the *"proposal would be within an existing built up area where, subject to other policy considerations, there would be no objections to the principle of a new dwelling. As shown by the appellant's density analysis of the surrounding pattern of 33 dwellings, this scheme would reflect the average built density of development in this general location."*
- 6.4 With regards to the immediate confines of the site and the scale of the previous scheme the Inspector noted the *"proposal would not reflect the character of the well-proportioned dwellings set in spacious plots. The dwelling proposed would be of bulky proportions, providing for the appearance of substantial mass, and due to the relatively short distances to the boundary to either side, would appear cramped and visually over-dominant in comparison with the spacing and design of the nearby surrounding housing."*
- 6.5 The proposed dwelling has been reduced in size and the distance to the boundaries of the site increased, notably it has been reduced in width from 17.2 metres to 10.5 metres with the ridge height reduced from 8.5 metres to 7.7 metres. The current scheme increases the separation distances to 8.15m to Patuca (from 3m) and 14.1m to Columbine (from 12.7m).
- 6.6 It is considered that the reduction in the size of the dwelling and its repositioning in the site overcomes the previous reasons for refusal relating to the size of the dwelling and its impact on the character of the area raised by the appeal Inspector. It is considered that the reduction in the height of the dwelling results in the dwelling integrating with its surroundings and would not be overly dominant. The surrounding plots are a mixture of plot sizes, including those comparable to the application site, notably Columbine - immediately to the south.
- 6.7 The proposed siting reflects adjoining properties and would not impact upon any protected trees, which are located to the rear of the site (rather than the frontage). A Tree Protection Plan has been submitted and a condition recommended to secure that appropriate measures are put in place during construction works. The impact on trees was not raised as a concern as part of previous applications on the site, and there are no reasons to take a different view as part of the current application.
- 6.8 For the reasons outlined it is considered that the proposed dwelling would be appropriate to its plot size and would enable the character and appearance of the area to be maintained. It is considered that the proposed layout would now retain the character of spaciousness identified by the appeal Inspector and therefore the proposal would meet the requirements of policy 32 and 33 of the HDPF and the design requirements reflected in the NPPF.

Impact on neighbouring amenity

- 6.9 The creation of an additional dwelling into an established residential area would not be expected to generate harmful levels of noise or disturbance for adjoining residents. The dwelling would be sited a considerable distance from shared boundaries, with the resulting separation sufficient to prevent any harmful loss of light or outlook to neighbouring

properties. It is therefore considered the amenity impacts of the proposal are acceptable, and accord with policy 33 of the HDPF.

Highways

- 6.10 Concern has been raised with regards to the highways access, and the increase in use of the Lanes. The Highway Authority has considered the proposal and has stated that one additional dwelling using the Bracken Lane/Rock Road junction would not result in a material intensification of use at this point of access.
- 6.11 The proposal would result in the provision of 4 parking spaces (one within a garage) which would meet the requirements of the WSCC Parking Calculator. The Highways Authority has carefully considered the application and do not consider that the proposal 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'.
- 6.12 It is also noted that the previous proposals were not refused on highway impact, and there is no material change in circumstance in highways terms since the previous decisions were made.

Conclusion

- 6.13 It is considered that the proposed development would represent a form of development which would retain the character of the streetscene and would not appear overly prominent. It is considered that the proposed dwelling would reflect the grain of development within the locality. It is therefore considered that the proposal complies with policy 32, 33 and 41 of the HDPF.

7. RECOMMENDATIONS

- 7.1 That the application is approved subject to the following conditions;

1 A list of the approved plans

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 commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing number MD4, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place

within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the approved landscaping scheme and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity 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 foul and 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 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:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding, where appropriate
- v. the provision of wheel washing facilities if necessary
- vi. measures to control the emission of dust and dirt during construction
- vii. 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 neighbouring properties; during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **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 approved 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).

- 8 **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).

- 9 **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).

- 10 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number PL-08 Rev D. The cycle parking facilities shall thereafter be retained as such for their designated use.

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 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, visibility splays for the access(es) serving the development shall be provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. 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 and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 12 **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 15078/TK04 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).

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which

fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2155, DC/15/1679 & DC/16/0684