



TO: Planning Committee
BY: Development Manager
DATE: 21 March 2017
DEVELOPMENT: Erection of 1 x end of terrace dwelling
SITE: 16 Southview Terrace Henfield West Sussex BN5 9ES
WARD: Henfield
APPLICATION: DC/16/1783
APPLICANT: Ms Suzanne Sutherland

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received contrary to Officer recommendation

RECOMMENDATION: To permit application subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for an end of terrace dwelling to the west of the existing row of terraces. The proposed dwelling would extend to a width of 4.7m and a total depth of 20m on the lower ground floor, with the ground floor above extending to a depth of 14.8m, with terrace extending to an additional 2.5m. The proposal would extend across four floors, and would measure to an overall height of 9.3m to match the ridge height of the adjoining properties.
- 1.3 A two storey bay window feature would be positioned to the front of the proposed dwelling, extending to a height of 7.1m, with the single storey projection to the rear extending to a height of 3.9m to provide a first floor terrace.
- 1.4 The proposal would be finished in matching materials to the adjoining properties, and would provide a master bedroom with ensuite, dining/kitchen room to the lower ground floor; an entrance hall, w.c, study and living room on the ground floor; living area/kitchenette, bedroom with ensuite on first floor; and bedroom on second floor.

DESCRIPTION OF THE SITE

- 1.5 The application site lies on the north side of Southview Terrace, a private lane, within the built-up area and designated Conservation Area of Henfield. The site is set to the rear of a

number of dwellings positioned to the south of Nep Town Road, with access provided off of Weavers Lane, and on street parking provided to the south of the street.

- 1.6 The site itself incorporates a single storey side garage with balcony over, which is bound with a close-boarded fence to the east, and a public right of way which extends adjacent to the boundary. The site is positioned at the end of a row of terraced dwellings of similar size and appearance, all of which include small rear gardens.
- 1.7 All of the neighbouring properties are slightly stepped up from the street, with a basement level provided.

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

NPPF12 - Conserving and enhancing the historic 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

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

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

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/69/81	Garage. (From old Planning History)	PER
DC/06/2976	Removal of existing garage roof and formation of roof terrace and conservatory	REF

DC/07/0617	Removal of existing garage roof to create roof terrace	PER
DC/12/1793	Two storey side extension to replace existing single storey garage with roof terrace (Full Planning)	PER
DC/16/2623	To create a self-contained flat in the lower ground floor of an existing house	PCO

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 **Design and Conservation Officer:** No Objection

OUTSIDE AGENCIES

- 3.3 **West Sussex Highways:** No objection subject to conditions.

- 3.4 **West Sussex Public Rights of Way:** No Objection

- 3.5 **Southern Water:** No Objection, subject to conditions.

PUBLIC CONSULTATIONS

- 3.6 **Parish Council:** Objection on the grounds of insufficient parking provision.

- 3.7 73 letters of objection were received from 38 households, and these can be summarised as follows:

- Out of character – size and frontage
- Lack of parking provision
- Detrimental impact upon access provision
- Issues with construction traffic
- Safety implications on construction, parking provision, and neighbouring properties
- Out of keeping with Conservation Area
- Impact upon adjacent public footpath
- Overdevelopment of plot
- Possible subsidence and need for retaining wall
- Overlooking from canted bay window
- Impact on public footpath
- Overdevelopment of site

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 a two storey (plus basement and attic level) end of terrace dwelling.

Principle of Development

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any redevelopment 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 is positioned within the built-up area of Henfield which is categorised as a “Small Town and Larger Village” under policy 3 of the HDPF. These settlements are defined as having a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services. The settlements act as hubs for small villages to meet their daily needs, but also have some reliance on large settlements/each other to meet some of their requirements.
- 6.4 The site is located within the built-up area, where there is a presumption in favour of development, subject to any infilling demonstrating that it is of an appropriate nature and scale to maintain characteristics and function of the settlement. As such, the principle of the development is considered acceptable, subject to all other material considerations.

Character of the site and surroundings

- 6.5 Policies 25, 32 and 33 of the Horsham District Planning Framework promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.6 The street scene is characterised by a row of Victorian terrace dwellings that are positioned along a continuous build line. The row of terraced dwellings is of uniform appearance, albeit with a number which have been individually painted. The proposed form and appearance of the proposed dwelling has been amended to reflect the remainder of the terrace row. The proposed height and bay window features would positively reflect that of the surrounding built form, with the proposed dwelling appearing as a continuation of the terrace.
- 6.7 The proposal has been amended as part of the application process to better reflect the character, appearance and vernacular of the existing terrace. The resulting building is considered to represent a sympathetic addition which would be in keeping with the built surroundings. Whilst the width of the plot and proposed dwelling would be slightly different than adjoining properties this is not considered to be of a manner which would detract from the overall character and appearance of the site and surroundings. As such, the proposal is considered to relate sympathetically with the build pattern, character and distinctiveness of the site and surroundings, in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

Amenities of the occupiers of adjoining properties

- 6.8 Policy 33 of the Horsham District Planning Framework states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.9 The proposal would mirror the depth of the adjoining terrace from ground level and above, with this arrangement considered to prevent any harmful loss of light or outlook for the adjoining property (no. 16), with the resulting relationship reflective of the wider terrace. The additional projection at basement level would be partly excavated into the ground and this would reduce the height and massing along the shared boundary with no. 16, such that no harm to light or outlook to adjoining windows at basement level would result.
- 6.10 The neighbouring properties are positioned along a continuous build line, all of which sit on similar ground level, with the adjacent properties to the north stepped down from the site. The layout of the proposed windows are considered to be similar to the established layout of neighbouring properties, and it is therefore considered that views from the proposed dwelling itself would result in no further harm to the amenities of neighbouring properties. High level windows would be incorporated within the side elevations of the single storey basement projection with overlooking to the adjoining property prevented by the proposed garden arrangement.
- 6.11 It is recognised that objection has been raised by neighbours over the possible outlook and loss of privacy caused by the canted two storey bay window to the front elevation. However, following amendments this window has been omitted and replaced with a bay to match the remainder of the terrace. Given surrounding properties include a similar style window this is not considered to result in any further harm or overlooking to the neighbouring properties than that already established within the wider terrace.
- 6.12 The proposal would incorporate a rear terrace that would extend to a depth of 2.5m and a width of 3.7m, extending 2m above the highest ground level of the neighbouring property. In response to officer concerns the terrace has been reduced in size and scale with privacy screening proposed along the shared boundary with the neighbouring property. The inclusion of this screen, which is secured through condition, is considered sufficient to reduce the potential overlooking and loss of privacy, with the use of obscure glazing ensuring that a level of light is still able to diffuse through the site.
- 6.13 It is considered that amendments secured as part of the application have resulted in a scheme which reduces the impact on neighbouring properties and ensures that no significant harm upon the amenities and sensitivities of neighbouring properties would result. As such, the proposal is considered to accord with Policy 33 of the Horsham District Planning Framework (2015).

Existing Parking and Traffic Conditions

- 6.14 Policy 41 of the Horsham District Planning Framework states that development should provide safe and adequate parking, suitable for all anticipated users.
- 6.15 A number of objections have been raised to the application based upon the parking arrangement proposed. These objections state that there is insufficient parking along the lane to provide for the existing dwellings, with the addition of another dwelling considered to further strain the parking, traffic and access arrangements. Furthermore, it is highlighted that the highway is a private lane owned by the Southview Terrace Residents Association, and therefore the land proposed for parking is not owned by the applicant.

- 6.16 The existing dwelling of 16 Southview Terrace currently includes an attached garage and parking space to the front, which would be demolished to accommodate the new dwelling. The removal of this parking area will lead to an increase in parking requirements, not only for the new dwelling, but also the existing. It is noted from the representations received that the lane benefits from 8 x parking spaces with any additional vehicles required to park elsewhere in neighbouring roads.
- 6.17 It is proposed to provide 2 x parking spaces to the front of the dwelling, and these would be positioned parallel to the terrace of dwellings. Following amendments, these parking spaces would utilise an area of land to the frontage, and it is noted that part of the site would need to be cleared to provide this parking area. The clearance of the site does not raise any concerns with regards the character or appearance of the site or wider surroundings, with the allocation for parking considered an appropriate measure of mitigation (which can be secured through condition).
- 6.18 Given the location of the site within the built-up area, in reasonably close proximity to the centre of Henfield, the site is considered to be in a sustainable location that has good public transport services. The need for a private vehicle would be reduced with the possibility of using other methods of transportation available. Although it is acknowledged that the introduction of an additional dwelling would lead to further pressure given the existing situation (with uncontrolled street parking available in the vicinity of the site) any impact is not considered to be of such significance as to warrant refusal of the application.
- 6.19 For the reasons outlined the proposed parking arrangement is considered to be acceptable and is not considered to result in harm to the function and safety of the highway network, in accordance with policies 40 and 41 of the Horsham District Planning Framework.

Conclusion

- 6.20 The proposed development is considered to be of a form and appearance that would relate sympathetically to the build pattern, character and distinctiveness of the street scene, whilst of a scale, siting and orientation that would not materially harm the amenities and sensitivities of neighbouring properties, in accordance with Policies 25, 32, 33 and 41 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 That planning permission be granted subject to the following conditions:-

- 1 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 take place, including any works of demolition, unless there is available within the site provision for the storage of materials and equipment associated with the building works; all in accordance with precise details to be approved by the Local Planning Authority in writing before development commences. The approved facilities shall be retained and available for use throughout the period of work required to implement the development hereby permitted unless alternative details are agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety and/or in the interests of amenity and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 5 **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).

- 6 **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).

- 7 **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).

- 8 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the adjoining building.

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

- 9 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

- 10 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until the parking spaces have been provided in accordance with the plans hereby approved (as shown on plan reference 1533-101B received 19.12.2016) and the parking spaces shall thereafter be retained solely for that purpose and solely in connection with the approved development.

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

- 11 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until screening has been erected to the ground floor roof terrace in accordance with drawing no. 1533-210 (B). The screening shall thereafter be retained in strict accordance with the approved plans.

Reason: To safeguard the amenities of the residents of 16 Southview Terrace in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

NOTE TO APPLICANT

Should any building works, demolition or construction encroach upon the PROW then a Temporary Path Closure Order may be required, for which an application must be made to WSCC's RoW Team. Planning permission does not confer consent for such a closure, which requires a separate application to WSCC's RoW Team. Access along the PROW by contractor's vehicles, deliveries or plant is only lawful if the applicant can prove they have a vehicular right. Neither the applicant nor their contractor has a right to obstruct the PROW with parked vehicle(s). Any alteration to, or replacement of, the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with WSCC's RoW Team to ensure the legal width of the footpath is maintained and there is no unlawful encroachment. If the footpath surface is considered damaged as a result of the development then the applicant will be required to make good the surface to a standard satisfactory to WSCC's RoW Team.