



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 16<sup>th</sup> January 2018

**DEVELOPMENT:** Realignment of southern kerb line, resurfacing of existing road and footpaths together with introduction of areas of soft landscaping.

**SITE:** Robell Way Storrington West Sussex RH20 3DW

**WARD:** Chantry

**APPLICATION:** DC/17/2111

**APPLICANT:** **Name:** Mr Glenn Pendry **Address:** BDW House Walnut Tree Close Guildford GU1 4SW Surrey

**REASON FOR INCLUSION ON THE AGENDA:** The Application was deferred by Members at Planning Committee South on 21<sup>st</sup> November 2017

**RECOMMENDATION:** To grant permission, subject to conditions

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

## **2. INTRODUCTION**

2.1 This application was considered by Members at the Planning Committee South meeting on 21 November 2017.

2.2 At the meeting Members voted to defer the application to a later Committee Meeting to allow further discussions to be had between the Applicant and the adjacent business owners, to find a design solution that improves the appearance of the road but does not restrict access to the commercial units.

2.3 In light of Members' resolution, the Applicant has submitted amended information which seeks to address concerns raised by Members at the committee meeting on 21 November 2017.

## **3. DESCRIPTION OF THE APPLICATION**

4.1 Following the submission of the revised plans as listed above, this Application seeks full planning permission for the following works along Robell Way:

4.2 Works as originally proposed:

- The installation of a new table top to slow vehicles entering and exiting Robell Way

- The re-alignment of the existing kerb and the widening of the southern footpath by 1m, part of which will incorporate a new landscaped verge
- The installation of 2 streetlights
- The installation of 16 bollards along the proposed southern grass verge to prevent vehicle encroachment
- The installation of a 900m post and rail oak fence along the proposed southern grass verge
- The introduction of double yellow lines along the length of Robell Way to restrict parking
- All roads and footpaths to be planed off and resurfaced with new kerbs and drainage grilles as required
- 6mm kerbs are proposed at pedestrian crossing points and along the length of the existing vehicle crossover outside unit 6 for car parking. The remainder of the kerbs are proposed as 125mm

4.3 Under the revised scheme, the Applicant has proposed the following amendments to improve the access arrangement to the northern side of Robell Way (units 7-11 and 18-19). Officers understand that these amendments have been proposed in consultation with the businesses located to the northern side of Robell Way:

- The installation of 6mm kerbs are proposed along the western corner of the entrance to units 7-11 to allow for overrunning of the kerb by vehicles.
- The setting back of the existing pavement and relocation of the existing retaining wall to the western corner of the entrance to units 7-11 to allow for the creation of a new vehicle crossover for access purposes and a small strip of landscaping to the corner.
- The setting back of the existing fence / gate by 4m at the entrance to units 7-11.
- The widening of the existing access road by approximately 5m to units 18-19.
- The removal of 4 existing trees to the northern side of Robell Way

## 5. OUTCOME OF CONSULTATIONS

5.1 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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

5.2 There are no relevant internal consultees.

### OUTSIDE AGENCIES

5.3 **WSCC Highways:** Whilst the revised plans do not resolve the issue regarding the over-running of the footways, the existing tracking plans shows far more over-running of various areas including the footway opposite compared with the proposed situation. In addition, the existing parking along the road is not shown on the existing tracking drawings which would already narrow the carriageway and make manoeuvring difficult. As such, it is likely that the proposed works would constitute an improvement to the current situation.

5.4 Manual for Streets suggests that a width of 5.5m is the minimum width to allow two larger vehicles to pass. This is likely to be too narrow given that HGV's are around 3m in width. A width of 6.2m, as proposed here, should therefore be sufficient.

### PUBLIC CONSULTATIONS

5.5 **Storrington and Sullington Parish Council:** Having spoken with local businesses and listening to their comments, members are concerned regarding the narrowing of the road.

The Parish Council is currently seeking advice from WSCC Highways Experts, requesting that they undertake a site visit.

5.6 9 further letters of objection have been received in relation to the amended plans. The concerns raised can be summarised as follows:

- There has already been a large increase in vehicles accessing the road. The road should be widened to allow for the extra cars and delivery vehicles not made narrower.
- The building of new residential dwellings will mean more cars on the road. With the large vehicles already needing to deliver here it will lead to congestion and will not be safe for residents or school children who use this road.
- The proposed works will increase the risk of an accident with pedestrians and make existing business access harder for articulated lorries.
- To restrict the road width would make the road unusable for existing businesses.
- The original planning consent should not have been granted.
- This needs further investigation, consultation and discussion with the people affected.
- The current plan will restrict access for larger deliveries. The existing access problems will only escalate if the width of the road is restricted.
- Access is currently being frequently restricted by the contractor vehicles attending the building site.
- The proposed planting of trees and hedges would hide school children walking to school from the view of vehicles.
- The entrance to unit 6B needs to be accessed by arctic vehicles regularly, the access currently allows arctic lorries to reverse into the yard but only just and we have to provide a banksman. Narrowing the road would make this dangerous and these vehicles will not be able to access our yard leaving the distance between the entrance and road to be well over 60m which would be unworkable for the business.
- The existing problems caused by the works are immense and narrowing the road will only exacerbate the situation.
- If the road width was deemed necessary before what can be the sense in restricting it further for an increased usage.
- The narrowing of the road is not needed for health and safety reasons but is purely to make the approach to the housing estate more attractive. There is therefore no need for these works.
- Planning permission was granted for the residential development at which point there was no mention of any further demand on this one route into and out of the industrial estate.
- A second access point should have been created to the development if it was the intention of Barratts to narrow Robell Way.
- A narrower road would create health and safety problems between reversing HGV's and those wishing to access the residential site.
- Lorries often need to wait in the road which will restrict access to one way if the road is narrowed.
- The road was designed to meet the needs of the industrial estate and is unable to cope with increased traffic demands from the residential development and the demands of both road users (residential and commercial / industrial).
- Who will enforce the double yellow lines to ensure that two vehicles can always pass on the road?

5.7 3 letters of representation have also been received withdrawing previous objections to the scheme.

5.8 The previous consultation responses (where they have not been updated here) and all previously submitted letters of representation, as summarised within the committee report of 21 November, have also been considered as part of this assessment.

## **6. PLANNING ASSESSMENTS**

- 6.1 This Application was originally heard at Development Management South on 21 November 2017. At the meeting Members voted to defer the application to a later Committee Meeting to allow further discussions to be had between the Applicant and the adjacent business owners, to find a design solution that improves the appearance of the road but does not restrict access to the commercial units. The Applicant has since submitted amended information (as detailed in section 4.0) which seeks to address the concerns raised by Members and the businesses located along Robell Way.
- 6.2 The newly submitted information incorporates an amendment to the red edge, extending the application site further to the north west of the road to incorporate a greater proportion of the entrance way to units 7-11 and 18-19 Robell Way and an area of existing grass verge and landscaping. The amendments proposed through the updated information relate to the northern side of the Road and in particular the entrance way to units 7-11 and 18-19. Officers understand that these amendments have been proposed as a result of discussions between the Applicant and the businesses on the northern side of Robell Way.
- 6.3 To the north west side of the entranceway to units 7-11 the existing kerb radii is proposed as set back to allow for a wider access point for vehicles and in particular lorries. To retain the width of the pavement in this location the existing retaining wall is to be removed and a new retaining wall constructed in a revised position, set back approximately 1m from the existing wall. In relocating the retaining wall, the removal of two existing trees is required. The new positioning of the pavement on the western side of the entrance allows for the creation of a wider entrance into units 7-11. In addition, the Applicant is proposing the creation of a vehicle crossover with a 6mm kerb on this side of the pavement.
- 6.4 Furthermore, the existing access road to units 18-19 is proposed to be widened by approximately 5m to create a large bell mouthed entrance for these units. This involves the removal of a small area of landscaping and the pushing back of the existing pavement to the east of the entranceway.
- 6.5 Objections have been received in relation to the narrowing of the road and the ability of businesses located along the road to continue operating in light of the proposed amendments. Officers are mindful of the need to protect the employment and economic function of Key Employment sites such as the Water Lane Trading Estate in accordance with Policies 7 and 9, whilst also considering the visual amenity of the area in accordance with Policies 32 and 33 which require development to be of a high quality of design and to provide an attractive, functional, accessible, safe and adaptable environment. Policy 40 is also relevant, and requires all development (whether commercial or residential) to provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.6 The previously submitted tracking plans showed that for a 16.5m articulated lorry to reverse into units 7-11 (located to the north east of the road), significant overrunning of the proposed landscaped verge (marked by bollards and a low post and rail timber fence) and existing pavement to the south would be required. Under the revised scheme, the proposed tracking plans demonstrate that through the widening of the entrance way and the creation of vehicle crossover on the north western side, overrunning of the proposed landscaped verge and pavement area to the south no longer occurs. Whilst Officers acknowledge that overrunning of the pavement would still be required to the north west of the entranceway to facilitate access, through the proposed amendments the Applicant has been able to secure the creation of a permanent vehicle crossover point which will ensure that the businesses located in units 7-11 will be able to access their units at all times without overrunning landscaped areas. Whilst it would be preferable to avoid overrunning of the pedestrian pavement, the existing tracking plans demonstrate that overrunning of the southern pavement already occurs for large vehicles to access these units. These plans

have been reviewed by a WSCC Highways Officer who have suggested that the currently submitted plans may constitute an improvement to the current situation. In addition, the amended tracking plans also show that access for a 16.5m articulated lorry can still be achieved for units 18-19 located on the north west side of the road.

- 6.7 With regard to the access for units 1-6 located on the southern side of the road, the tracking plans originally submitted by the Applicant (plan no. 16-052-SK-001) demonstrate that access can be achieved for these units for a 16.5m articulated lorry.
- 6.8 As such, whilst Officers acknowledge that objections have been received in relation to the ability of existing businesses to access their units, having regard to the information submitted, Officers consider that there is no robust evidence to substantiate these claims and as such, Officers have no planning grounds on which a recommendation for refusal could be substantiated.
- 6.9 Officers are aware that concerns have also been raised with regard to the ability of two lorries to pass on Robell Way. In response to these concerns, Officers have sought further guidance from WSCC Highways. The Highways Officer has confirmed that the minimum road width required for two larger vehicles to pass is 5.5m and therefore that the proposed road width of 6.2m is sufficient. At present, cars are able to park on either side of Robell Way without restriction which would also impede access for the businesses along the road. The current proposal includes double yellow lines along the length of Robell Way which would prevent the parking of vehicles from narrowing the road further.
- 6.10 With regard to the proposed trees and their possibility to overhang the road and create narrowing, verbal comments have been received from HDC's Arboricultural Officer who has confirmed that the proposed tree types are narrower in their growth and as such unlikely to create problems through overhanging the road. Notwithstanding this, Officers are mindful of objectors concerns and have therefore recommended the conditioning of a Landscape Management Plan which will set out who is responsible for the long term maintenance and management of the landscape areas (including the proposed trees). With regard to the loss of 4 of the existing trees along Robell Way, verbal comments have been received from HDC's Arboricultural Officer who has not raised any objections to their removal.
- 6.11 Questions have further been raised by objectors with regard to the need for the proposed works however, Policy 1 of the HDPF states that when considering development proposal the council will take a positive approach that reflects the presumption in favour of sustainable development. As such, planning applications that accord with the policies set out in the HDPF must be approved without delay unless other material considerations indicate otherwise. Officers consider that as proposed, the application does accord with the Policies set out in the HDPF and as such, Officers have no planning grounds of which to recommend this application for refusal.
- 6.12 Furthermore, Officers note that objections have been received in relation to the use of Robell Way as the main access point to the Barratts Development site (approved under DC/15/2788). Notwithstanding these concerns, planning permission has been granted for this development and therefore the principle of using Robell Way for access has already been established through this permission. This application is therefore unable to consider the suitability of Robell Way as an access point for the development and is only able to consider the application in the context of the works proposed.
- 6.13 In summary, whilst Officers acknowledge the concerns of businesses in relation to the proposed works, the Applicant has demonstrated that the ability of large lorries to access the units on either side of Robell Way would be no worse than the existing situation and therefore the proposed works will not prevent businesses from continuing to operate from this location in accordance with Policies 7 and 9 of the HDPF. In supporting this, Officers at West Sussex County Council Highways have not raised any concerns which would warrant

a reason for refusal on highways grounds. As such, Officers consider that the proposed works would be in accordance with Policies 32 and 33 of the HDPF as the scheme provides a positive visual enhancement to the streetscene of Robell Way, whilst maintaining safe access for pedestrians in conformity with Policy 40. In light of this, Officers consider the proposed scheme to be in accordance with the policies set out within the HDPF and would therefore recommend this application for approval.

## 7. RECOMMENDATIONS

To grant planning permission, subject to the following conditions.

1. A condition listing 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 PHL 313-7 Rev F 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 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. loading and unloading of plant and materials
  - ii. storage of plant and materials used in constructing the development
  - iii. measures to control the emission of dust and dirt during construction
  - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
  - vii. Details of how access to Units 1-6, 7-11 and 18-19 located on Robell Way and numbers 10-12 Barker Road, including access for large lorries, shall be maintained throughout the construction of the development hereby approved.

- viii. Details of how safe pedestrian access to the dwellings and commercial units accessed from Robell Way will be provided during the development.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of the businesses which benefit from access via Robell Way during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. **Pre-Occupation Condition:** Prior to the first use of the land of any of the development hereby permitted, the hard and soft landscaping works shall be implemented in full accordance with drawing no. PHL 313-7 Rev F, unless an alternative hard and soft landscaping scheme has been 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 completion of the realignment of the existing kerbs and verges as shown on drawing number 16-052-704 revision I received by the Local Planning Authority on 1<sup>st</sup> December 2017. 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:** Prior to the first use of any part of the development hereby permitted, a landscape management plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

7. **Regulatory Condition:** Prior to the installation of the bollards detailed on drawing PHL 313-7 Rev F double yellow lines shall have been implemented in accordance with drawing 16-052-709 Rev E, unless an alternative scheme for preventing the parking of vehicles along Robell Way has been submitted to and approved in writing by the Local Planning Authority. The double yellow lines, or any alternative scheme as approved in writing by the Local Planning Authority, shall be implemented and retained in accordance with the approved scheme.

Reason: to protect the amenity of businesses operating from Robell Way who require unrestricted access for large vehicles to their properties, in accordance with Policies 9 and 33 of the Horsham District Planning Framework (2015).