



TO: Planning Committee North

BY: Head of Development

DATE: 6 January 2018

DEVELOPMENT: Demolition of existing commercial premises. Erection of replacement two storey block, featuring 2 x front dormer windows and bike/bin store to side, housing 2 x two bedroom flats and 2 x one bedroom flats'

SITE: 19A Denne Parade Horsham West Sussex RH12 1JD

WARD: Denne

APPLICATION: DC/17/1802

APPLICANT: **Name:** Mr J A Gibbs **Address:** 19A Denne Parade Horsham West Sussex RH12 1JD

REASON FOR INCLUSION ON THE AGENDA: At the request of Cllr Hogben and Denne Neighbourhood Council

RECOMMENDATION: Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the demolition of existing single storey commercial premises and the erection of replacement two storey block flats, featuring 2 x front dormer windows and bike/bin store and 2 x two bedroom flats and 2 x one bedroom flats. Units 1 and 2 (ground floor), comprise a 1 bed unit (42sqm) and a two bed unit (61sqm); Unit 3 (first and second floor) comprises a 2 bed unit (76sqm total) and Unit 4 (first floor) comprises a 1 bed unit (44sqm). No parking spaces are proposed.
- 1.3 The proposed building comprises a two storey development with further accommodation within the roof. The scale of the proposed building reduces in height further into the site and culminates in a single storey element which incorporates refuse facilities and cycle storage adjacent to Bridges Place. There is articulation in the roof profile with varying pitched and hipped roofs, with the roof pitch to the front elevation reflecting that of the existing street scene. The proposed materials comprise multi stock brick elevations with decorative render to the projecting front bay, with concrete plain profile roof tiles.
- 1.4 Access to the proposed flats is via a central entrance located along the east elevation (facing into the existing parking courtyard), with individual access to each flat from within the communal access.

- 1.5 There is an existing extant permission under DC/15/2423 for the demolition of the existing commercial premises and the erection of 3 flats which was granted on the 22nd March 2016, and therefore the principle of residential development has previously been established, and subject to the discharge of relevant conditions remains implementable. The current proposal would essentially increase the number of units from 3 to 4 and revise the footprint, siting and design of the proposed building.

DESCRIPTION OF THE SITE

- 1.6 The site is located within the Built up Area of Horsham, outside the defined boundary of the Horsham Conservation Area (58m west of the application site). The site is identified as being within the Horsham Town Medieval Core. The application site is located on the north side of Denne Parade and currently comprises a single storey commercial building approximately 4.5 metres high with single pitched roof, formerly used as print works premises.
- 1.7 The area surrounding the application site is characterised by mixed uses comprising retail, commercial, office and residential. Denne Parade itself is predominantly characterised by traditional 2 storey Victorian terraced and semi-detached properties on the south side of Denne Parade and more modern blocks of residential developments immediately to the east and west of the application site (1-14 Bennetts Court to the east, 15 – 23 Bridges Place to the north, 1-10 and 11-16 The Gatehouse to the east). The site is located in a sustainable location and is approximately 0.8 miles from Horsham Railway Station.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

- 2.2 **National Planning Policy Framework**
NPPF4 - Promoting sustainable transport
NPPF6 - Delivering a wide choice of high quality homes
NPPF7 - Requiring good design
NPPF14 - Presumption in favour of sustainable development
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 9 - Employment Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 Horsham Blueprint Neighbourhood Forum is a designated area comprising representatives from Denne Neighbourhood, Forest Council and Trafalgar Neighbourhood Council. There is currently no made Neighbourhood Plan

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/05/0401	Demolition of existing building and erection of building comprising 3 dwellings (Outline)	Application Permitted on 20.04.2007
DC/15/2423	Demolition of existing commercial building and erection of building comprising three residential dwellings.	Application Permitted on 22.03.2016

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 **HDC Environmental Health:** No Objection subject to condition.

3.3 **HDC Housing:** No Objection. In accordance with the adopted HDPF there is no requirement for a provision of affordable housing. As such Housing Officers have no comments to make in respect of this application.

3.4 **HDC Economic Development:** No Objection. Town Centre Management officer has no objections in terms of the loss of business space in this primarily residential town location

3.5 **HDC Refuse Collections:** No objection

OUTSIDE AGENCIES

3.6 **Neighbourhood Council:** Object. Concerns regarding scale mass and design, effect on amenity of occupiers and / users or nearby property through overlooking and noise, loss of privacy and light to residents at The Gatehouse, Bennett Court and Bridge Place. In particular the closeness of the proposed block and its low standard of design with large unsightly bare brick walls that are close to the adjoining apartments. Lack of any parking provision.

3.7 **WSCC Highways:** No objection

3.8 **Archaeology Consultant:** No Objection subject to condition

3.9 **Southern Water:** Comment. A formal application for connection to the public sewerage system is required in order to service this development.

PUBLIC CONSULTATIONS

3.10 6 Neighbour letters have been received objecting to the original scheme and subsequent amendments for the following reasons:

- Parking and Highway Safety
- Design
- Over development

- Privacy
- Loss of light
- Noise from construction
- Landscaping
- Impact on value of existing dwellings

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

Background

- 6.1 Policy 3 (Development Hierarchy) of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and 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 identified settlement hierarchy set out within the policy. The application site falls within the defined built up area of Horsham and the scale of the development would maintain the characteristics and function of the settlement.
- 6.2 Policy 9 (Employment Development) of the HDPF states that the redevelopment of employment site and premises outside key Employment Areas must demonstrate that the site/premises is no longer needed and /or viable for employment use. An extant permission exists for the redevelopment of the site for 3 residential units and as such the principle of development for residential purposes has already been established under DC/15/2423. As part of this earlier permission it was considered the size and poor condition of the building was not suited to continued commercial use, with marketing submitted to demonstrate that premises there was no demand from potential tenants. It therefore considered that the principle of residential development on the site is acceptable and any conflict with the above policy would not warrant refusal of the application.

Character and appearance

- 6.3 The proposed residential building comprises 3 elements, a two-storey frontage building with further accommodation within the roof void fronting Denne Road, a rear two-storey element, and a further rear single-storey element with attached cycle and refuse storage area. The current application proposals are similar to the scheme previously granted under ref: DC/15/2423 but have a reduced ridge height and a larger footprint. The proposed footprint of the building would be the same as that of the existing commercial building.
- 6.4 In comparison to the existing planning permission the overall depth of the proposed building has been increased to 20.6m (23.9m including the projecting bay element and the storage area for cycles and refuse) from the previously approved 16.3m, and the width has been increased from 6.4m to 7m. The proposed ridge line of the roof fronting Denne Road is approximately 1.7m lower than previously approved (11.7m high), and is now 10m high.

During consideration of the application details, amended plans have been submitted to reduce the projection of the building at first floor level, bringing it in line with surrounding development, and replacing a two-bedroom unit with a one-bedroom unit.

- 6.5 The buildings in Denne Parade are of various design and aesthetic appearance with no one style being prevalent. Denne Street is not within a Conservation Area and there are no listed buildings near to the application site. While the proposed building line to the projecting two storey bay is marginally forward than that of the neighbouring Bennett Court it is not considered that this relationship is of such magnitude as to result in significant additional harm to the visual amenities of the street scene or occupants of adjoining properties.
- 6.6 Paragraph 60 of the National Planning Policy Framework advises that planning policies and decision should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Given the varied modern and traditional design and appearance of adjacent development, it is not considered that the proposed residential building would result in any loss of visual amenity to the street scene.

Impact on neighbouring amenity

- 6.7 Policy 33 of the HDPF requires that development avoids unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.8 It is considered that there would be sufficient separation around the proposed building to prevent any harmful loss of light or outlook for occupants of adjoining properties. The proposed development would result in some loss of light and outlook from secondary windows to habitable rooms in the east elevation of Bennett Court however, there are south facing primary windows that also serve these habitable rooms and as such the relationship is considered on balance to be acceptable. The windows located in the west elevation of the proposed dwellings would be obscure glazed to prevent any overlooking towards Bennett Court.
- 6.9 In comparison to the existing planning permission the proposed roof design reduces both the height and bulk of the roof profile by 3.3m at its nearest point to Bridges Place, and increases the separation distance between the stair well of Bridges Place and the apex of the roof by a further 3.46m. The closest windows in the Bridges Close development to the proposed southern elevation of the proposed building would be those to the stair well (not habitable rooms) and these are obscure glazed. It is considered that any views from the proposed development towards windows of habitable rooms within Bridges Place or towards the residential development at The Gatehouse would be at obscure angles and as such it is not considered that there would be any loss of private amenity to those properties.
- 6.10 It is therefore considered that any impact on neighbouring amenity would not amount to significant harm, and the proposal would accord with policy 33 of the HDPF.

Highways

- 6.11 The application site does not provide any off-street parking and is within an area where resident parking permits are already over-subscribed, indicating parking pressure which could potentially be extenuated by this proposal. The application site is though within a sustainable location well served by public transport, with rail and bus services under 1km from the site. The previous use of the site as a commercial printers would result in a higher number of trips to and from the site than the proposed residential use, and as such there would be a reduction in travel.

- 6.12 The Local Highway Authority has not raised any objections to the proposed development as it meets the NPPF requirements for a car free development, and if necessary the issuing of resident permits to future occupants could be prevented to discourage future car use by future occupants. Discussions are currently taking place with the Highway Authority and HDC's Parking Team to establish whether a formal mechanism for removing the right for future residents to apply for parking permits is required and an update will be provided at Planning Committee.
- 6.13 It is considered this approach, coupled with the charging arrangements in car parks and on the street in close proximity to the site, would discourage potential occupants from owning a car or bringing a car into the area. As a result it is considered unlikely that there would be a desire for car parking and no conflict with Policies 40 or 41 of the HDPF is envisaged.

Archaeology

- 6.14 The site is identified as being within the Horsham Town Medieval Core, however no objections have been raised by the Archaeologist in respect of the proposals, a condition is though recommended to secure an archaeology watching brief.

6.15 Conclusion

The proposal would offer the public benefit of 4 additional dwellings within the built-up area boundary of a sustainable settlement to help meet the housing needs of the District. The proposed demolition of the existing commercial property and the development of four new dwellings on Denne Parade is considered to be acceptable and accords with relevant policies within the HDPF 2015 specifically HDPF3, HDPF9, HDPF 32, HDPF33 and HDPF 40 and the overarching policies within the National Planning Policy Framework 2012.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.16 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.17 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	223	171	52
		Total Gain	52
		Total Demolition	223

- 6.18 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.19 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

- 7.1 Grant planning permission subject to conditions

1 **List of 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 until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and 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. 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 adjoining residents during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6 Pre-Commencement Condition:

- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

7 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).

8 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).

9 Pre-Commencement (Slab Level) Condition: No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the

optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 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, 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).

- 11 **Pre-Occupation Condition:** The building hereby permitted shall not be occupied until the ground and first floor windows to the western (side) elevation have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the windows fixed shut/non-openable thereafter.

Reason: To protect the privacy of neighbouring residents in accordance with Policy 33 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, details of all boundary walls and/or fences 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 boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

Background Papers: DC/17/2802
DC/15/2423
DC/05/0401