



TO: Planning Committee South

BY: Head of Development

DATE: 20 March 2018

DEVELOPMENT: Demolition of the existing bungalow and erection of four three storey residential units as two pairs of semi-detached properties.

SITE: Firside Lower Faircox Henfield West Sussex BN5 9UT

WARD: Henfield

APPLICATION: DC/17/2887

APPLICANT: **Name:** Mr and Mrs Huckson **Address:** Fairyland Brighton Road
Woodmancote BN5 9SR

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations received with a view contrary to the officer recommendation

RECOMMENDATION: To approve planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of 2 x pairs of semi-detached dwellings.
- 1.2 Each plot would measure to a depth of 25m and width of 7m, with the proposed dwellings positioned centrally. Amenity space would be provided to the rear of the dwellings (measuring approximately 60sqm) with parking for 2 x vehicles per dwelling and 1 x visitor space provided to the front.
- 1.3 Each pair of dwellings would measure to a depth of 11.9m and a width of 12.4m, and would extend to a total ground floor area of approximately 148sqm. The proposed dwellings would incorporate gable features to the front and rear, with pitched roof extending to an overall height of 8.4m. The proposal would extend over three storeys (with bedroom and ensuite built into the roof) and would incorporate a ground floor flat roof projection to the front.
- 1.4 Each dwelling would measure to a depth of 11.9m and a width of 6.2m, and would incorporate a pitched roof with hipped roof set back within the roofscape to provide the head space for the stairs to the attic space.
- 1.5 The proposed dwellings would be half finished in facing brick and horizontal timber cladding, with plain clay tiles to the roof. The proposed dwellings would provide a kitchen/living

room/dining room on the ground floor, 2 x bedrooms (one with en-suite), bathroom and study to the first floor, and one bedroom (with en-suite) to the second floor.

DESCRIPTION OF THE SITE

- 1.6 The application site lies within the designated built-up area of Henfield, set back from the public highway of Lower Faircox and serviced by an existing access driveway. The site is surrounded by properties of varying size and appearance, all of which are oriented at various angles to the site.
- 1.7 The site itself is relatively flat, with the properties to the north set above the site, and those to the south and west set below. The site is well screened by mature trees to the south and west, with mature hedging provided along the north and western boundaries.
- 1.8 The rear gardens of the neighbouring properties bound the site, and these extend to a depth of between 11m and 19m, with the rear garden of the neighbouring property to the east extending the length of the site. The distance between the proposed properties themselves and those to the west is at least 24m.

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**

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 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 Supplementary Planning Guidance:

N/A

2.5 Design Statement:

Henfield Parish Design Statement 2009

RELEVANT NEIGHBOURHOOD PLAN

2.6 **Henfield Neighbourhood Development Plan**

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.

2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

HF/17/56	Site for bungalow. (From old Planning History)	Application Refused on 02.05.1956
HF/13/67	Dwelling and garage. (From old Planning History)	Application Refused on 05.04.1967
HF/60/68	Bungalow. Comment: Appeal allowed 23/01/69 (From old Planning History)	Application Permitted on 23.01.1969
HF/17/69	Detached bungalow and garage. (From old Planning History)	Application Permitted on 21.03.1969
HF/33/69	Amendments to hf/17/69 (From old Planning History)	Application Permitted on 25.04.1969
DC/17/0411	Demolition of the existing bungalow and erection of four residential units as two pairs of semi-detached properties	Application Refused on 28.04.2017 – Appeal dismissed on 13.12.2017

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 N/A

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection
3.4 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

- 3.5 **Parish Council:** Objection on the grounds of failure to comply with Policies 32, 33 and 34 of the Horsham District Planning Framework (2015).
3.6 18 letters of objection were received from 16 individual households, and these can be summarised as follows:
- Out of character in appearance to all other properties in the locality

- Outsized and overbearing character
- Loss of privacy and amenity to neighbouring properties
- Light pollution and impairment of dark skies
- Removal of trees
- Density of development compared with neighbouring properties
- Overdevelopment of site
- Impact on Public Right of Way
- Height of the dwellings compared with surroundings
- Impact on services and facilities
- Noise and pollution caused by development
- Additional traffic movement and limited visibility from access point
- Development would not relate to landscape or open spaces
- Storage of construction materials

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 the demolition of the existing dwelling and the erection of 2 x pairs of semi-detached dwellings.

Background

- 6.2 A previous application under reference DC/17/0411 was refused at South Committee on 25 April 2017, and later dismissed at appeal. Within the Inspector's report, it was stated that the development of the site for 4 no dwellings need not appear as overdevelopment, particularly having in mind the grain of development nearby at Ganders Close, which looks onto, and is visible from Lower Faircox.
- 6.3 However, concerns were raised in respect of the design and appearance of the proposed dwellings, where it was stated that whilst the pitched roof would reflect the predominant architectural treatment of the surrounding area, and the rooms in the roof would not add height or bulk to what would appear as two storey dwellings. The the flat roof, vertical-walled central part between the two pitches would however introduce an uncharacteristic feature, with an undue appearance of bulk. It was concluded that this bulky box-like appendage would appear intrusive to the otherwise acceptable roof-scape, and would appear out-of-place and unattractive from many viewpoints. The application was therefore dismissed on the grounds that the inclusion of such contrived and unattractive stair enclosure would undermine the architectural treatment of the building, causing harm to the character and appearance of the area.
- 6.4 The current application has been amended in response to the key concerns raised in the appeal decision.

Principle of Development

- 6.5 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling 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.
- 6.6 The site lies within the designated built-up area of Henfield, which is categorised as a “Small Town and Village” under Policy 3 of the HDPF. There is a presumption in favour of sustainable development within the built-up area, and as such, the proposal is considered acceptable in principle, subject to all other material considerations.

Character of the dwellings and visual amenities of the street scene

- 6.7 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.8 The wider area consists of a mix of detached and semi-detached properties of both single and two storey nature, all of which are built along relatively continuous build lines that front the highway. It is noted that whilst the build pattern of the surroundings is relatively uniform (consisting of dwellings built along the public highway) a similar dwelling, known as Hunters End is set back off the highway, to the rear of the surrounding properties. The plot sizes of the surrounding properties vary, with properties to the north consisting of large elongated rear gardens, and properties to the south consisting of shallower curtilages.
- 6.9 The proposed dwellings would each measure to a total floor area of approximately 72sqm, and would be positioned centrally within a curtilage of approximately 140sqm. Whilst noted that the proposed layout of the site would contrast against the surrounding build pattern of dwellings, the pattern of development is not considered to be so characteristic that would warrant a refusal on these grounds. It is therefore considered that the proposed layout of the dwellings would not result in harm to the character of the site and surroundings.
- 6.10 The application site and surroundings slope on an incline from south to north, with the proposed height of the dwellings seeking to transition between the single storey dwellings to the south and the adjacent properties to the north which sit on higher ground. This transition is considered an appropriate and informed approach that would limit physical and visual impact and reflect the character and pattern of development of the wider street scene. In addition, the plot size of each dwelling is considered to provide a sufficient amount of amenity space that would reasonably reflect the built surroundings and pattern of development. Therefore, the position of the dwellings would retain a level of openness between the surrounding properties, with the form and appearance of the dwellings considered to provide visual relief and interest.
- 6.11 The street scene is characterised by a mixed vernacular and material palette, with no discernible or distinguishable character within it. The proposed dwellings would be finished in facing brick and horizontal cladding, with plain clay tiles to the roof. The proposed finish and appearance of the dwellings is considered to be of a high quality, with the overall design and appearance considered to improve the visual aesthetics of the site, and complement the character of the surroundings.
- 6.12 The design and form of the proposed dwellings has been amended in response to the earlier appeal decision to remove the box-like appendage between the two pitched gables, and this has been replaced with a hipped addition that would sit between the gables. This addition, which would slope into the roof-scape, is considered to sit more comfortably within the context of the dwelling, in a form that is considered to be more reflective of the characteristic vernacular of the proposed dwellings and surrounding properties.

- 6.13 The application site forms an existing backland site, set back from the public highway. In its current layout the site does not relate to the surrounding pattern of development, and is not visible from the street scene. The introduction of semi-detached dwellings is therefore not considered to detract from the overall character and build pattern of the surroundings. Given the nature and form of the built surroundings, the proposed plot size and layout of the dwellings are considered to be reflective of similar development within the area, with the proposal considered to maintain the characteristics of the surrounding build pattern, in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

Amenities of the occupiers of adjoining properties

- 6.12 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties. The Horsham District Design Guidance on House Extensions states that rear window to rear window distances should be no less than 21m, with blank gable to rear elevation distance at a minimum of 10.5m.
- 6.13 The application site lies centrally, surrounded by residential properties to the north, south, east and west. Given the natural topography, the dwellings to the south are set below the site, with the dwellings to the north positioned on higher ground. A number of the objections received raise concern with the scale of the development and the impact the proposed dwellings would have on the amenities of neighbouring properties surrounding the site. In particular, given the natural topography of the site in relation to the surroundings, the objections are concerned that the proposed development would lead to unacceptable overlooking, loss of privacy, and loss of natural light.
- 6.14 The previous application under reference DC/17/0411 was refused at South Committee on 25 April 2017, and later dismissed at appeal. Within the Inspector's report, doubts were raised over the effect of the development on the living conditions of neighbouring residential occupiers through the likely increase in noise and disturbance from vehicles. However, no objections were raised on the grounds of the impact the proposal would have through overlooking and loss of privacy to neighbouring properties.
- 6.15 The applicant has sought to address the issues of noise and disturbance with the installation of a 1.8m high acoustic fence along the south, east and west boundaries. Whilst the additional vehicular movements resulting from the increase number of dwellings would result in the possibility of noise disturbance, given the recognised and established residential character of the locality, and the associated vehicular movements and noise resulting from this, it is not considered that the additional dwellings would result in material harm to the amenities and sensitivities of the neighbouring properties in this regard, with the acoustic fencing (which is secured by condition) sufficient to mitigate potential harm.
- 6.16 It is considered that while the proposed development would increase the number and height of dwellings on the site, consideration has been given to limit the impact upon the surrounding neighbouring properties.
- 6.17 The proposed dwellings would be positioned centrally within the site, with the rear elevations positioned approximately 23m from those of the neighbouring properties to the west, and the flank side elevations positioned approximately 20m from the neighbouring properties to the north and south. The natural topography would result in the ridge height of the proposed dwellings being approximately level with the eaves height of the neighbouring properties to the north, with the first floor windows positioned in line with the ridge height of the neighbouring properties to the south and west.
- 6.18 The proposed dwellings would be positioned in excess of the 21m and 10.5m respectively recommended within the Horsham District Design Guidance Leaflet on House Extensions. As such, the dwellings are considered to be sited at an appropriate distance to reduce

potential overlooking and loss of privacy. In addition, it is considered that the windows of the proposed dwellings have been positioned and oriented to address potential overlooking, with the size of the openings considered reasonable to allow a sufficient amount of natural light whilst also limiting potential outlook.

- 6.19 Although the additional dwellings, extending over two storeys (with rooms in roof) would result in an increased perception of overlooking, given the differing ground levels and the size of the gardens to the adjacent dwellings, it is considered that the angle of degree would provide limited views into the neighbouring gardens. In addition, whilst soft landscaping such as hedging cannot be relied upon to make development acceptable, the mature screening along the southern and western boundaries would go some way to reduce the perception of overlooking to the adjacent properties. In order to ensure that this mitigation is continued, it is considered reasonable to impose a landscaping condition to maintain the screening along the western and southern boundaries.
- 6.20 A landscape condition is recommended to mitigate the impact along the western boundary and it is considered that the impact upon the neighbouring properties through overshadowing, loss of light and privacy would be limited. As such, it is not considered that material harm would be caused by the development, in accordance with Policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Conditions

- 6.21 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.22 The proposed development would provide a total of 9 x parking spaces (2 per dwelling with 1 x visitor space). The spaces would each measure 2.4m x 4.8m, and would be positioned at 90 degrees from the access, with 3 of the spaces positioned to the north of the site. The existing access to the site would be retained in its current form, with no alterations proposed.
- 6.23 The proposed parking is considered suitable for vehicles, with adequate allocation provided within the development. Whilst a number of objections have been received raising concerns with the anticipated level and frequency of traffic, WSCC Highways consider that the D-class nature of the road, as well as its allocation as a no-through road, restricts the anticipated frequency of movements. It is also acknowledged that the existing access is sufficient in its current form, and whilst additional trips would be generated by the additional dwellings/vehicles, this is not considered to be so great as to cause harm to the function of the highway network.
- 6.24 The proposal is therefore considered to provide safe and adequate access and parking, suitable for all users, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Conclusion

- 6.25 The previous application was dismissed at appeal on the grounds of the design and appearance of the proposed dwellings (in particular the box-like appendage to the roof), with concerns raised in respect of possible noise disturbance caused by vehicle movements. The Inspector did not object to the principle of 4 no. dwellings on the site, or the general scale and mass of these dwellings. Whilst objections were raised to the design of the dwellings, the applicant has addressed this through the use of a hipped roof between the gables. In addition, the installation of an acoustic fence along the boundaries has sought to mitigate potential noise and disturbance concerns.
- 6.26 The proposed dwellings are considered to be of a scale, design and form that would be sympathetic to the character and distinctiveness of the site and wider landscape, whilst of a

siting and orientation that would not materially harm the amenities of neighbouring properties. In addition, the proposal is considered to provide sufficient parking and turning space on site, and would not result in 'severe' harm to the function of the public highway network. As such, the proposal is considered to accord with policies 3, 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 To approve the application 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, except for demolition of the existing building, 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).

4 **Pre-Commencement Condition:** No development, except for demolition of the existing building, shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points 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).

5 **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).

6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until 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).

- 7 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number 1656.PL01B received on 02.01.2018. These facilities shall thereafter be retained for use at all times.

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

- 9 **Pre-Occupation Condition:** 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 1656.PL01B received on 02.01.2018. 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).

- 10 **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 1656.PL01B received 02.01.2018 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).

- 11 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted details of the acoustic fencing, as indicated on plan 1656.PL01B received 02.01.2018, shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the agreed details 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).

Background Papers: DC/17/2887