



TO: Planning Committee South

BY: Head of Development

DATE: 15 May 2018

DEVELOPMENT: Proposed erection of a two storey dwelling and associated landscaping on residential land

SITE: Longbury Hill House Veras Walk Storrington Pulborough West Sussex RH20 3JF

WARD: Chantry

APPLICATION: DC/18/0371

APPLICANT: **Name:** Mr Tim Drake **Address:** C/O ECE Planning

REASON FOR INCLUSION ON THE AGENDA: The recommendation of the Head of Development would represent a departure from the development plan; and the number of letters contrary to recommendation exceed 8.

RECOMMENDATION: To delegate approval to the Head of Development subject to appropriate conditions and consideration of any additional representations received after the consultation period ends on 15 May 2018.

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 erection of 1 no. dwelling to the south of the existing dwelling known as Longbury Hill House, with an area of parking provided to the north of the proposed dwelling.
- 1.2 The proposed new dwelling would sit within a plot of approximately 0.15ha, and would measure 9.2m x 12.6m to a total footprint of approximately 116sqm. The proposed dwelling would extend over two storeys and would incorporate a pitched roof measuring to a height of approximately 7m above the highest ground level, with a chimney stack projecting from the western elevation. The proposal would face north, with the residential curtilage positioned to the south of the dwelling.
- 1.3 The proposed dwelling would have 4 no. bedrooms on the first floor, and open plan living spaces on the ground floor, along with a study and utility room. A level patio area would

extend to the south of the proposed dwelling, with a number of the existing trees retained around the perimeter of the application site.

DESCRIPTION OF THE SITE

- 1.4 The application site currently forms residential curtilage to the existing chalet dwelling known as Longbury Hill House, which is positioned to the north of the application site. The site lies outside of the designated built-up area boundary of Storrington, with the built-up area boundary running along the southern site boundary of the application site.
- 1.5 The existing site consists of a number of winding pathways and established landscaping throughout the plot, with a swimming pool to the rear, and a disused timber cabin positioned approximately 6m to the west of the infilled pond.
- 1.6 The host dwelling is set on higher ground than the neighbouring properties and adjoining plots, and owing to the vegetation on and around the plot, is well-screened from views outside of the site. The neighbouring properties to the south-east and south-west are set on lower ground levels to the application site, and consist of a mix of single and two storey dwellings.
- 1.7 The application site has vehicular access off a shared track which adjoins 'Veras Walk' approximately 140m south of the site entrance. This access drive extends steeply to the north past a level area adjacent to an infilled pond, and then curves to the east to a further levelled area alongside a detached double garage. An original single-width driveway is evident alongside the eastern side of the garage and site boundary, extending to the rear of the existing dwelling.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 National Planning Policy Framework

2.4 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 4 - Strategic Policy: Settlement Expansion
- 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 26 - Strategic Policy: Countryside Protection
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

Supplementary Planning Guidance:

2.5 Draft Heath Common Design Statement 2018

RELEVANT NEIGHBOURHOOD PLAN

2.6 **Storrington, Sullington and Washington Neighbourhood Development Plan**

2.7 Neighbourhood Plan has been submitted under Regulation 15, with a seven week consultation commenced in accordance with Regulation 16.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1908

Erection of one dwelling on residential land at Longbury Hill House

Application Refused on 18.11.2016

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 Landscape Architect:** Objection

The proposal cannot be fully evaluated as there has been insufficient visual impact assessment provided, and an out of date tree survey and arboricultural report and statement which relates to a previous scheme has been submitted.

3.3 **Arboricultural Officer:** No Objection

3.4 **HDC Environmental Health:** No Objection

The application site sits in very close proximity to a former sand quarry, which could result in some contamination of the site. During site preparation and groundworks, a watching brief is advised to monitor and action remediation of any potential contaminants if found.

OUTSIDE AGENCIES

3.5 **WSCC Highways:** No Objection

The principle of the additional dwelling in this location is not considered to result in harm to highway safety of capacity.

3.6 **Ecology Consultant:** No Objection

Subject to conditions in respect of works being undertaken in accordance with recommendations in the Preliminary Ecological Appraisal and Internal Bat Inspection, and restrictions on external lighting.

3.7 **Southern Water:** No Objection

3.8 **Natural England:** No Comment

3.9 **Archaeology Consultant:** No Objection

Given that the site is relatively undisturbed, it is advised that an archaeological condition be attached to secure a programme of archaeological monitoring to take place during groundworks associated with the development.

PUBLIC CONSULTATIONS

3.12 **Washington Parish Council:** Strong Objection for the following reasons:

- Contrary to countryside policies
- Detrimental to the preservation of the countryside
- Removal of trees increasing the visual intrusion of the proposed development
- Impact on surrounding public footpaths
- Increase in traffic
- Green Space protection under the emerging Storrington, Sullington and Washington Neighbourhood Plan
- Undermines the principles within the Heath Common Village Design Statement
- Harmful to the spacious character and appearance of the area

3.13 23 letters of objection were received from 18 separate households, and these can be summarised as follows:

- Similarity with previous application
- Traffic and congestion issues
- Contrary to Heath Common Village Statement
- Removal of trees
- Veras Walk a footpath and not a street
- Overdevelopment of Heath Common
- Further urbanisation
- Outside built-up area
- Use of private lane
- Out of character with setting
- Impact on wildlife
- Scale and mass of proposed dwelling

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 erection of 1 no. dwelling to the south of the existing dwelling known as Longbury Hill House.

Principle of Development

- 6.2 The application site lies outside of the designated built-up area of Storrington, with the built-up area boundary positioned directly south of the application site, along the shared boundary with Windrush and Hardwicke Lodge. For this reason, the application site would be considered to sit within a countryside location in policy terms, and would be subject of the relevant planning policies (Policies 2, 3 4 and 26).
- 6.3 Policy 4 of the Horsham District Planning Framework states outside settlement boundaries the expansion of settlements will be supported, amongst other things, where: the site is allocated in the Local Plan or in a Neighbourhood Plan and it adjoins an existing settlement edge; the level of expansion would be appropriate to the scale and function of the settlement type; the development is demonstrated to meet an identified local housing need; and the development would be contained within an existing defensible boundary and landscape character features would be maintained. The site has not been allocated for development under the provisions of the HDPF or an extant Neighbourhood Plan therefore the principle of development is not supported under Policy 4.
- 6.4 In such instances Policy 26 of the HDPF alternatively allows for appropriate development to come forward within the countryside. This policy though expressly seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development, stating that proposals for development outside built up area boundaries must be essential to its countryside location, and in addition meet one of the following criteria:
- Support the needs of agriculture or forestry;
 - Enable the extraction of minerals or the disposal of waste;
 - Provide for quiet informal recreational use; or
 - Enable the sustainable development of rural areas

Proposals must be of a scale appropriate to its countryside character and location, and not lead individually or cumulatively to a significant increase in the overall level of activity in the countryside.

- 6.5 A previous application under reference DC/16/1908 for a near identical dwelling on the same part of the site was dismissed at appeal in April 2017. The Inspector stated that the proposed house would be sited in very close proximity to its proposed western boundary, and was considered to fail to exhibit the spaciousness that is found in the immediately surrounding area. It was considered that the proposal would lack the spaciousness that is common to the host property and its neighbours, which are characterised by substantial plots that reflect the transitional area between the more intensively development parts of Heath Common and the countryside. Whilst the Inspector concluded that the provision of a single dwelling would be unlikely to generate any significant pressure on the local infrastructure, and would therefore not materially undermine the HDPF's settlement strategy, it was found that the proposal would be harmful to the spacious character and appearance of the area.
- 6.6 The previous appeal decision is a material consideration that carries significant weight. In this regard it is noted that the Inspector did not refuse the application owing to the location of the site being outside the defined settlement boundary. Rather, the Inspector concluded that providing one house in this location, given any absence of harm to the countryside's landscape character and the proximity of other dwellings, would not materially undermine the HDPF's settlement strategy. The Inspector therefore concluded that the site would be a suitable location for a dwelling. Given this decision, it is not considered that a reason for refusal could be sustained on the grounds of the site being outside of the settlement boundary.

Design and Appearance

- 6.7 Policies 25, 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings. Development should

protect, conserve and enhance the landscape character, taking account of the nature environment, landscape and landform pattern to which it forms a part.

- 6.8 The previous application proposed a dwelling of near identical design and position within the wider site, but with a smaller curtilage truncating close to the western elevation of the proposed dwelling. The Inspector concluded that as the proposed house would have been sited in very close proximity to its western boundary, it was considered to fail to exhibit the spaciousness that is found in the immediately surrounding area. It was considered that the proposal would lack the spaciousness that is common to the host property and its neighbours, which are characterised by substantial plots that reflect the transitional area between the more intensively development parts of Heath Common and the countryside. It was therefore concluded that the proposal would be harmful to the spacious character and appearance of the area.
- 6.9 The applicant has sought to address the concerns raised by the Inspector by enlarging the size of the proposed plot, with the removal of the proposed detached garage, and its replacement with an area of hardstanding for parking. The applicant states within the Planning Statement that the concerns regarding spaciousness have been addressed by increasing the separation distance from the eastern boundary from 8.15m to 10m and increasing the separation from the western boundary from 1.5m to 19m, thereby significantly increasing the plot size for the new dwelling from 1030sqm to 1972sqm.
- 6.10 Veras Walk is a private lane, amongst others within Heath Common, and it is characterised by properties of varying types and sizes, within a sylvan setting. The street has developed at low density, with there being a significant degree of space between individual properties and their boundaries. The area is therefore spacious in character, although in places there are limited gaps between some of the properties. Wider development within Veras Walk varies significantly, with low-level bungalows built traditionally for their time of brick or render and tile, whilst more modern extensions and re-development have introduced timber cladding, deep soffits, flat roofs, and large expanses of glass, with a multitude of styles and design features found in the vicinity. There is no overriding architectural form within the area, and dwellings vary from bungalows to chalet bungalows and two storey dwellings. Trees and shrubs to the site often conceal the nature of the dwellings and curtilages behind.
- 6.11 The proposed dwelling seeks to create a contemporary and stylised dwelling, utilising locally sourced materials including sand stone, timber boarding, slate roof tiles, and aluminium framed windows. The proposal seeks to draw reference from surroundings dwellings in the locality through its material palette, whilst utilising a modern form that would provide a contemporary twist on the surrounding vernacular. Although recognised that the dwelling would not utilise the general form or vernacular features of the surrounding properties, it is also acknowledged that the dwellings within the vicinity vary in form, features and appearance. It is noted that the appeal inspector raised no previous objection to a building of near identical design.
- 6.12 The proposed dwelling would sit on a lower ground level to the host dwelling to the north, and on slightly higher ground level than the surrounding properties to the south. Whilst the proposal would extend over two storeys, it is considered to be of a height that would transition between the upper and lower ground levels of the surrounding residential dwellings. In addition, following revisions to the plot size, the proposed dwelling is considered to sit appropriately within the context of the site, and is considered to incorporate a plot area that would be reflective of the density of development within the locality.
- 6.13 As now enlarged, the proposed site would better reflect the plot sizes of similar development within the locality, and would result in a two storey dwelling that would now sit appropriately within the context. Furthermore, the retained curtilage to Longbury Hill House would be of similar scale to the wider context. Whilst of a contemporary style and appearance, the proposed dwelling is considered to utilise a material palette that would reflect other dwellings

within the vicinity. As such, the proposal is considered to have overcome the inspector's previous concerns and would now relate sympathetically to the character and appearance of the site and surroundings, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Amenities of neighbouring properties and occupiers of land

- 6.14 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.15 The application site is positioned to the south of the existing dwelling known as Longbury Hill House, with surrounding residential properties positioned to the south, east and west of the application site. The undulating topography of the site, which consists of a number of stepped landscape area means that the neighbouring properties surrounding the application site are on various levels, set down from the site. The properties to the east are separated by a mature and relatively dense line of trees, with the neighbouring properties to the south and west separated by sporadic trees and landscaping, built below the application site.
- 6.16 The proposed dwelling would be positioned between approximately 23m and 63m from the surrounding residential properties, with the dwelling oriented to face north, and the amenity space provided to the south. Whilst the varying ground levels of the site and surroundings are noted, it is considered that the siting and orientation of the dwelling would be such that potential overlooking and loss of privacy has been addressed. In addition, whilst landscaping cannot be relied upon to mitigate the effect of development, given the context of the site which provides a level of screening around and between properties, it is not considered that the proposal would result in a harmful degree of overlooking or loss of privacy.
- 6.17 The proposed development is therefore not considered to result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Landscape, Trees and Ecology

- 6.18 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.19 The landscape character of the wider area is of wooded farmlands and heaths, with the site itself residential in appearance and character, adjacent to other large properties in substantial plots. The area acts as a transition area between the built-up area and the countryside, with the surrounding area dominated by mature woodland.
- 6.20 It is acknowledged that the Landscape Architect has raised a holding objection to the proposal on the basis that insufficient consideration has been given to the visual impact of the proposed development on wider views. The Inspector did not raise any objections on these grounds as part of the previous appeal decision, in part of the basis of much of the established planting being retained, particularly along the eastern boundary. The previous submission detailed the loss of 12 trees, whilst the current submission details the loss of five, retaining the vast majority of the remaining trees on the site including those along the eastern boundary. In line with the Inspector's conclusions, it is therefore considered that the proposed development would not fundamentally alter the landscape character of the area or its setting.
- 6.21 The proposal seeks to remove a number of poor quality trees with the retention of the larger trees within the site and along the east and west boundaries. Additional planting along the western boundary is also proposed. Whilst the development would remove several trees from the site, it is noted that the larger specimen trees, and those that form boundary planting are

to remain. This seeks to retain the sylvan character of the Heath Common area, and is considered to aid the visual concealment of the additional dwelling from the surrounding dwellings and within the locality.

- 6.22 The Arboricultural Report and Statement submitted alongside the application states that there are a total of 47 trees included on the site, which are mainly in fair or poor condition, with 5 trees recommended for removal due to being either dead or of poor quality that will have little impact on the visual aspects of the site. An additional 2 trees will be removed to allow construction of the new drive, which will have little or no visual impact from outside of the site.
- 6.23 The removal of these trees, categorised as U (Poor Quality) and B (Trees of Moderate Quality) is not considered to result in harm to the landscape character of the area, with the remaining trees retaining the sense of enclosure that is characteristic of the site. Therefore, subject to full details of tree retention as part of a landscape condition, the works are considered acceptable. The Council's tree officer has raised no objection to the works proposed.
- 6.24 A Phase 1 Ecology Survey has been submitted which outlines that the habitats on site are largely ornamental and hardstanding. A small patch of semi-improved grassland, a section of ruderal, and a wide hedgerow was identified within the site. The loss of these habitats are not considered to be ecologically significant. The Report concluded that the pond to the north of the site, and the site itself, are not considered to provide suitable habitat for reptiles, dormice, bats, or badgers.
- 6.25 The Report sets out a number of precautionary measures to be undertaken during site clearance works, along with measures to enhance the ecological interest of the site including bird and bat boxes, and appropriate planting. Conditions are recommended to secure these measures. The Council's Ecologist has raised no objection to the proposal.

Highways Impacts

- 6.26 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.27 The proposed development would utilise the existing access drive which runs north from Veras Walk, and extends along the eastern boundary of the site. The proposed dwelling would sit on the area of existing hardstanding, with the removal of the 2-bay detached garage and the laying of hardstanding to provide parking and turning space for 3 no. vehicles. An additional area of hardstanding for parking would be provided to the existing dwelling, which will provide additional parking for the existing dwelling.
- 6.28 Following consultation with WSCC Highways as Highways Authority, it is considered that the proposed number of parking spaces would be appropriate given the size of the dwelling, with the size of the parking area considered to meet the minimum specifications to accommodate the number of vehicles proposed. As such, it is considered that the proposed development would provide sufficient parking for the anticipated number of vehicles, and would not result in harm to the safety or function of the highway network. The proposed development is therefore considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

Conclusion

- 6.29 The Inspector concluded in his Report to DC/16/1908 that providing one house in this location, given any absence of harm to the countryside's landscape character and the proximity of other dwellings, would not materially undermine the HDPF's settlement strategy. Whilst still considered as a Departure from the Development Plan, the Inspector's recent

decision is a material consideration that carries significant weight such that it is no longer considered that a reason for refusal on 'in principle' grounds can now be upheld.

- 6.30 The proposed site, as now enlarged from the scheme previously appealed, and the remaining curtilage to Longbury Hill House, would reflect the density of similar development within the locality, and would result in a two storey dwelling that would sit appropriately within the context. The proposed dwelling is considered to utilise a material palette that would reflect other dwellings within the vicinity. The proposal is considered to relate sympathetically to the character and appearance of the site and surroundings, and is not considered to result in harm to the amenities or sensitivities of neighbouring properties. In addition, it is not considered that the proposal would result in harm to the safety or capacity of the highway network. Therefore, the proposed development is considered to accord with Policies 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

6.31 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

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	198.38	0	198.38
	Total Gain		
	Total Demolition		

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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 That the application be permitted, subject to the following conditions and subject to consideration of any representations received up to the close of the consultation period on 15 May 2018:

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:** Notwithstanding the floor levels detailed on the approved plans, 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 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 TPP/LHH/133/18 received on 13.04.2018, 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).

- 5 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (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).

- 7 **Pre-Commencement (Slab Level):** 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).

- 8 **Pre-Occupation Condition:** Prior to the first occupation 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 landscape scheme shall include the following details and measures:
- Details of all trees to be retained on and adjacent to the site and measures for their protection during construction works
 - Details of all planting, including species, planting size and planting method (for any trees)
 - Details of all hard surfacing materials and finishes
 - Details of all external lighting
 - Ecological enhancement measures set out in the Preliminary Ecological Appraisal and Internal Bat Inspection dated July 2016

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 9 **Pre-Occupation Condition:** Prior to the first occupation of the new dwelling hereby permitted, the parking, turning and access facilities for the proposed dwelling and existing dwelling at Longbury Hill House shall have been implemented in accordance with the approved details as shown on plan 1730 2201 rev D received 26.03.2018. The parking, turning and access facilities 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).

- 10 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling has been made 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).

- 11 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied unless and until details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the approved cycle parking facilities 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).

- 12 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 13 **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 adjacent residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out chapters 4 & 5 of the Preliminary Ecological Appraisal and Internal Bat Inspection dated July 2016.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.
Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** If during development contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, for a method statement which will detail how this unsuspected contamination shall be dealt with.

Reason: 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).

- 17 **Regulatory Condition:** If during development any artefact of archaeological importance is found to be present on the site, then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for an archaeological site investigation and post investigation assessment has been completed and the 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 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).

Background Papers: DC/18/0371
DC/16/1908

Appeal Decision

Site visit made on 5 April 2017

by **Grahame Gould BA MPhil MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27th April 2017

Appeal Ref: APP/Z3825/W/16/3165224

Longbury Hill House, Veras Walk, Storrington RH20 3JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tim Drake against the decision of Horsham District Council.
 - The application Ref DC/16/1908, dated 29 July 2016, was refused by notice dated 18 November 2016.
 - The development proposed is erection of one dwelling on residential land at Longbury Hill House.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: the effect of the development on the character and appearance of the area; and whether the site would be a suitable location for a dwelling.

Reasons

Character and Appearance

3. The development would involve the construction of a two storey house within part of the grounds of Longbury Hill House (the host property). The host property is of a bespoke design and it occupies a substantial plot at the end of a sloping lane, which is one of the lanes that make up Veras Walk. Veras Walk is a private street, amongst others, that comprise this part of Heath Common. Heath Common is a residential area characterised by dwellings of varying types and sizes within a sylvan setting.
 4. The pattern of the development in this area is an informal one and for the most part Veras Walk has been developed at a low density, with the degree of space between individual properties and their boundaries being notable. The area is therefore spacious in character, although in places there are limited gaps between some of the properties.
 5. The proposed house would be sited in very close proximity to its western boundary, a by-product of the plot's limited width and the immediacy of the mature planting that marks the plot's eastern boundary. This development would therefore fail to exhibit the spaciousness that is found in the immediately surrounding area and it would therefore not be in keeping with its context. In this respect the development would lack the spaciousness that
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is common to the host property and the likes of Hardwicke Lodge and Windrush. Those properties all occupy substantial plots, a characteristic that is consistent with them being in a transitional area between the more intensively developed parts of Heath Common and the countryside. The plot for the new house, at 0.09 hectares, would be smaller than its immediate neighbours, and I consider this would contribute to the development lacking the spaciousness of its surroundings.

6. Longbury Hill House, like a number of its neighbours, is outside the built-up area boundary (BUAB) for Storrington and is in the countryside for the purposes of the Horsham District Planning Framework (excluding South Downs National Park) of 2015 (the HDPF). However, the grounds of the host property are undeniably domestic in character and are enclosed by mature planting, most particularly along its eastern boundary. The development would allow for much of the established planting to be retained and given the size of the new house I consider that it would not be visually intrusive in the countryside.
7. While I consider that architecturally the new house's design would be acceptable, that would not address the visual harm that I have identified.
8. I conclude that because the development would lack the spaciousness of its surroundings it would be harmful to the character and appearance of the area. There would therefore be conflict with Policies 32 and 33 of the HDPF because the layout of the development would not be in sympathy with the distinctiveness of its surroundings. However, as I have found that the development would not be harmful to the landscape character of the countryside, I consider that in this respect there would be no conflict with Policies 25, 26 and 31 of the HDPF

Suitability of the location for a dwelling

9. As the dwelling would be outside the BUAB it would be in a location where new development is discouraged under the provisions of Policies 2, 3 and 4 of the HDPF, with the growth strategy seeking to focus new development within the main settlements in the Council's area. The Council contends that the development would have an adverse effect on sustainability because of the demands it would place on supporting infrastructure (schools, transport and sewage). That is because for the first five years of the HDPF's plan period, ie 2011 to 2016, the provision of housing was to be accelerated to over 1,000 dwellings per annum, against the annual average of 800 dwellings over the whole of the plan period to 2031¹.
10. The first five years for the HDPF have now passed and I consider that the provision of a single dwelling would, in any event, be unlikely to generate any significant pressure on the local infrastructure. I am therefore not persuaded that this development's implications for infrastructure make this an unsuitable location for a dwelling.
11. The site is located at some distance from the centre of Storrington. That means the occupiers of the dwelling would be likely to depend on private motor vehicle usage to gain access to everyday local services and facilities, ie employment opportunities, schools, shopping and community services.

¹ As referred to in section 4 of the Council's appeal statement

However, the number of additional vehicle movements generated by an extra dwelling would be quite modest and comparable in number to those generated by each of the many properties in Heath Common and would thus not be out of place.

12. In my reasoning for the first main issue I have concluded that this development would not have an adverse effect on the countryside's landscape character. I therefore consider that the development's effect on the countryside's landscape character does not weigh against this site's suitability as a location for a dwelling.
13. As the development would be beyond the BUAB and concerns a site that has not been allocated for development, in either the Council's development plan or a neighbourhood plan, there would be conflict with Policies 1, 2, 3, 4 and 26 of the HDPF and paragraph 55 of the National Planning Policy Framework. That conflict would in part arise because there is not a specific functional need for the house to be located in the countryside. However, I consider that providing one house in this location, given the absence of harm to the countryside's landscape character and the proximity of other dwellings, would not materially undermine the HDPF's settlement strategy. I therefore conclude that this would be a suitable location for one dwelling.

Other Matters

14. The siting of the new house would mean that it would not adversely affect the living conditions of the occupiers of the neighbouring properties. The reduction in the extent of the area of hard surfacing would be of some benefit to the area's biodiversity. While the aforementioned matters weigh in favour of the development, I consider them to be outweighed by the harm to the character and appearance of the area that I have identified.
15. Reference has been made to the 'Yaffles appeal decision'², however, each case must be considered having regard to its site specific circumstances. I therefore consider that the Yaffles appeal decision is of no particular bearing on the determination of the current appeal.

Conclusions

16. While I have found that this would be a suitable location for an additional dwelling, the provision of the house would be harmful to the spacious character and appearance of the area. The harm that I have identified gives rise to conflict with the HDPF and because of that conflict this would be an unsustainable form of development. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR

² APP/Z3825/A/12/2185980