



TO: Planning Committee North

BY: Head of Development

DATE: 05 June 2018

DEVELOPMENT: Variation of condition 1 to previously approved application DC/16/2668 (Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works). Minor-material amendments to approved floor and elevation plans.

SITE: Farnbrakes Church Street Rudgwick West Sussex RH12 3EJ

WARD: Rudgwick

APPLICATION: DC/18/0150

APPLICANT: **Name:** Cranfold Developments Ltd **Address:** Unit 4 Sterling Barns Knowle Lane Cranleigh Surrey GU6 8JP

REASON FOR INCLUSION ON THE AGENDA: More than 8 persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

RECOMMENDATION: To grant planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 A variation is sought to the approved drawing numbers condition under planning reference DC/16/2668 to allow for alterations to the approved scheme. The alterations include amendments to the levels of the buildings in relation to the access drive to the site. Looking from the south of the buildings, there is an approximate increase from ground level to ridge height of 0.9m, resulting in an overall ridge height of 9.4m from this perspective. The proposed buildings would still measure 8.5m when measured from the principal front elevation to ground level. It is noted that the approved drawings under planning reference DC/16/2668 show that the access road to the south was at a lower level to the dwellings, resulting in an overall ridge of approximately 9m from this southern side perspective. As such, the amendments would represent an overall increase in height of the building of approximately 0.4m when viewed from the existing access road to the south.
- 1.2 Other alterations include the replacement of the approved rear garden wall with close boarded fencing and the erection of palisade fencing to the front of the properties; amendments to the bay window and porch roof designs and as well as the creation of a pitched roof over a front facing window. There are no alterations to the overall design concept, form or bulk of the permitted dwellings.

DESCRIPTION OF THE SITE

- 1.3 The application site is located on the eastern side of Church Street within the built-up area boundary of Rudgwick. The former bungalow on site was sited towards the centre of the plot set back approximately 25m from the road. The former bungalow has been replaced by a pair of semi-detached dwellings which were approved under planning reference number DC/16/2668. From a case officer site visit carried out as part of the consideration of this application, it was evident that the construction of the dwellings had been completed.
- 1.4 The site was formerly part of a much larger plot which has been sub-divided following the approval of two detached dwellings at the rear with a new access road parallel with the southern boundary. This neighbouring development was approved under ref: DC/15/1066 and has been completed. A development of four detached properties, 'Freshwoods', is sited immediately to the north, on the site of a former single dwellinghouse. Another detached property 'Gimbals' lies to the south-west, separated from the application site by the aforementioned access road. It is noted that both permitted dwellings also benefit from detached double garages. The western side of Church Street, opposite the application site, includes a series of five detached Grade II Listed Buildings.

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:

National Planning Policy Framework

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 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

Rudgwick Parish Design Statement

RELEVANT NEIGHBOURHOOD PLAN

- 2.2 Status - Rudgwick Parish has been designated as a Neighbourhood Development Area as of June 2016.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2668	Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works	Application Permitted on 21.02.2017
------------	---	-------------------------------------

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

3.2 **Parish Council Consultation:** Objection, departure from original plans

OUTSIDE AGENCIES

3.3 **WSCC Highways:** No Objection. Original Comments under DC/16/2668 still applicable.

PUBLIC CONSULTATIONS

3.4 15 letters of objection were received from 12 separate households/bodies. The nature of these objections can be summarised as follows:

- The amended design and roof line would be too high and dominate neighbouring dwellings;
- There would be overlooking and an overbearing impact on neighbouring properties
- Proposals do not accord with previously approved plans
- Amendments not in keeping with street scene

3.5 **Rudgwick Parish Council:** Objection on the grounds that this is a departure from the initial plans.

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 main issues are the principle of the development in the location and the effect of the development on:

- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The existing parking and traffic conditions in the area
- The quality of the resulting residential environment for future occupiers

Principle

- 6.2 Policy 3 (Development Hierarchy) of the HDPF states that the district has a distinct settlement pattern which should be retained and enhanced. It states that development will be permitted within towns and villages which have a defined built up area boundary (BUAB) where any development will be required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy set out within the policy. The application site is located within the defined built up area of Horsham and is therefore considered to be appropriate development

Character and appearance

- 6.3 Horsham District Planning Framework (HDPF) Policies 32 and 33 seek to promote development of high quality and inclusive design for all development in the district, ensuring that it is complementary of local distinctive character and heritage, integrating with their surroundings. Furthermore, these policies ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant, relates sympathetically with the built surroundings.
- 6.4 As noted, the overall design concept, form and bulk of the approved dwellings remains as permitted within the approved application, reference DC/16/2668. The amendments pertaining the bay windows and roof canopies, as well as the addition of a pitched roof to a front facing window are considered to be acceptable. The alterations relating to the rear boundary treatments, with the permitted walls replaced with close boarded fencing are also considered to be acceptable given the built up area location. It is noted that there are other examples of close boarded fencing within close vicinity and given the location to the rear of the dwellings, would not have a detrimental impact on the street scene with regards to Church Street. The palisade fencing would be low level and set approximately 22m away from the front boundary of the site. As such, it is considered that this addition would not have a detrimental impact on the street scene and would not appear as a prominent feature within the site. The low level retaining wall to the south of the buildings is also considered to be acceptable.
- 6.5 The increase of approximately 0.4m of the dwellings with viewed from the access would not be greatly disproportionate to the originally approved height or when compared to neighbouring development. From long views along Church Street, the dwellings do not appear unduly dominant and remain appropriately set away from the front boundary of the site. Again, taking into account the built up location, it is considered that the amendments would not harm the existing street scene or the character of the area in accordance with policies 32 and 33 of the HDPF in this respect.

The amenities of the occupiers of adjoining properties

- 6.6 Policy 33 of the Horsham District Planning Framework (HDPF) document seeks to ensure that new development does not cause unacceptable harm to the amenity of occupiers and/or users of neighbouring properties, particularly through overlooking or noise.
- 6.7 The neighbouring dwelling to the south-west, Gimbals, is on a similar building line to the development and separated from the site by an access drive which creates approximately 15 metres separation between buildings. This separation is sufficient to prevent any harmful loss of light or outlook.
- 6.8 The buildings remain set approximately 3 metres from the shared side boundary with no. 4 Freshwoods, which adjoins to the north, with 7 metres between buildings. While no. 4 has side facing windows and doors these are secondary windows and are not the primary source of light or outlook for habitable rooms. The additional projection beyond the front and rear

of no. 4 is mitigated by the separation between buildings, which is sufficient to ensure no harmful loss of light or outlook to front and rear window and door openings.

- 6.9 The separation between the facing elevations of the dwellings and the dwellings at the rear of the site, at approximately 24 metres, is sufficient to ensure that the dwellings would not have a substantially harmful effect on outlook, light and privacy for future occupants of these dwellings. Overall, it is considered that the amendments to the development would not create any harmful overlooking beyond that of the original permission and beyond that which would be expected in a built up, residential location such as this.

The existing parking and traffic conditions in the area

- 6.10 The Highways Authority has stated no objections to the development in terms of its effect on highway safety or parking. The previously approved parking arrangements Overall, the proposal is considered to be acceptable on highway and transport grounds, subject to appropriate conditions to be attached, in accordance with policies 40 and 41 of the HDPF.

Conclusion

- 6.11 For the reasons outlined above, it is considered that the amendments to the dwellings are considered to be acceptable in terms of their appearance and relationship with the street scene and do not result in an unacceptably adverse impact on the amenity of occupiers of nearby properties.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.12 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. However, the proposal is considered to be non-changeable as the application has been submitted under a section 73 application.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to the following conditions -

Conditions:

- 2 **Regulatory Condition:** The first floor windows to the north and southern (side) elevations shall remain obscurely glazed with no part of those windows that are less than 1.7 metres above the floor of the room in which it is installed capable of being opened. Once installed the obscured glazing shall be retained permanently thereafter.

Reason: To protect the privacy of Gimbals and 4 Freshwoods in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, B, C, E and F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the relationship of the site with adjoining properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The car parking spaces serving the development shall be constructed in accordance with approved details and thereafter retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0150