



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21 August 2018

DEVELOPMENT: Erection of a new chalet bungalow with associated parking

SITE: Land Rear of 1 and 2 Parbrook Cottages Parbrook Billingshurst West Sussex RH14 9ET

WARD: Billingshurst and Shipley

APPLICATION: DC/18/0957

APPLICANT: **Name:** Mr and Mrs A and G Wadey **Address:** Stone House Daux Avenue Billingshurst West Sussex RH14 9SZ

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period contrary to the officer recommendation

RECOMMENDATION: To grant planning permission subject to appropriate conditions

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 erection of a chalet bungalow with 3 bedrooms (offering flexible accommodation for disabled persons on the ground floor) and associated parking, including 2 standard spaces and 1 disabled space. The bungalow would be located in the north east corner of the site with parking to the north west of the site. The dimensions of the proposed dwelling are approximately 11m (W) by 7.6m (D) x 5.93 (H).

1.3 The application proposes a chalet bungalow comprising ground floor accommodation including 1 bedroom with en-suite, living/Kitchen, and cloakroom. The first floor comprises two bedrooms (both en-suite). The dwelling would have brick elevations at ground floor with weatherboard cladding at first floor under a pitched eternity tiled roof with terracotta ridge tiles. Two dormer windows with lead cheeks are proposed within the north elevation to the first floor bedrooms. Three sun tubes are proposed within the southern roof profile serving the bathrooms and hall. A high level ground floor window is proposed in the west elevation. The proposals include a porch canopy to the front access.

DESCRIPTION OF THE SITE

- 1.4 The application site comprises a vacant area of land within the Built up Area Boundaries of Billingshurst. The site is surrounded to the south west, south and east by neighbouring residential properties within the development known as The Willows, and shares a common side and rear boundary with 10 – 13 The Willows. To the north, on the opposite side of the access road there are 3 residential dwellings, and beyond these the access road extends further west and serves the 14 residential dwellings located in Centurion Close. Number 10 Parbrook is located approximately 14.5 m from west boundary of the application site.
- 1.5 The application site falls near to but outside of the defined Flood Zone 2 area, the boundaries of which are located immediately to the east and south of the application site. There are no trees on the application site; there are two trees subject to Tree Preservation Orders within the garden area of 10 The Willows.
- 1.6 The adjacent site previously known as 'Buttercup Cottage' 1 Parbrook, to the north of the application site has been redeveloped under DC/15/1381 through the erection of 2 x 1 bed cottages and integral parking (including visitors further parking bays to be provided for existing properties owned by the applicant); alterations to the neighbouring site to the east of the application site also in the applicants ownership have been approved under DC/16/1406.

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 2018**

- 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 16 - Strategic Policy: Meeting Local Housing Needs
Policy 18 - Retirement Housing and Specialist Care
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Parish of Billingshurst has been designated as a Neighbourhood Development Plan Area however there is currently no Made Plan for the Parish.

- 2.5 **PARISH DESIGN STATEMENT**

The Parish Statement seeks to improve the quality of new development and requires the development to complement the varying character and heritage of the district as defined in the Parish Design Statement which was produced to indicate the areas of good design applicable to locally distinctive areas.

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1762

Erection of two storey four bedroom dwelling with visitors and carers accommodation

Application Refused on 03.10.2017

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 **HDC Drainage Engineer:** No Objection. Any proposed drainage facilities will be determined by compliance with the current Building Regulations.

OUTSIDE AGENCIES

3.3 **WSCC Highways:** No Objection. The LHA does not consider that this proposal would have a 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and there are no highway capacity or safety concerns to resist the proposal.

3.4 **Southern Water:** No Objection

3.5 **Billingshurst Parish Council:** No objection

PUBLIC CONSULTATIONS -

3.6 8 representations have been received objecting to the application on the following grounds:

- Parking and loss of parking
- Design and character
- Landscaping
- Overdevelopment
- Chalet Bungalow definition
- Flooding
- Emergency services access
- Separation distance
- Amenity, noise, loss of light, privacy
- Heave and shifting
- Unsympathetic design / cramped and overbearing
- Disabled and cares accommodation and location
- Parking to Yew Tree and Fox Glove Cottages (DC/16/1406)

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 principle of development
- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The parking and traffic implications for the development
- 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 Billingshurst 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 The application seeks to erect a 1 x 3 bedroom dwelling to the rear of numbers 1 and 2 Parbrook Cottages, and to the rear of numbers 11-13 The Willows. It is noted that number 13 The Willows has relatively short rear garden area ranging from 7.5m to 12.5 m in depth, whilst the rear garden areas of 11 and 12 The Willows are longer and as such create a greater separation distance between the existing dwellings and the proposed dwelling. The proposed dwelling would be located approximately 14.5 m from number 10 Parbrook, located to the west of the application site.
- 6.5 The application currently under consideration has been submitted following the refusal of DC/17/1762 in October 2017, which proposed a two storey dwelling with associated parking. The application was refused for the following reason:

'Having regard to the layout of the proposal, in particular the form and scale of new dwelling, the relationship with site boundaries and the pattern and character of the surrounding development, the proposal represents an unsympathetic cramped and overbearing form of development which together with the unsympathetic design would be detrimental to the visual amenities and traditional character of the area and the amenities of neighbouring occupiers of The Willows. The proposal is thus contrary in particular to policy 33 of the Horsham District Planning Framework 2015'.

- 6.6 The relationship with the neighbouring properties to the rear of the application site was considered unacceptable representing an unsatisfactory form of development resulting in overdevelopment of the site and creating a cramped relationship with the existing dwellings. The vertical mass of the dwelling and relationship with 11 & 12 The Willows was considered to be unacceptable resulting in an overbearing impact.
- 6.7 The current application differs from the previous development proposals for a two storey dwelling previously refused. The overall height has been reduced from approximately 7.35m to 5.9m and the footprint has been reduced from 9m (D) x 12m (W) to 7.6m (D) x 11m (W); the dwelling has also been re-located marginally within the plot to move it away from the rear of 11 and 12 The Willows, and from the rear of 1 & 2 Stane Street. At the closest point the separation distance is approximately 17m from the rear of 12 The Willows to the proposed dwelling increasing to 22.4m at the intersection between the pair of semi-detached dwellings (11 and 12 The Willows) and 18m between the rear of 11 The Willows and the proposed dwelling. The separation distance between number 10 Parbrook and the proposed dwelling is approximately 14.5m. The recommended separation distances to rear facing window to window relationships is 21m and 10.5m between flank elevations and any windows serving a habitable room in the adjoining property where habitable rooms exist; it is advised however that there are no rear facing windows in the south elevation of the proposed dwelling which proposes sun tubes within the roof, and just one high level window within the west elevation facing 10 Parbrook. It is therefore considered that the reduction in three dimensional mass (height, depth and footprint) and the repositioning of the proposed dwelling within the site boundaries, and the improved relationship with neighbouring properties is acceptable, and that the design and location of the proposed dwelling has overcome the previous concerns relating to the overbearing impact and the overdevelopment of the site.
- 6.5 The proposal therefore represents a sympathetic form of development which would be in keeping with the character of the surrounding area and would be suitable for the plot size, in accordance with policies 32 and 33 of the HDPF.

Impact on neighbouring amenity

- 6.6 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. The proposed chalet bungalow would be positioned away from the boundaries when compared to the previous scheme and the relationship with neighbouring properties is now considered to be acceptable.

Highways Impact

- 6.7 The Highway Authority has advised that vehicular movements in this location would be low-speed in the context of the existing road layout. There are no apparent visibility issues at the point of access onto the public highway or at the junction with Parbrook. The proposed parking layout is considered sufficient for the scale of development being proposed and no adverse impact on the highway network would result.
- 6.8 It is acknowledged that concerns have been raised regarding the loss of informal parking within the current vacant land. The proposed development would though provide sufficient on-site parking to meet the demands it would create. A refusal of planning permission of the grounds of displaced parking associated with existing development in the locality (and not that being proposed by this current planning application) could not be substantiated.
- 6.9 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	141.82	0	141.82
		Total Gain	141.82
		Total Demolition	0

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.

Conclusion

- 6.10 The visual, amenity and highway impact of the proposal are considered acceptable and the proposal accords with relevant local and national planning policies.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted subject to the following conditions:-

1 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 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 neighbouring occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 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).

- 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-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 8 **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).

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) 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).

- 10 **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).

- 11 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of the parking turning and access facilities shall be submitted to and approved by the Local Planning Authority in writing. The building/dwelling shall not be occupied until the approved parking, turning and access facilities have been fully implemented. The parking turning and access facilities shall thereafter be 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).

- 12 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development 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 approved cycle parking facilities associated with that dwelling or use 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).

- 13 **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, or 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 constraints of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **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 neighbouring occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0957
DC/17/1762