PLANNING COMMITTEE REPORT

TO:	Planning Committee South
BY:	Head of Development and Building Control
DATE:	10th March 2025
DEVELOPMENT:	Incorporation of existing curtilage land into residential garden, erection of detached garage with new boundary treatments and gate details.
SITE:	Harleydene, Sandgate Lane, Storrington, West Sussex, RH20 3HJ
WARD:	Storrington and Washington
APPLICATION:	DC/24/1827
APPLICANT:	**Name:** Mr and Mrs J Casey **Address:** Harleydene Sandgate Lane Storrington West Sussex RH20 3HJ

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 The proposal seeks permission to incorporate an area of land to the south and southwest of Harleydene into the residential garden curtilage, which will involve relocating the existing fenceline. The applicant's title boundary currently includes a section of scrubland outside the existing enclosed garden, and this application aims to extend the curtilage to make better use of this underutilized land as part of the residential garden.

1.2 The house recently received planning approval for its refurbishment and extension under application DC/24/0593, which also included permission for a detached garage. The current proposal is again seeking permission for a detached garage, however it is now to be located slightly further south partly within the extended curtilage land. The applicant has stated that the repositioning of the approved garage slightly to the southwest would to improve the on-site driveway and turning space. The existing approval under DC/24/0593 also includes the creation of a driveway and gates. Revised details for the gates and fencing are included in this application.

1.3 The land within the new boundary will be enclosed by 1.8m high close-boarded fencing for immediate screening, which will then be supplemented by hedge planting that will mature over time.

DESCRIPTION OF THE SITE

1.4 Harleydene is a detached house located on a triangular plot to the east of Water Lane and on the north side of the private Sandgate Lane. The total land ownership extends to approximately 0.19 hectares overall, with this application specifically referring to the land that lies outside the enclosed garden area (0.0565Ha), leaving an underused section of scrubland to the southwest. The site slopes from west to east and is currently enclosed by an established beech hedge and panel fencing. Additionally, the property features several mature trees along the boundary adjacent to the main highway on Water Lane.

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 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Storrington, Sullington and Washington Neighbourhood Plan (2018-2031):
Policy 14 - Design
Policy 15 - Green Infrastructure and Biodiversity

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 25: Parking

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Storrington and Sullington Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/0593	Demolition of existing Sunroom, Utility, Garaging and driveway. Erection of front extensions, two storey side and single storey side and rear extensions. Roof alterations with gables and dormers to existing property and proposed new detached garage, new vehicle access with automated gates and associated landscaping.	Application Permitted on 26.06.2024
DISC/24/0206	Application for Approval of Details Reserved by Condition 3 to approved application DC/24/0593	Application Permitted on 08.10.2024

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 Arboricultural Officer:** No Objection

The revised engineering plans, along with the proposed Arboricultural Method Statement, are generally considered a reasonable approach given the close proximity to the principal tree belt. The impact on the landscape character and streetscene will depend on the success of underplanting the trees with new hedge planting. Due to the shaded environment, establishing and growing the hedge may be challenging, and it is recommended that the landscape team be consulted on potential planting options.

3.3 **West Sussex Highway Authority:** No Objection

[summary] An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals two recorded collisions within the vicinity of the site. However, they were not attributed to the use of the existing access. Therefore, there is no evidence to suggest the existing access onto Water Lane has been operating unsafely, or that its continued use would exacerbate an existing safety concern.

A new vehicular access onto Sandgate Lane was permitted under application DC/24/0593. As Sandgate Lane is privately maintained, any proposed access works will be subject to formal approval from the road's proprietor.

The proposed gates on the new access point onto Sandgate Lane are set back approximately 4.5m from the carriageway edge. Typically for access gates the LHA would request that gates be set back at least 5m from the carriageway edge, to allow for cars to pull in and wait whilst the gates are in operation. Nevertheless, any obstruction of the public highway whilst the gates are being operated would be considered to be temporary in nature and given the context of the road in this location, would not be anticipated to result in a highway safety concern.

The Local Highways Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

3.4 Representations:

10 letters of Objection have been received from 10 addresses, objecting to the application on the following grounds:

The comments primarily express concerns about the proposed 1.8m high fencing and its potential impact on safety and visibility at the junction of Sandgate Lane and Water Lane. Key points raised include:

- Reduced Visibility: The fence could obstruct sightlines for both vehicles and pedestrians entering or exiting Sandgate Lane, increasing the risk of accidents. This is especially concerning given the high pedestrian traffic from Sandgate Park and the recent increase in vehicle use.

- Safety Issues: Several residents highlighted previous accidents at the junction and expressed concern that the new fencing would exacerbate these issues. They emphasized that vehicles turning onto Water Lane would have reduced visibility of approaching traffic and pedestrians.

- Access and Parking: The fence could also block access for vehicles, especially delivery vans, which may end up obstructing the narrow lane. The loss of a passing place outside Harleydene was also noted, as it could create further congestion and safety concerns.

- Design and Impact: Some residents raised concerns about the visual impact of the fencing and hedging, which may not be in keeping with the rural character of the area. They also questioned whether the fencing and hedge would limit visibility at the junction, especially as the hedge grows.

- Pedestrian Safety: The combination of reduced visibility and the increased foot traffic in the area, particularly with families, dog walkers, and park visitors, was also a significant concern for many residents.

Overall, the main concern is that the proposed changes could make the junction unsafe for both vehicles and pedestrians due to obstructed visibility, especially given the increased traffic and foot traffic in the area.

3.5 Parish Comments:
Storrington and Sullington Parish Council: Objection
'Our objection is primarily based on safety grounds as the location and height (1.8m) of the proposed boundary fence will significantly impair visibility when exiting Sandgate Lane onto Water Lane. Furthermore, the intension to have a hedge of undetermined height or nature could restrict visibility even further particularly if allowed to grow higher. In addition, it is important to note that considerable numbers of people, children and dogs enter Sandgate Park by the adjacent access gate along with turning cars from the verge parking opposite. Stationary cars/vans waiting to either exit or enter Sandgate lane because of the impaired visibility will exasperate the problem. WSCC may have commented that there may have been no recent accidents but we would strongly recommend another opinion is sought on this matter of safety given that visibility could be seriously compromised if this application is passed in its current format.'

3.6 Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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

Principle of Development:

6.1 The proposal seeks to extend the residential curtilage of the property known as Harleydene by incorporating an area of scrubland located to the south and south-west of the current garden. This land currently lies outside the defined boundary of the property, and the applicants wish to bring this area into use as part of their private garden. The extension of the garden boundary will involve the relocation of an existing fence and would allow the repositioning of an already approved detached garage to improve site access and driveway functionality.

6.2 The proposed area of land to be incorporated into the garden of Harleydene is within the ownership of the applicant. It is also within the built-up-area boundary of Storrington & Sullington as defined by the Horsham District Local Plan (2015). As such, the principle of using this area as an extension to a garden for a dwelling is considered acceptable in principle. This is subject to ensuring the proposal is visually acceptable, protecting the existing trees, and highway safety considerations.

Design and Appearance:

6.3 Policies 32 and 33 of the Horsham District Planning Framework (HDPF) require that development maintains a high standard of design, which enhances and protects the local character and distinctiveness of the area. These policies ensure that the scale, massing, and appearance of development relate sensitively to the surrounding built environment, landscape, and open spaces. Furthermore, it is essential that the design does not have a negative impact on key views or the skyline. The design of the proposed extension to the residential curtilage at Harleydene has been considered in light of these requirements.

6.4 The use of timber for the new garage structure, including oak framing and horizontal timber cladding, is in keeping with the natural materials found in the semi-rural environment of the property. The roof of the garage is to be finished with clay plain tiles, which would match those of the main house, thus ensuring visual cohesion. This approach aligns with HDPF Policy 32, which requires new development to respect and reflect the materials and character of its context, particularly in rural or semi-rural locations.

6.5 The boundary treatment proposed includes 1.8-metre-high close-boarded fencing, set on gravel boards. This will clearly define the new garden boundary while maintaining the visual quality of the site. The proposal also includes additional hedge planting to the outer side of the new fenceline, which is expected to mature over time and soften the appearance of the boundary. It should be noted that there are examples of similar timber fencing for garden boundaries along Water Lane. With the retention of the existing trees and set behind landscaping, the visual impact of the fencing would be softened and is considered appropriate. This is consistent with HDPF Policy 33, which highlights the importance of boundary treatments that not only provide functional benefits but also enhance the visual and environmental quality of the site. The new hedgerows will further integrate the development into its surroundings and help reduce any potential visual impact from the highway or neighbouring properties. To ensure appropriate landscaping, a condition is recommended requiring details of all landscaping to be submitted for approval prior to development commencing.

6.6 Timber knee-high railings are proposed along the Sandgate Lane site frontage to replace logs that have been placed to deter illegal parking. The introduction of low railings would not harm the appearance of the site.

6.7 In conclusion, the proposal complies with the relevant aspects of HDPF Policies 32 and 33 by ensuring a high standard of design that integrates well with the surrounding environment. The careful selection of materials, the introduction of soft landscaping, and the retention of key natural features will enhance the site's appearance and preserve the character of the local area. Overall, the development appears to respect the local context and would not have a negative impact on the visual or environmental quality of the site.

Landscape and Trees:

6.8 In accordance with Policy 31 of the Horsham District Planning Framework (HDPF), which seeks to protect and enhance green infrastructure, the proposal retains the row of mature trees along the eastern edge of Water Lane. These trees have significant ecological and visual value, contributing to both the character of the site and the local landscape.

6.9 The submitted Arboricultural Report indicates that the development will be undertaken in a way that minimises soil disturbance, with the garage to be constructed using ground screws. This method is specifically designed to limit any impact on tree roots, ensuring the health and stability of the tree line are maintained. Additionally, any low branches that could interfere with the new structure will be pruned, as specified in the report, which helps to ensure minimal disruption to the existing natural landscape.

6.10 The Council's Arboricultural Officer initially raised concerns regarding the potential impact on the root protection areas (RPAs) of several mature trees along the eastern boundary, which are located outside the current fenced curtilage of the property. These trees, particularly those along Water Lane, are of high landscape value and have not been subject to pruning or removal pressures in the past. The officer highlighted that the roots of these trees are constrained by the adjacent highway, and the area outside the property boundary contains the trees' minimum recommended RPAs, which are essential for their long-term health. The Arboricultural Impact Assessment (AIA) submitted with the application was initially considered to underestimate the impact on these RPAs, particularly with the proposed placement of new brick piers within the RPA of an off-site oak tree to the southeast.

6.11 Following the submission of revised engineering plans and an updated Arboricultural Method Statement, the Arboricultural Officer has no objections to the proposal. The revised plans provide a more reasonable approach to protecting the mature trees while accommodating the development. The officer noted that the proposed method of construction, which incorporates ground screws, should help to minimize root disturbance, and the updated

method statement provides sufficient detail on how the RPAs will be protected during construction.

6.12 With the implementation of the revised engineering plans and Arboricultural Method Statement, and subject to further consultation on appropriate planting options, the proposal is considered acceptable in terms of its impact on trees and landscaping. The development will protect and retain the key trees of landscape value, maintaining their ecological and visual functions, and will contribute to the overall green infrastructure of the area.

Highway Safety:

6.13 Policy 40 of the Horsham District Planning Framework (HDPF) highlights the importance of transport access and ease of movement for the local economy, placing emphasis on the provision of safe and sustainable transport options. Policy 41 further specifies the need for adequate parking provision in development proposals. In this context, the proposed development at Harleydene includes changes to the site's curtilage, the erection of a new detached garage, and alterations to boundary treatments and gates.

6.14 The proposed development at Harleydene has prompted several concerns from neighbouring residents, with the main issues relating to safety, visibility, and the overall impact on local amenity. These concerns primarily focus on the potential obstruction of sightlines at the junction of Water Lane and Sandgate Lane, the safety implications of the proposed fencing, and the effect on the character of the area. All objections raised have been carefully considered, alongside relevant feedback from consultees, including the views of West Sussex County Council Highways.

6.15 Storrington and Sullington Parish Council have also raised safety concerns, particularly regarding the potential reduction in visibility when exiting Sandgate Lane onto Water Lane. The Parish Council note the high foot traffic in the area, especially families and dog walkers accessing Sandgate Park. They suggested that an additional safety assessment be conducted to fully evaluate the potential risks, despite the absence of recent accidents at the junction.

6.16 The submitted plans detail that appropriate visibility splays would continue to be achieved at the junction of Water Lane and Sandgate Lane. It should be noted that there is low growth on the trees fronting the site on Water Lane. The new fence and hedge would sit behind this retained tree line, meaning it is unlikely that the new hedgeline would extend beyond this low tree growth and obstruct visibility. It is noted that the public footpath between the trees and the carriageway on Water Lane would remain. This footway falls on Highway Authority land where it would be expected to be maintained to allow for pedestrians to use the footway. In this context, the proposed fence and hedge would not introduce new features that would block pre-existing visibility between vehicles on Sandgate Lane and Water Lane.

6.17 The WSCC Highways Authority have reviewed the proposal and have confirmed that there have been no recorded collisions at the junction related to the existing access over the past five years. They indicated that the existing access onto Water Lane has not been operating unsafely and that the proposed changes would not exacerbate safety concerns. Additionally, they confirmed that the driveway is sufficiently sized to accommodate several vehicles on the site, and there would be no anticipated adverse impacts on highway safety.

6.18 Based on the information provided by WSCC Highways, the lack of recent accidents, and the proposed mitigation measures, it is considered that the proposal would not result in an unacceptable risk to highway safety or pedestrian amenity. The revised design addresses concerns regarding visibility, and with appropriate planting management, the development is expected to integrate successfully into the existing landscape without causing harm to highway safety. Therefore, the proposal is considered to comply with Policy 40 of the HDPF.

6.19 A new vehicular access onto Sandgate Lane was previously permitted under application DC/24/0593, and any future access works will require approval from the proprietor of the private road. The proposed gates for the new access are set back approximately 4.5 meters from the carriageway edge. Although the Highway Authority typically requests a 5-metre setback for access gates to allow cars to wait off the carriageway while gates are being operated, the Highways Authority does not anticipate that any temporary obstruction of the public highway during gate operation will result in a highway safety concern, given the context of Sandgate Lane. The proposed driveway has also been designed with sufficient space to accommodate several vehicles on the site, and there is ample room for on-site turning.

6.20 In conclusion, WSCC Highways has reviewed the proposal and confirmed that it would not result in any unacceptable impacts on highway safety or lead to "severe" cumulative impacts on the operation of the highway network. As such, the proposal is considered to comply with the requirements of the National Planning Policy Framework (NPPF), particularly paragraph 116, and there are no transport-related grounds to resist the application. From reviewing the application and having undertaken a site visit, Officers have no reason to disagree with this conclusion.

Water Neutrality:

6.21 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

6.22 The proposal does not introduce any changes to the existing water demand. As a result, the proposal is screened out from requiring a full water neutrality assessment, as it does not introduce any material changes to water usage on the site. By maintaining the existing operational practices, the development demonstrates compliance with water neutrality requirements, ensuring that it will not have an adverse effect on the protected areas within the Sussex North Water Supply Zone. Therefore, no further mitigation or offsetting is deemed necessary in this case.

Ecology and Biodiversity Net Gain:

6.23 The proposed development, which involves altering the use of the existing verge, is considered to have no significant impact on local biodiversity. The changes are minimal and do not result in the loss or degradation of habitats that would affect protected species or lead to a measurable loss in biodiversity value. As such, the development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and no mitigation/net gain measures are required.

Conclusions:

6.24 In conclusion, the proposed development at Harleydene has been assessed against relevant planning policies and guidance, and it has been determined that it is acceptable in principle and design. The proposal to extend the residential curtilage and incorporate underused scrubland into the private garden aligns with both national and local planning policy, including the National Planning Policy Framework (NPPF) and the Horsham District Local Plan. The development is sensitive to the local environment, preserving key natural features such as mature trees, enhancing biodiversity, and respecting the semi-rural character of the area.

6.25 The highways impact assessment, supported by West Sussex County Council Highways, confirms that the proposed development will not result in unacceptable safety concerns or severe impacts on the highway network, including appropriate visibility at the junction of Water Lane and Sandgate Lane. The design of the new access, driveway, and garage provides adequate provision for vehicle parking and turning, and any temporary obstructions due to gate operation are unlikely to result in significant safety issues.

6.26 As such, the proposal complies with all relevant planning policies and is recommended for approval.

7. RECOMMENDATIONS

Conditions:

1 Plans list

2 **Standard Time Condition**: The development hereby permitted shall begin 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 part of the development hereby permitted shall be first occupied until full details of all soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all boundary treatments

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 proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes 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).

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 an Arboricultural Method Statement (AMS) detailing all trees and hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The AMS shall be prepared in accordance with ref: MDJAC-BS24137-AIAPMS-01 Rev A and the accompanying Tree Protection Plan dated 08/01/25.

The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size, and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection 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 no-dig driveway construction plan has been submitted to and approved in writing by the Local Planning Authority. This plan must use a three-dimensional load spreader filled with uncompacted loose angular stone and edged with pinned timber or sleepers, in accordance with BS5837:2012 standards concerning trees in relation to design, demolition, and construction. The development must be carried out at all times in strict accordance with the approved details. Any trees or hedges on the site that die or are damaged during construction must be replaced with trees or hedging plants of a type, size, and in positions agreed upon by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: Excavation for the post holes for new fencing must be carried out by using hand tools only. The resultant pit must then be lined with plastic sheeting or similar impervious material prior to backfilling to avoid leaking of toxic material harmful to tree roots i.e. cement etc. No roots over 25mm in diameter shall be severed without prior agreement with the Local Planning Authority Tree Officer. Small diameter roots of less than 25mm should be cut cleanly with secateurs at pit edges.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees on the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).