



# Planning Committee (North)

Tuesday, 1st August, 2017 at 5.30 pm

Conference Room, Parkside, Chart Way, Horsham

Councillors:	Liz Kitchen (Chairman)	
	Karen Burgess (Vice-Chairman)	
	John Bailey	Tony Hogben
	Andrew Baldwin	Adrian Lee
	Toni Bradnum	Christian Mitchell
	Alan Britten	Josh Murphy
	Peter Burgess	Godfrey Newman
	John Chidlow	Brian O'Connell
	Roy Cornell	Connor Relleen
	Christine Costin	Stuart Ritchie
	Leonard Crosbie	David Skipp
	Jonathan Dancer	Simon Torn
	Matthew French	Claire Vickers
	Billy Greening	Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley  
Chief Executive

## Agenda

	Page No.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	5 - 14
To approve as correct the minutes of the meeting held on 4 July 2017 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

**To consider the following reports of the Head of Development and to take such action thereon as may be necessary:**

- |     |   |         |
|-----|---|---------|
| 5.  | <b>Appeals</b><br>Applications for determination by Committee:  | 15 - 16 |
| 6.  | <b>DC/17/0587 - Holmbush Farm, Crawley Road, Faygate (Ward: Rusper and Colgate) Applicant: Mr Giles Chater</b>  | 17 - 34 |
| 7.  | <b>DC/17/0486 - Upper Totehill Cottage, Five Oaks Road, Slinfold (Ward: Itchingfield, Slinfold and Warnham) Applicant: Pathway Healthcare</b>                             | 35 - 48 |
| 8.  | <b>DC/17/0954 - The Old School, Brighton Road, Lower Beeding (Ward: Nuthurst) Applicant: Mr &amp; Mrs Lloyd</b>   | 49 - 58 |
| 9.  | <b>DC/17/0586 - Car Park, Hurst Road, Horsham (Ward: Horsham Park) Applicant: Horsham District Council</b>  | 59 - 66 |
| 10. | <b>DC/17/0967 - Horsham Ambulance Station, Hurst Road, Horsham (Ward: Horsham Park) Applicant: Horsham District Council</b>   | 67 - 74 |
| 11. | <b>DISC/17/0232 - Broadbridge Heath Sports Centre, Wickhurst Lane, Broadbridge Heath (Ward: Broadbridge Heath) Applicant: Mr Brian Elliott</b>                            | 75 - 80 |
| 12. | <b>Urgent Business</b><br>Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances |         |

# Agenda Annex

## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

<b>Addressing the Committee</b>	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
<b>Minutes</b>	Any comments or questions should be limited to the accuracy of the minutes only.
<b>Quorum</b>	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
<b>Declarations of Interest</b>	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
<b>Announcements</b>	These should be brief and to the point and are for information only – <b>no debate/decisions</b> .
<b>Appeals</b>	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
<b>Agenda Items</b>	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
<b>Public Speaking on Agenda Items</b> (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed <b>2</b> minutes each to make representations; members of the public who object to the planning application are allowed <b>2</b> minutes each, subject to an overall limit of <b>6</b> minutes; applicants and members of the public who support the planning application are allowed <b>2</b> minutes each, subject to an overall limit of <b>6</b> minutes. Any time limits may be changed at the discretion of the Chairman.
<b>Rules of Debate</b>	<p><b>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</b></p> <ul style="list-style-type: none"> <li>- No speeches until a proposal has been moved (mover may explain purpose) and seconded</li> <li>- Chairman may require motion to be written down and handed to him/her before it is discussed</li> <li>- Secunder may speak immediately after mover or later in the debate</li> <li>- Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max <b>5</b> minutes or longer at the discretion of the Chairman)</li> <li>- A Member <b>may not speak again except:</b> <ul style="list-style-type: none"> <li>o On an amendment to a motion</li> <li>o To move a further amendment if the motion has been amended since he/she last spoke</li> <li>o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried)</li> <li>o In exercise of a right of reply. Mover of original motion</li> </ul> </li> </ul>

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> <li>○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final.</li> <li>○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final.</li> </ul> <ul style="list-style-type: none"> <li>- Amendments to motions must be to: <ul style="list-style-type: none"> <li>○ Refer the matter to an appropriate body/individual for (re)consideration</li> <li>○ Leave out and/or insert words or add others (as long as this does not negate the motion)</li> </ul> </li> <li>- One amendment at a time to be moved, discussed and decided upon.</li> <li>- Any amended motion becomes the substantive motion to which further amendments may be moved.</li> <li>- A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion).</li> <li>- A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion).</li> <li>- The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).</li> </ul>
<b>Alternative Motion to Approve</b>	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer’s recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
<b>Alternative Motion to Refuse</b>	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer’s recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Development Manager will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
<b>Voting</b>	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> <li>- Two Members request a recorded vote</li> <li>- A recorded vote is required by law.</li> </ul> <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
<b>Vice-Chairman</b>	<p>In the Chairman’s absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

**Planning Committee (North)**  
**4 JULY 2017**

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Alan Britten, Peter Burgess, John Chidlow, Christine Costin, Leonard Crosbie, Matthew French, Tony Hogben, Godfrey Newman, David Skipp, Claire Vickers and Tricia Youtan

Apologies: Councillors: Andrew Baldwin, Toni Bradnum, Roy Cornell, Jonathan Dancer, Billy Greening, Adrian Lee, Christian Mitchell, Josh Murphy, Brian O'Connell, Connor Relleen, Stuart Ritchie and Simon Torn

PCN/11 **MINUTES**

The minutes of the meeting of the Committee held on 6<sup>th</sup> June were approved as a correct record and signed by the Chairman.

PCN/12 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCN/13 **ANNOUNCEMENTS**

There were no announcements.

PCN/14 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted.

PCN/15 **DC/17/0388 - LAND SOUTH OF BROADBRIDGE HEATH, OLD WICKHURST LANE (WARD: BROADBRIDGE HEATH)**  
**APPLICANT: MR SIMON COCKS**

The Head of Development reported that this application sought permission for a Neighbourhood Centre, which would include a nursery, four commercial units, 24 apartments and a detached parish office building, with 71 parking spaces and landscaping. The application related to outline permission DC/09/2101 for up to 963 residential dwellings, a Neighbourhood Centre, and other infrastructure at Wickhurst Green. The application also included downgrading works to the A264 as required under permission DC/09/2101.

The 24 apartments would be above the retail units in a two/three-storey building and comprise five 1-bedroom and 19 2-bedroom units. Ten affordable units

were proposed, which would be part-funded through commuted sums already paid by the applicant for the wider Wickhurst Green development.

The application site was within the Wickhurst Green residential development on land allocated for a Neighbourhood Centre, between the A264 to the north and dwellings to the south and west. To the east was an area designated for a primary school.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. Relevant planning history was also noted, in particular reserved matters application DC/15/0284 for a Neighbourhood Centre comprising a nursery, five retail units and a parish office.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

Members were advised that Condition 17, regarding hours of opening of the retail units, as printed in the report, should be corrected to ‘... shall not be open for trade or business except between the hours of 07:00 and 23:00 Monday to Saturday inclusive, and **07:00** to 22:00 Sundays and Public Holidays’.

The Parish Council objected to the application. Nine letters of objection from six households, one of support and two of comment had been received. The applicant addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer’s planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the impact of the scale and design of the building on the appearance of the wider area and on the amenities of adjacent occupiers; housing mix; highway and pedestrian safety; and parking and servicing.

Members considered concerns regarding the inclusion of 24 apartments and their impact on parking and amenity, and concluded that the proposal was in accord with the parameter plans. It was confirmed that the downgrading of the Broadbridge Heath bypass prior to occupancy of the Neighbourhood Centre would be secured through Condition 11.

In response to concerns regarding the need for appropriate landscaping and the appearance of the building, it was agreed that Local Members and the Chairman of the Committee would be consulted on Condition 16, which would secure an approved hard and soft landscaping plan, and Condition 5 regarding approval of a schedule of materials.

#### RESOLVED

- (i) That a legal agreement be entered into to secure affordable housing and to link the payment of infrastructure contributions to outline permission DC/09/2101.

- (ii) That on completion of (i) above, planning application DC/17/0388 be determined by the Head of Development. During determination, details of conditions 5 and 16 would be secured in consultation with the Local Members and Chairman of the Committee. The view of the Committee was that the application should be granted.

PCN/16 **DC/17/0566 - THE VICARAGE, CHURCH STREET, WARNHAM (WARD: ITCHINGFIELD, SLINFOLD & WARNHAM)**  
**APPLICANT: MR MARK HENDY**

The Head of Development reported that this application sought permission for the demolition of a 1960s Vicarage and erection of 15 two-storey dwellings comprising five 2-bedroom maisonettes, six 3-bedroom houses and four 4-bedroom houses, landscaping, access and parking. One of the houses would be a replacement Vicarage. The applicant had indicated that the five maisonettes could be affordable housing should this be demonstrated to be viable. Improvements to the access from Church Street were proposed and there would be 35 parking spaces.

The proposal had been amended to reposition the Vicarage further from the new access road and move dwellings further from the tree and hedgerow-lined western boundary. Officers confirmed that the trees would not be close enough to interfere with levels of light reaching the buildings.

The application site was located within the built-up area of Warnham and was a rectangular area of grassland and Vicarage. Beyond the western boundary lay the village cricket field, and school playing fields lay to the north. There were three Grade II Listed buildings and other dwellings south of the site, and business units including a gym to the south east.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. There was no recent relevant planning history. The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular it was noted that the Highways Authority had raised no objection.

In response to the applicant's commitment to provide a contribution of £20,000 to Warnham Cricket Club to fully fund and maintain demountable ball-stop netting to shield the site during cricket matches, Sport England had withdrawn their objection to the application. Therefore the application would not need to be referred to the Secretary of State.

The Parish Council objected to the application. Fourteen letters of objection, one of support and four commenting on the proposal had been received. Warnham Cricket Club raised no objection subject to the agreed contribution towards demountable netting. The applicant addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; dwelling mix and tenure; impact on heritage assets and the visual amenity of the locality; the amenity of neighbouring and future occupiers; the cricket field; highways, access and parking; and ecology.

Members were reassured that the Phase II Ecology survey being carried out would ensure that removal of any bat roost would be carried out under licence from Natural England.

RESOLVED

- (i) That, subject to the satisfactory completion of the Phase II Ecology survey, a legal agreement be entered into to secure infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/17/0566 be determined by the Head of Development. The view of the Committee was that the application should be granted.

PCN/17 **DC/17/0667 - LAND PARCEL AT NUTHURST ROAD, MONKS GATE**  
**(WARD: NUTHURST) APPLICANT: MRS NICOLA HUMPHREY**

The Head of Development reported that this application sought reserved matters approval of appearance, landscaping, layout and scale relating to outline permission DC/15/1946 for ten dwellings and new access, which had been granted by the Committee in December 2015, subject to the completion of a legal agreement (Minute No. DCN/79 (01.12.15) refers). The dwellings would be arranged in a cul-de-sac and comprise: four 4-bedroom detached houses; two 3-bedroom detached bungalows; and one 2-bedroom and three 3-bedroom semi-detached houses. Each dwelling would have a driveway, with a garage provided for six of the dwellings.

The application site was an undeveloped paddock located outside the built-up area of Nuthurst, set back from Nuthurst Road by a strip of trees, hedges and a grass area with pond. Some of the trees on the boundary were protected by a Tree Preservation Order. A public footpath ran along the western side of the site. The gardens of two semi-detached dwellings were east of the site.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. In particular it was noted that Southern Water had raised no objection.

The Parish Council raised no objection to the application. Eleven letters of objection had been received. One member of the public, representing Monks



Gate Residents Association, spoke in objection to the application and a representative of the Parish Council spoke in its support.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: its impact on the character of the surrounding area; amenity of occupiers and nearby residents; housing mix; and parking and highways. The provision of four affordable units had been secured through the legal agreement attached to the outline agreement.

Members noted concerns regarding the on-going maintenance of the pond and green space area, which had been maintained by Monks Gate Residents Association for many years. It was confirmed that under the terms of the legal agreement the owner of the land was obliged to retain and maintain this area in perpetuity.

RESOLVED

That approval of reserved matters application DC/17/0667 be granted subject to the conditions and reasons as reported.

PCN/18 **DC/17/1285 - BROADBRIDGE HEATH LEISURE CENTRE, WICKHURST LANE (WARD: BROADBRIDGE HEATH) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought non-material amendments to permission DC/16/1844 for a new leisure centre, which had been granted by the Committee in November 2016 (Minute No. DMN/60 (01.11.16) refers). The amendments included: extending the building footprint by one metre; lowering ground floor ceiling by 0.5 metres; minor elevational changes; and alterations to the carpark to allow for an additional parking space, access paths and soft landscaping.

The application site was located within the built-up area of Broadbridge Heath and comprised the leisure centre and adjacent land. The bowls club lay to the east, sports pitches to the south, and the Wickhurst Green housing development to the south west was under construction. The main entrance to the north was adjacent to a Tesco store and car park.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. No statutory internal or external consultation had been required. The Parish Council had not commented on the proposal. One letter of support had been received and one Member of the public spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was whether the amendments would have a material impact on the overall development. Members concluded that the extent of the amendments were non-material.

RESOLVED

That the amendments proposed under DC/17/1285 are agreed as non-material to planning permission DC/16/1844.

PCN/19 **DC/17/1286 - LAND SOUTH OF BROADBRIDGE HEATH LEISURE CENTRE, WICKHURST LANE (WARD: BROADBRIDGE HEATH)**  
**APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought non-material amendments to permission DC/16/1263 for five MUGA (multi use games area) pitches, which had been granted by the Committee in September 2016 (Minute No. DMN/39 (06.09.16) refers). The proposal amended the position of the MUGAs and repositioned and widened the northern footpath access to the new sports centre granted under permission DC/16/1844. The MUGAs would be moved to the west and one of them would be shortened by two metres to avoid conflict with the root protection area of trees covered by a Tree Preservation Order. The application had originally proposed reducing the length of all five MUGAs.

The application site was located within the built-up area of Broadbridge Heath, south of the Indoor Bowls Club and Tesco store and west of the A24 slip road. Sports pitches lay to the west and south, and the Wickhurst Green housing development to the west was under construction.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. No statutory internal or external consultation had been required. The Parish Council had not commented on the proposal.

Eleven letters of objection had been received, some of which referred to the original proposal to reduce the length of all five MUGAs. Since publication of the report a further 26 letters objecting to the proposal had been received, many objecting to the reduction in length of all five MUGAs as originally proposed. Three members of the public spoke, all raising some objections, but reluctantly supporting the proposal.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was whether the amendments would have a material impact on the overall development. It was noted that the overall MUGA provision was greater than the existing provision at the leisure centre they would replace.

Members concluded that the extent of the amendments would not materially change the approved MUGAs.

RESOLVED

That the amendments proposed under DC/17/1286 are agreed as non-material to planning permission DC/16/1844.

PCN/20 **DC/17/0466 - OLD LODGE, CHRISTS HOSPITAL (WARD: SOUTHWATER)**  
**APPLICANT: MR & MRS BUDGEN**

The Head of Development reported that this application sought permission for a single storey rear extension with a glazed link to the main building. The extension would be just over seven metres deep with a ridge height of five metres, slightly below that of the main building. Timber cladding and clay roof tiles were proposed.

The application site was located north of Christs Hospital Road and west of Two Mile Ash Road and comprised a single storey Grade II Listed Building in a relatively small plot, with the amenity space to the rear above the dwelling.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The consultation response from the Council's Design & Conservation Advisor was noted by the Committee.

The Parish Council objected to the application, and had written since publication of the report to reiterate their objection. Thirteen letters of support had been received. Both applicants spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its impact on the historic and architectural interest of the listed building and its setting; and neighbouring amenity.

Members discussed the scale and design of the extension and how it would relate to the listed building. It was noted that the footprint of the proposal was considered reasonable and Members concluded that the form and appearance of the extension would not detract from the significance of the listed building. It was also noted that the site was well screened and the proposal would not have an impact on the character of the surrounding area.

RESOLVED

- (i) That a legal agreement be entered into to prevent the implementation of planning permission DC/15/1667 in the event that this extension is implemented.
- (ii) That, on satisfactory completion of the above, planning application DC/17/0466 be determined by the Head of Development to allow for the framing of conditions in consultation with the Local Members.

PCN/21 **DC/17/0467 - OLD LODGE, CHRISTS HOSPITAL (WARD: SOUTHWATER)**

**APPLICANT: MR & MRS BUDGEN**

The Head of Development reported that this application sought Listed Building Consent for a single storey rear extension with a glazed link to the main building. The extension would be just over seven metres deep with a ridge height of five metres, slightly below that of the main building. Timber cladding and clay roof tiles were proposed. The removal of an internal partition between the bedroom and dining room was also proposed.

The application site was located north of Christs Hospital Road and west of Two Mile Ash Road and comprised a single storey Grade II Listed Building in a relatively small plot, with the amenity space to the rear above the dwelling.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The consultation response from the Council's Design & Conservation Advisor was noted by the Committee.

The Parish Council objected to the application, and had written since publication of the report to reiterate their objection.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the principle of development and its impact on the historic and architectural interest of the listed building.

The site was well screened and Members concluded that the form and appearance of the extension was in keeping with the existing building and would not detract from the character of the listed building or its setting.

RESOLVED

That Listed Building Consent application DC/17/0467 be determined by the Head of Development to allow for the framing of conditions in consultation with the Local Members.

PCN/22 **DISC/17/0186 - TWIGS, BASHURST HILL, ITCHINGFIELD (WARD: ITCHINGFIELD, SLINFOLD & WARNHAM)**  
**APPLICANT: MR DUNCAN JAGGER**

The Head of Development reported that this application sought approval of details submitted regarding Condition 2 of permission DC/16/2568 for the tarmacking of a hardstanding area to the front of the site, which had been granted by the Committee in April 2016 (Minute No. PCN/115 (04.04.17) refers). Condition 2 required the work carried out to reinstate grass verge to an area of tarmacking to be of a satisfactory standard. The reinstatement had been done by covering the area with 15cm of topsoil without removing the tarmac first.

The application site was located on the west of Bashurst Hill, along which were large detached dwellings in generous plots, in a countryside location. It comprised a square-shaped residential plot, on which a two storey property had been constructed following the demolition of a bungalow.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council objected to the application, and the Local Member had raised concerns regarding the applicant's non-compliance. Six letters of objection, from five households, had been received. One member of the public, and a representative of the Parish Council, spoke in objection to the application.

Members considered the officer's planning assessment, and whether the works as carried out provided a satisfactory reinstatement in terms of drainage and visual amenity, and whether it could be maintained to a satisfactory standard. Members raised concerns regarding non-compliance with the terms of the condition but noted that the condition required the restored grass verge to be 'retained thereafter'. As such, in the event of the verge deteriorating, it would be open to the Council to consider the expediency of enforcement action.

RESOLVED

That application DISC/17/0186 for approval of details pursuant to conditions be approved.

PCN/23 **DC/17/0788 - HOP OAST DEPOT, WORTHING ROAD, HORSHAM**  
**(WARD: SOUTHWATER) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission for an automatic truck wash system for Horsham District Council refuse vehicles. It would be located in the south west corner of the Hop Oast Depot site and include an underground attenuation tank for waste water. The enclosure would be designed using materials to match the new depot building.

The application site was located outside the built up area close to the junction of the A24 Worthing Road and B2227 Hop Oast Roundabout, between the current 'Park and Ride' facility to the north, the Household Waste recycling facility to the west and the Shell Petrol Station to the south.

The area surrounding the application site was largely industrial and commercial and the nearest residential properties were approximately half a mile south. The site was enclosed by trees and vegetation adjacent to the eight metre chain link fence around the perimeter.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The

responses from statutory internal and external consultees, as contained within the report, were noted by the Committee.

The Parish Council objected to the application because it would not be sufficiently screened from the A24. There had been no other responses to the public consultation.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the visual and environmental impact on the character of the surrounding area; and traffic and highway implications. A landscaping condition was not required because the landscaping condition attached to DC/15/2814 would apply to mitigating the impact of the truck wash facility.

RESOLVED

That planning application DC/17/0788 be granted subject to the conditions as reported.

*The meeting closed at 7.25 pm having commenced at 5.30 pm*

CHAIRMAN

## Planning Committee (North)

Date: 1<sup>st</sup> August 2017



**Horsham  
District  
Council**

Report by the Head of Planning & Environmental Services: APPEALS  
Report run from 22/06/2017 to 19/07/2017

### 1. Appeals Lodged

I have received notice from the Department of Communities and Local Government that the following appeals have been lodged:-

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/17/0413	14 Timber Mill Southwater Horsham West Sussex RH13 9SY	28 <sup>th</sup> June 2017	Refuse	
DC/17/0562	Pathfield Cottages Cross Lane Barns Green West Sussex	5 <sup>th</sup> July 2017	Refuse	
DC/17/0765	1A Clarence Road Horsham West Sussex RH13 5SJ	5 <sup>th</sup> July 2017	Refuse	

### 2. Live Appeals

I have received notice from the Department of Communities and Local Government that the following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/16/2032	Stammerham Farm Capel Road Rusper West Sussex	Written Reps	27 <sup>th</sup> June 2017	Refuse	
DC/16/2337	124 Brighton Road Horsham West Sussex RH13 6EY	Written Reps	10 <sup>th</sup> July 2017	Refuse	
DC/17/0484	Woodlands Framing Yard Woodlands Farm Old Crawley Road Faygate Horsham West Sussex RH12 4RU	Written Reps	3 <sup>rd</sup> July 2017	Refuse	

### 3. Appeal Decisions

I have received notice from the Department of Communities and Local Government that the following appeals have been determined:-

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/15/1888	Demolished Twigs Bashurst Hill Itchingfield West Sussex	Written Reps	Allowed	Permit	Permit
DC/16/2200	Gate Lodge Stane Street Slinfold Horsham West Sussex RH13 0RE	Written Reps	Allowed	Refuse	Refuse
DC/16/2858	Lot 6 Ghyll House Farm Broadwater Lane Copsale West Sussex	Written Reps	Allowed	Refuse	
DC/16/2605	18 Oliver Road Horsham West Sussex RH12 1LH	Written Reps	Dismissed	Refuse	
DC/16/2687	Lane End Lyons Road Slinfold Horsham West Sussex RH13 0QS	Written Reps	Dismissed	Refuse	
DC/15/2857	Millfield Farm Buildings Horsham Road Rusper Horsham West Sussex RH12 4PR	Informal Hearing	Dismissed	Refuse	Refuse
DC/16/2017	1 Bensons Farm Cottages Wimland Road Faygate Horsham West Sussex RH12 4SS	Written Reps	Dismissed	Refuse	





**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee

**BY:** Development Manager

**DATE:** 1 August 2017

**DEVELOPMENT:** Temporary change of use for up to 3 days per year to allow the land to be used as an obstacle course with associated car parking, base camp and camp site along with associated engineering works to create the obstacle course and restoration of the site following the event.

**SITE:** Holmbush Farm Crawley Road Faygate West Sussex

**WARD:** Rusper and Colgate

**APPLICATION:** DC/17/0587

**APPLICANT:** **Name:** Mr Giles Chater **Address:** Tough Mudder 4 Snow Hill London EC1A 2DJ

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation have been received which are contrary to the Officer recommendation.

**RECOMMENDATION:** To grant planning permission subject to conditions

### **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

1.2 The application seeks the temporary change of use of land at Holmbush Farm to allow Tough Mudder (sports and recreational) events to be held. Events will be held over 3 days each year for the duration of the rental agreement with the landowner which is understood to be until the end of 2020.

1.3 Tough Mudder is a private company, founded in 2009, which runs team-orientated obstacle courses designed to test physical strength and mental grit. The three day event at Holmbush House takes place over two weekends and consists of a full course (12 miles and 20 obstacles), half course (5 miles and 13 obstacles) and a Mini Mudder (1 mile course for children). Friends and family are also encouraged to attend to spectate and participants can make use of the on-site campsite for the weekend should they wish.

1.4 Implicit in the change of use is engineering operations in order to create the obstacles used by participants. These obstacles take various forms and include excavations filled with mud/water, above ground constructions such as timber walls and scaffolding climbing frames and 'monkey rings', and structures placed on the ground such as bales, pipes, skips and barbed wire. The works involved in the construction of the event start approximately

four weeks prior to the first day of the event, with site restoration taking place for two weeks post event. Overall therefore, the Tough Mudder event involves operations on site for up-to eight weeks.

- 1.5 The car parking areas associated with the event are located to the immediate west of Holmbush Farm and extend towards Holmbush House. Access into/from the site is provided by a series of gateways along the A264 with temporary aluminium tracking being installed to facilitate vehicle movement over unmade ground. The camping area is located close to the base area which is centrally located within the site. The base area provides facilities such as the warm up area, food and drink tents, a merchandise tent and bag drop facilities. Background music is played at some obstacles and within the base area during and after the event, generally until the last participant crosses the finishing line and the village is closed down (Normally by 9pm on a Saturday and 6pm on a Sunday). Background music could also be played within the campsite on the Friday and Saturday nights however this is not amplified.
- 1.6 The 2017 event will take place over the weekends of 16-17 and 23-24 September. A full and half course will run on Saturday 16 September 2017 with a full and half course running on Saturday 23 and Sunday 24 September 2017. No event will run on Sunday 17 September 2017.
- 1.7 Tough Mudder ran an event over two weekends in September 2016 at the Holmbush Farm site. The applicant considered that this use could be carried out as Permitted Development under Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, which allows for the temporary use of land for any purpose, but not for more than 28 days in any calendar year. In connection with the temporary use of land, the General Permitted Development Order (GPDO) also allows for the provision on the land of any movable structure for the purposes of the permitted use. Following the receipt of a number of complaints about the 2016 event being run in breach of the Permitted Development legislation (i.e. in excess of 28 days); the Planning Service requested an application for the temporary change of use of the site for future events at the site.
- 1.8 The Council has considered the information submitted and supplied by Tough Mudder in support of the application and considers that an Environmental Impact Assessment is not required in this case.

#### DESCRIPTION OF THE SITE

- 1.9 The site forms part of the wider Holmbush Farm estate, located mid-way between Horsham and Crawley. The application relates to some 230 hectares (568 acres) of land on the southern side of the A264.
- 1.10 The wider Holmbush Farm estate which extends to some 1,000 hectares (2,500 acres) is made up of arable land, ancient woodland, commercial forestry and livestock (around 350 sheep and a small number of hens, pigs, goats, turkeys and cows) along with several independent businesses in the twelve commercial units in the courtyard area. There is also a tea-room with soft play area and a small farm shop on the site. Holmbush Events also operates from an area of the estate and provide activities such as archery, 4x4 driving and rifle shooting and Holmbush Paintball operates from the site.
- 1.11 The land to be used by Tough Mudder primarily lies to the east of Tower Road (Faygate roundabout to Colgate), to the west of Buchan Country Park, to the south of the A264 and to the north of Forest Road (Colgate). An area of woodland along the western boundary of the site along with two areas more centrally within the site and the boundary with Buchan Country Park are designated as Ancient Woodland. Almost all of the woodland area is also designated as an Archaeological Notification Area. The whole site lies within the High

Weald Area of Outstanding Natural Beauty (AONB). A pond known as Island Pond to the east side of the site is designated as a Site of Special Scientific Interest.

- 1.12 There are a number of residential properties within the site; the majority of these are within the ownership of Holmbush Farm estate. The exception to this is Holmbush House which lies some 600 metres from the buildings that make up Holmbush Farm. Holmbush House is grade II\* listed and was split into five properties in the late 1970's/early 1980's. The residential development of Kilnwood Vale lies on the opposite side of the A264 to the eastern side of the site.

## 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:

#### **National Planning Policy Framework:**

NPPF1 - Building a strong, competitive economy  
NPPF3 - Supporting a prosperous rural economy  
NPPF4 - Promoting sustainable transport  
NPPF7 - Requiring good design  
NPPF8 - Promoting healthy communities  
NPPF11 - Conserving and enhancing the natural environment  
NPPF12 - Conserving and enhancing the historic environment  
NPPF14 - Presumption in favour of sustainable development

#### **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development  
HDPF2 - Strategic Policy: Strategic Development  
HDPF10 - Rural Economic Development  
HDPF11 - Tourism and Cultural Facilities  
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character  
HDPF26 - Strategic Policy: Countryside Protection  
HDPF30 - Protected Landscapes  
HDPF31 - Green Infrastructure and Biodiversity  
HDPF32 - Strategic Policy: The Quality of New Development  
HDPF33 - Development Principles  
HDPF34 - Cultural and Heritage Assets  
HDPF40 - Sustainable Transport  
HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.3 The Parish of Colgate has not been designated as a Neighbourhood Development Plan Area.

### PLANNING HISTORY AND RELEVANT APPLICATIONS

LB/12/82	Convert to farm shop	Application Permitted on 25.03.1982
LB/45/85	Use of building as commercial smithy	Application Permitted on 30.10.1985

LB/63/81	Change of use to farm and forestry produce shop	Application Permitted on 21.01.1982
LB/52/86	Conversion of redundant agricultural buildings to 11 light industrial/ offices and workshops	Application Refused on 14.01.1987
CG/19/87	Conversion of redundant agricultural buildings to 11 light industrial/ offices and workshops	Application Permitted on 26.11.1987
CG/5/89	Change of use of farm buildings and woodland area for playing war games with reception and parking	Application Permitted on 16.06.1989
CG/26/89	Buildings for use on war games site	Application Permitted on 17.08.1989
CG/11/91	Removal of conditions 1 & 3 on permissions cg/5/89 & cg/26/89: increase in number of participants from 60 to 100 per day	Application Permitted on 25.03.1991
CG/15/94	Change of use to an open education farm canteen erection of toilets and formation of car park	Application Permitted on 22.11.1994
CG/26/97	Conversion of farm buildings to offices and workshops	Application Permitted on 19.11.1997
CG/50/02	Retail outlet for fencing & forestry products Site: Holmbush Farm Crawley Road Faygate	Withdrawn Application on 16.12.2002
CG/13/03	Replacement sawmill building and workshop and estate yard	Application Permitted on 14.11.2003
DC/04/0146	Continued use of farm buildings and land to open educational farm and single-storey extension to provide tea room, play area and toilet facilities	Application Permitted on 16.04.2004
DC/05/1394	Erection of a building to provide tea room, play area and toilet facilities	Application Permitted on 13.09.2005
DC/16/1163	Hedgerow Removal (6m)	Application Permitted on 30.06.2016
DC/16/1262	Temporary access onto A264	Application Permitted on 12.08.2016
DC/16/1821	Retrospective application for the installation of replacement gates	Application Refused on 21.10.2016
DC/17/0570	Widening of existing gateway and erection of replacement gates along with laying of hardstanding	Application Permitted on 08.06.2017

### 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](http://www.horsham.gov.uk).

#### INTERNAL CONSULTATIONS

- 3.2 **Landscape Officer** – Given the temporary nature of the event (3 days a year + pre and post operations) and proposed site restoration, it is considered the proposal would have a negligible effect on the landscape qualities and visual character and broadly comply with Policy 30 of the HDPF.
- 3.3 **Arboricultural Officer** – This event, despite its high footfall, will not cause an unacceptable level of damage to the ancient woodland overall, and is accordingly acceptable.
- 3.4 **Conservation Officer** – The proposal would cause less than substantial harm to the setting of the heritage asset and this potential level of harm would only arise on the limited days each year when the event will be held. Therefore, the potential harm needs to be considered in the overall planning balance.
- 3.5 **Environmental Health Officer** – Comfortable with Tough Mudder's proposals in terms noise mitigation but would ask that monitoring data for the event is provided. It is suggested that Tough Mudder representatives observe the event from a location at the site boundary nearest to the affected dwellings and notes the date, time, weather conditions and confirmation that the level of noise from the PA etc is not distinguishable. It is expected that this is undertaken for the first 15 - 30 minutes at the start of each event.
- 3.6 **Town Centre Manager** – Support short term activities such as the Tough Mudder on the Holmbush Farm site providing they have satisfied our Safety Advisory Group as to their provisions for safety and traffic management.
- 3.7 **Strategic Planning** – No policy objection subject to other issues being mitigated (particularly any adverse impacts upon the High Weald AONB or the neighbouring listed residential building).

#### OUTSIDE AGENCIES

- 3.8 **WSCC Highways** – No objection. Recommends condition in relation to a traffic management plan.
- 3.9 **WSCC Public Rights of Way Officer (PROW)** – No objection.
- 3.10 **Ecology Consultant** – Providing the avoidance measures detailed, together with the site restoration described, are undertaken, it is unlikely that there will be significant ecological impacts from the proposed temporary change of use.
- 3.11 **Archaeology Consultant** – Do not consider that the scale or nature of the development proposed will have the potential to identify or impact upon archaeological deposits.
- 3.12 **High Weald AONB Joint Advisory Committee** – Recommends conditions in respect of protection of the ancient woodland, retention of field boundaries, permanent urbanising features, number of events, hours of use and lighting.
- 3.13 **Crawley Borough Council** – In principle, the proposal is supported. The main potential impact upon Crawley would be through traffic generation and potentially increased

congestion on local roads. Content that these issues are addressed by the County Council as Local Highway Authority.

#### PARISH COUNCIL

3.14 **Colgate Parish Council** objects to the application unless the following issues are addressed:

- Volume of the public address system should be reduced and only used from 9am (10am on Sunday) to 5pm.
- Buses should not be suspended between Kilnwood Vale and Horsham.
- No restrictions around the Kilnwood Vale roundabout.
- No parking in Kilnwood Vale.
- Appropriate taxi drop off area required.
- Protection zone required around Holmbush House to protect their privacy.
- Construction works restricted to 9am – 5pm Monday to Friday and reduced hours over the weekend.

#### PUBLIC CONSULTATIONS

3.15 22 letters/emails of objection (from 14 households, plus one letter from Holmbush House Management Company) have been received which raise the following concerns:

- Levels of noise at the 2016 event unacceptable.
- Participants of past events have wandered into the gardens of the adjacent residential properties.
- Loss of privacy and overlooking of Holmbush House and their gardens by participants.
- Combined with other events held at Holmbush Farm, level of disturbance of residents would be extremely high during the spring/summer.
- Increase in traffic using private driveway.
- Majority of participants are not familiar with the A264 which will greatly increase the chance of an accident.
- No traffic management plan submitted with the application.
- The 2016 event saw bus routes suspended and residents forced to make detours to their properties.
- Inappropriate use of the driveway providing access to Holmbush House by coaches.
- Highway safety concerns with the 2016 event – cars parked on the verges of the A264 and pedestrians walking along the verges.
- Status of land (High Weald AONB, Ancient Woodland and Archaeological Notification Area) not properly considered.
- Concerns with health and safety of the event.
- Contrary to provisions with the Human Rights Act which requires residents to have peaceful enjoyment of their properties and the right to respect for their private and family life, home and surroundings.
- Lack of consultation (in particular with all Kilnwood Vale residents).

3.16 A number of the objectors have suggested conditions should the application be approved. These relate to:

- A 200m protection zone around residential property.
- Construction works are restricted to office hours on weekdays only.
- Increase in the number of toilets on the site.
- Increase in the number of marshals.
- No public address systems or if allowed not used before 9am on Saturday and 10am on Sunday.
- A noise consultant being employed by Tough Mudder to minimise noise to neighbouring residential properties.
- A break in noise from public address systems during the day (2 hours at midday?)

- No parking in the field directly in front of Holmbush House or at Kilnwood Vale.
- Parking utilises existing parking areas at Holmbush Farm.
- Event limited to a single weekend, with set up/take down limited to 3 weeks.
- Improved traffic and pedestrian management.
- No use of the driveway to Holmbush House by Tough Mudder traffic.
- Construction of footpath from Kilnwood Vale to Faygate.

3.17 2 letters/emails of support (from 2 properties) have been received which raise the following comments:

- No major disruption as a result on the 2016 event.
- Great atmosphere at the 2016 event.
- Traffic management at the 2016 event was excellent although there were some delays.
- Nice to see local land being used for events that involve the local community and brings work for local businesses.

3.18 1 letter/email of support received which raises suggestions on the running of the event:

- Use of PA system from 9am onwards only.
- Restrictions on parking in Kilnwood Vale.
- Additional evening security.
- Construction of path from Kilnwood Vale to Faygate to compensate for the disruption during the event.

#### **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 in the consideration of the application are:-

- Principle of development
- Impact on highway safety and transport issues
- Impact on occupiers of neighbouring properties
- Landscape impact
- Impact on heritage assets
- Impact on ancient woodland and biodiversity

##### Principle of development

6.2 Policy 1 of the Horsham District Planning Framework (HDPF) relates to sustainable development, and states that development which accords with the Local Plan and Neighbourhood Plan will be approved without delay. Policy 2 sets out the main growth strategy, focussing development in the main settlements. This spatial strategy includes the requirement to retain and enhance natural environmental resources, including landscapes and landscape character, biodiversity, and retaining and enhancing environmental quality.

It supports development which protects, conserves and enhances the District's built heritage.

- 6.3 Policy 10 of the HDPF relates to rural economic development and is supportive of the diversification of farming and other countryside based enterprises. Policy 11 which relates to tourism and cultural facilities seeks to promote tourism and enhance local cultural facilities, including recreation based rural diversification. The policy seeks to increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors and residents of the District. The policy sets out a number of criteria that needs to be met including, reinforcing the local distinctiveness and improving existing facilities, focusing major tourism and cultural facilities in Horsham town centre, seek to ensure that facilities are in keeping with their relationship with the urban area and countryside especially in and around the High Weald AONB, and develop opportunities associated with rural diversification particularly where they assist farm diversification projects.
- 6.4 The use of the land by Tough Mudder (TM) will lead to the further diversification of the Holmbush Farm Estate, which already accommodates a number of businesses as set out in section 1, above. The proposal will support the local economy as national events located in or close to Horsham have publicity value for the town and area and there is a local business opportunity/turnover uplift potential from events of this scale that attract people from across the south east to Horsham.
- 6.5 On the basis that policies 10 and 11 of the HDPF are supportive of farm diversification and that the Council's Economic Development team is supportive of the application, it is considered that the principle of the change of use of the land at Holmbush Farm to allow Tough Mudder events to take place is acceptable subject to the consideration of the other issues set out at paragraph 6.1 and compliance with the relevant planning policies.

#### Impact on highway safety and transport issues

- 6.6 Policy 40 of the HDPF supports development proposals which promote an improved and integrated transport network, with a rebalancing in favour of non-car modes as a means of access to jobs, homes, services and facilities, and requires developments to provide safe and suitable access for all vehicles, pedestrians and cyclists. Policy 41 of the HDPF requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.
- 6.7 The proposal will provide parking for approximately 4,500 vehicles although Tough Mudder has advised that the maximum number of vehicles likely to be on the site at any one time will be approximately 3,800.

Concerns have been raised by local residents and Colgate Parish Council in respect of the traffic management plan agreed for the 2016 event in terms of buses being suspended between Horsham and Kilnwood Vale on the event days, restrictions imposed on the Kilnwood Vale roundabout and the provision of taxi drop off areas. Concern has also been raised in respect of participants parking at Kilnwood Vale rather than using the event parking areas and pedestrians walking along the A264.

- 6.8 West Sussex County Council (WSSC) as the Local Highway Authority has raised no concerns in respect of the application. They have advised that for the 2016 event a temporary vehicular access was provided onto the A264 and a Traffic Management Plan (TMP) provided which included the nearside lane of the A264 dual-carriageway coned off and traffic management provided from the Bewbush roundabout to just short of the Faygate roundabout. Traffic Management Plans are provided by event organisers and sent to WSSC Highways for approval. WSSC Highways have advised that they may consult third parties such as Sussex Police however there is no legal obligation to do this. WSSC advise



that there is no obligation for lane closures or alterations to bus routes to be advertised however there is a requirement for the advertisement of any speed limit reductions or temporary closures of the layby fronting the site, and this is usually distributed to key stakeholders (including the local Parish Council, Police, Fire, Ambulance, District Council, County Councillors, bus companies, Freight Transport Association and Road Haulage Association) and a notice erected on site if it is safe to do so. WSCC has recommended that a condition is imposed restricting individual events taking place until a TMP has been agreed. The requirement for a TMP in connection with each annual event allows any lessons learned from events in the preceding years to feed into each new TMP.

- 6.9 Tough Mudder propose to charge for car parking and will be advising all prospective participants that there will be no off site parking available they have also advised that to discourage parking at Kilnwood Vale, “no event traffic” signage will be placed at the entrance to the estate. In terms of taxi-drop offs, all drop-off and pick up access into the site will be free and there will be dedicated points close to the event village area. There is an expedited process of bringing taxis into the site and drop off/pick off points are signed from the A264 to prevent taxis getting stuck in any queues for the parking areas. A taxi pick-up area is located near the event village, with numbers of taxi firms being provided, and participants are discouraged from walking out of the site to meet taxis elsewhere.
- 6.10 In terms of pedestrians walking along the A264, Tough Mudder was made aware of this issue during the first weekend of the 2016 event. It is understood that a number of participants had parked in field gateways located on the A264 and were then walking to the event entrance and that others had been dropped off by taxis, buses etc outside of the site. Tough Mudder has advised that after the first weekend of the 2016 event, all of the field gateways were coned off in an attempt to prevent a similar situation during the second weekend. For future events, Tough Mudder has advised that participants will be made aware that there is no pedestrian access to the site, when sending out communications to them.
- 6.11 Whilst the majority of participants will arrive by car as this is the most convenient method of reaching the site, there are public transport options available to the wider area (for example trains to Crawley, Horsham and Faygate) with taxi’s available for access to the site. In terms of parking at Kilnwood Vale, inappropriate drop-offs on the A264 and pedestrians walking along the A264, Tougher Mudder was made aware of these issues relating to the 2016 event and has sought to address the concerns for future events at the site. It should be noted that whilst Tough Mudder can put in place measures to address the highway issues raised by third parties and discourage off-site parking and drop-offs, there may still be instances of parking at Kilnwood Vale other off-site locations as the surrounding roads are public roads and there is nothing to prevent parking where it does not cause an obstruction to pedestrians or road users. It is therefore considered that the change of use of the site, in transport and highway safety terms is acceptable and is in general compliance with policies 40 and 41 of the HDPF.

#### Impact on occupiers of neighbouring properties

- 6.12 Policy 33 of the HDPF requires development to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.
- 6.13 There are a number of residential properties within the site; the majority of these are within the ownership of Holmbush Farm Estate. The exception to this is Holmbush House which lies some 600 metres from the buildings that make up Holmbush Farm. The car parking areas of the event lie in close proximity to the northern boundary of Holmbush House, with parts of the course running in relatively close proximity to other boundaries. The residential

development of Kilnwood Vale lies on the opposite side of the A264 to the eastern side of the site.

- 6.14 Concerns have been raised by the residents of Holmbush House, along with other objectors including a number of residents at Kilnwood Vale, about noise at the 2016 event and for future events to potentially have a similar impact on their amenity. It is understood that the 2016 event included the use of public address systems from 7am (8am on Sunday) and also included loud speakers at some of the individual obstacles and the playing of live music until 9pm (6pm on Sunday). Following discussions with the applicant it has been agreed that there will be no live music or public address systems used on the site before 8am on Saturday and 9am on Sunday. At 8am (9am on Sunday) background music will be played at the base area and a public address system and music will be played at the warmup/start area however this will be at a low level. At 9am (10am on Sunday) all public address systems will be fully operational with the base area closed by 8pm and all music/public address systems turned off. The Council's Environmental Health department have agreed that the amended times for music/public address systems being used on the site is now acceptable however they have requested that monitoring data for the event is provided to the Council. This will include records being provided confirming the date, time, weather conditions and that the level of noise from the public address system is not distinguishable. This monitoring will take place from a location at the site boundary closest to the affected dwellings for the first 15-30 minutes at the start of each event. Tough Mudder has advised that noise monitoring will be undertaken at the event in accordance with the request for Environmental Health and that additional noise monitoring will also take place during the event. Such a request can be imposed as a condition(s) on any permission granted. The monitoring during the event will ensure that noise levels are acceptable and will inform the following year's noise management plan.
- 6.15 Concern has also been raised by the residents of Holmbush House about the impact that the event has on their privacy. It is understood that the route of the 2016 event ran in close proximity of the boundaries of Holmbush House and that views into the garden areas of the properties was possible. Photos have been provided by some of the residents of Holmbush House showing participants at an orienteering event that was held over the Easter weekend 2017 running in close proximity to the boundary wall of Holmbush House along with a photo of a gateway within the boundary wall that provides a view into what is believed to be the communal garden of Holmbush House with the property itself in the distance. From a site visit undertaken and from aerial photos available to the Council, it would appear that a large amount of the curtilage of Holmbush House is woodland with the lawned areas of the property being at a slightly higher level than the ground below. The draft route layout for the forthcoming 2017 event shows that the route will again run in close proximity of Holmbush House. However given the make-up of the garden area, the short duration of the event (three days) and that it could be undertaken as permitted development if the set up/take down time was reduced; it is not considered, on balance, that the impact on the privacy of the residents would be so significant as to warrant refusal of the planning application.
- 6.16 It is noted that residents of Holmbush House have also raised concerns in respect of the location of the car parking areas in close proximity to their site boundaries. It is acknowledged that the car parking areas for the event are again to be sited in the adjoining fields to Holmbush House. Residents have suggested that alternative areas are available on the estate for the parking of vehicles which would be further from Holmbush House. Whilst there may be alternative locations within the estate, the scheme as proposed shows the parking areas to be within an area of some 23 hectares (56 acres) to the south of the A264 and therefore the Council must consider the acceptability this this location. The parking areas as proposed are conveniently located for accessing the site from the dual carriageway and will provide parking for some 4,500 vehicles although Tough Mudder have advised that the maximum number of vehicles likely to be on the site at any one time will be approximately 3,800. Whilst they are in close proximity to the properties at Holmbush

House, the parking of vehicles in these fields will only be for the three event days proposed and it is not therefore considered that it would significantly affect the privacy or amenity of the occupiers of neighbouring residential properties, given the limited period of use.

- 6.17 The setting up of the event is usually undertaken for four weeks prior to the event, with the restoration of the site undertaken within two weeks of the event finishing. Given the nature of the obstacles created, it is necessary for some plant and machinery to be used in the construction of a limited number of the obstacles. The applicant has advised that it will restrict the noisy construction work which would involve such plant and machinery to 8am to 6pm Monday to Friday and 9am to 1pm on Saturday. This would not prevent construction works being undertaken outside of these hours as suggested by objectors; however it would restrict any noisy construction works being undertaken and for example, works which involve constructors using hand tools would be able to be undertaken outside of these times as this type of works would not be considered to cause an adverse impact to the amenity of the occupiers of the neighbouring properties.
- 6.18 For the reasons set out above, it is considered that the change of use of the site to allow annual Tough Mudder events would not have a significant adverse impact on the privacy and amenity of occupiers of neighbouring residential properties and the change of use is therefore considered to comply with the provisions of Policy 33 of the HDPF.

#### Landscape impact

- 6.19 The site the subject of this application is located outside of any built-up area boundary and is therefore within open countryside. There is an area of woodland along the western boundary of the site along with two areas more centrally within the site and the boundary with Buchan Country Park which are designated as Ancient Woodland. The whole site lies within the High Weald Area of Outstanding Natural Beauty (AONB).
- 6.20 Section 85 of the Countryside and Rights of Way Act 2000 requires local authorities to have regard to “...*the purpose of conserving and enhancing the natural beauty of AONBs...*” in making decisions that affect the designated area. The NPPF paragraph 115 requires great weight to be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty.
- 6.21 The High Weald AONB Management Plan includes the Statement of Significance which defines the natural beauty of the High Weald AONB, its character and the special qualities associated with it. The Statement identifies five key components of this character: geology, landform, water systems and climate; settlement; Routeways; woodland; and field and heath.
- 6.22 Policy 25 requires development to protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics and maintains settlement separation, and maintain and enhance the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species and ensuring no net loss of wider biodiversity.
- 6.23 Policy 30 of the HDPF states that it is essential that the key qualities of these protected landscapes are conserved and enhanced. Any proposals should have regards to a the key landscape features or components of natural beauty but also retain the public enjoyment of the landscape, support the economy and contribute to the social wellbeing of the population who live and work in these areas.
- 6.24 Given the temporary nature of the event and the proposed site restoration, it is considered the proposal, including the associated works such as temporary structures, accesses and lighting, will have a negligible effect on the landscape qualities and visual character and therefore complies with Policy 30 of the HDPF.

- 6.25 The High Weald AONB Joint Advisory Committee recommend conditions in the event that permission is granted. In respect of the retention of existing field boundaries, there are no alterations proposed to these other than in respect of the new accesses on the A264. However, given that the event route could change over the years, a condition is recommended requiring any alterations to field boundaries, which are likely to be limited to the internal field boundaries within the estate, to be restored to their previous condition after each annual event.
- 6.26 Following the 2016 event, the Council was furnished with photos showing the restoration of the site and some of these areas have been inspected relatively recently. As set out above, given the temporary nature of the event and as the land is restored to its original conditions post event each year, it is not considered that the change of use has a significant adverse impact on the landscape, including the High Weald AONB, and the proposal is in compliance with the relevant policies of the HDPF.

#### Impact on ancient woodland and biodiversity

- 6.27 As set out in the site description in section 1 of this report, the site contains areas of ancient woodland, which is described by the Woodland Trust as “...*woodland that has existed since 1600AD is used (1750AD in Scotland), as this is when good maps began to be available, and pre-dates the time when planting became common.*” They also go on to say “*Because they have developed over such long timescales, ancient woods have unique features such as relatively undisturbed soils and communities of plants and animals that depend on the stable conditions ancient woodland provides, some of which are rare and vulnerable. They are also living history books, with features such as mediaeval boundary banks, charcoal hearths, and old coppice stools, that tell us how woodland was used in centuries past.*”
- 6.28 Policy 31 of the HDPF requires development to maintain or enhance the existing network of green infrastructure which includes ancient woodland. The policy says that proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained.
- 6.29 During the consideration of the application, there have been on-going discussions in respect of the impact of the change of use, and in particular the obstacles to be constructed, on the ancient woodland. Additional information has been provided detailing the likely route of the event and whether this will make use of existing tracks through the ancient woodland or use undisturbed land and providing construction details of the obstacles to be constructed in the ancient woodland.
- 6.30 The additional information submitted shows that two of the obstacles to be constructed within the ancient woodland are entirely aboveground and it is considered that these will cause no damage to the woodland soil. The third obstacle is to be sited in the same position as used for the 2016 event and no further damage is likely.
- 6.31 In respect of the route of the event through the ancient woodland, the degree of damage to the woodland soils as a percentage of the whole ancient woodland would be low. Potential for damage to soils has been identified through the use of a 13-tonne mechanical excavator to remove rhododendron growth. However, on balance the removal of this invasive, non-native species is considered to be good for the woodland overall. Despite the heavy footfall, the limited number of events per year is not considered to cause an unacceptable level of damage to the ancient woodland overall and is accordingly considered acceptable.

- 6.32 The draft route provided with the application demonstrates that the route will avoid the nationally designated Buchan Hill Ponds SSSI (Site of Special Scientific Interest). However, in order to avoid harm to the special interest of this site, it should be ensured that the final route for each annual event also avoids this area. Subject to the route largely making use of existing tracks through the ancient woodland and the site being restored as per that detailed in the application, there is unlikely to be any significant ecological impact from the proposed change of use.
- 6.33 In light of the above, and having regard to the recommendations of the Council's Arboricultural Officer and the Ecology Consultant in respect of the impact of the proposed change of use on the ancient woodland areas within the site boundary and the Buchan Hill Ponds SSSI, it is considered that the impact will be limited and is therefore in broad accordance with the relevant policies of the HDPF.

Impact on heritage assets, including archaeology

- 6.34 Policy 34 of the HDPF is relevant as there are heritage assets within and adjacent to the site. This Policy requires the retention and improvement of the setting of heritage assets including views, public rights of way, trees and landscape features, including historic public realm features. The policy also requires appropriate archaeological research investigation, recording and reporting of above and below ground archaeology.
- 6.35 In respect of archaeology, the application is located in an area of archaeological interest, principally represented by Mesolithic artefact. However the scale and nature of the development would not have potential to identify or impact upon archaeological deposits.
- 6.36 In respect of the setting of the neighbouring grade II\* listed building, Holmbush House, given the Tough Mudder events are temporary in nature and that the site is restored after the event, the proposed use would have a negligible impact on the setting of the listed building. In respect of the location of the car parking areas, the proximity of parked cars to that boundary is not ideal but it is appreciated that due to the layout of the site, the area available for the cars is limited to that shown. For this reason, and given the proposed making good/restoration of the site following the event, any impact would be very short term and entirely reversible. The event will generate noise and a level of activity which would impact how the setting of the listed building is experienced but, the increased activity would be limited to the temporary use of the site. On this basis, it is considered that the proposal would cause less than substantial harm to the setting of the heritage asset and this potential level of harm would only arise on the limited days each year when the event will be held.
- 6.37 Although less than substantial harm to the setting of the listed building on the event days has been identified, the event is to take place for a very limited number of days per year (three per year) and the operational development associated with the proposed use is reversible and the site proposed for restoration after each annual event. As there are benefits to the scheme in terms of the further diversification of the Holmbush Farm Estate and the support to the local economy, it is considered that the less than substantial harm to the setting of the heritage asset is outweighed by the public benefits of the proposal, in accordance with paragraph 134 of the NPF. Therefore, the proposed temporary change of use is considered to be acceptable and complies with the requirements of Policy 34 of the HDPF.

Other issues raised by objectors

- 6.38 Concerns have been raised by a number of objectors in respect of the security of the site and access being available to un-monitored obstacles. Tough Mudder has advised that they fence obstacles based on an assessment of the risk and that all water pits are fenced and other obstacles only if deemed necessary. The obstacles are on private property and

not accessible to the public and signage is placed on obstacles advising of the risk associated with them.

### Conclusions

- 6.39 Class B of Schedule 2, Part 4 of the Town and Country Planning (General Permitted Development) Order 2015 (GDPO) allows the use of land for any purpose for up to 28 days in any calendar year. The event itself runs for three days over two weekends however when taking into consideration the set up and take down time and the week in between events, the event extends beyond 28 days; thus requiring the submission of a planning application. Group events such as fun-runs, triathlons and orienteering and mountain biking competitions often attract a large number of people and generate many of the same impacts as those identified in this report, such as noise from the PA systems during the events, the use of temporary accesses and participant car parking. However, these are the type of temporary impacts which are normally acceptable under the GDPO. It is only as a result of the longer site preparation and restoration associated with this particular event that takes the overall use over the permitted 28-day period and triggers the requirement for planning permission. In light of this, it is considered that limited weight can be given to the impacts arising during the event itself when considering whether to grant permission.
- 6.40 As described above, there are concerns which have been raised by nearby residents as a result of the 2016 event. However, it is considered that conditions can be imposed to ensure that any impact on the amenity of neighbouring residents and to highway safety is not unduly harmful. There is harm arising in terms of landscape impacts and the setting of heritage assets. However as a result of the reversible nature of the operational development in connection with the proposed use and the very short time period that the events take place, it is considered that the harm identified is very limited and not of sufficient weight to warrant the refusal of this application.

## **7. RECOMMENDATIONS**

7.1 It is recommended that planning permission be granted subject to appropriate conditions:

1. A list of the approved plans.
2. **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** A traffic management plan relating to the Tough Mudder events shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with WSCC Highways) annually prior to events taking place on the site. The traffic management plan shall include monitoring at each event to inform the following year's plan. The events shall be carried out in strict accordance with the agreed plan.

Reason: In the interest of highway safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

4. **Pre-Occupation Condition:** With the exception of the 2017 event (the details of which have been agreed), a noise management plan shall be agreed with the Local Planning Authority prior to the first event on the site each year. The monitoring information shall be made available to the Local Planning Authority if requested to ensure acceptable noise levels during the event and shall inform the following years plan. The monitoring

position shall first be agreed with the Local Planning Authority, in consultation with the Council's Environmental Health department, prior to any monitoring being undertaken.

5. **Pre-Occupation Condition:** With the exception of the 2017 event (the detail of which have been agreed), prior to Tough Mudder events being undertaken on the site, a plan and details shall be submitted annually to and approved in writing by the Local Planning Authority detailing the site set up (including the car parking areas, campsite, base area), the route of the course showing the location of obstacles and areas of the ancient woodland where existing tracks are not to be used, the dates of the events, the dates that site set-up/site take down will be undertaken, the details of the site restoration and measures for ensuring public health and safety and the protection of biodiversity. The events shall be carried out in strict accordance with the agreed plan and details.

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and to prevent unacceptable damage to the ancient woodland in accordance with Policy 31 of the Horsham District Planning Framework (2015).

6. **Pre-Occupation Condition:** No amplified music or public address systems shall be used on the site outside of 0800 – 2200 hours on Saturday and 0900 – 2000 hours on Sunday and as set out in the agreed Noise Management Plan.

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition:** There shall be no more than three 1-day Tough Mudder events held on the site in any one calendar year.

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Occupation Condition:** Other than those camping overnight and the use of the parking areas, the event shall not be open to participants and spectators outside of 0600-2000 hours on Saturday and 0700-2200 on Sunday.

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. **Pre-Occupation Condition:** Construction works involving the use of plant and machinery shall not be carried out outside of 0800-1800 hours Monday to Friday and 0900-1300 hours on Saturday.

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10. **Pre-Occupation Condition:** Any field boundaries removed or disturbed as a result of Tough Mudder events being carried out on the site (excluding those already granted planning permission) shall be restored to their previous condition within two weeks of the final day of the event.

Reason: In the interests of the visual amenity of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11. **Pre-Occupation Condition:** The details of any external lighting to be used on the site shall be submitted to and approved in writing by the Local Planning Authority prior to its

first use. The lighting provided on the site shall thereafter be installed in accordance with the approved details.

Reason: In the interests of the visual amenity of the site and to protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12. **Pre-Occupation Condition:** The temporary use of the site for the running of an obstacle course with associated facilities shall be undertaken by Tough Mudder only and no other person or company.

Reason: To ensure that the event is run in accordance with the details submitted in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** The removal of litter/waste from the site shall be carried out in accordance with the details submitted via email on 19.07.2017.

Reason: To ensure the adequate removal of waste from the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

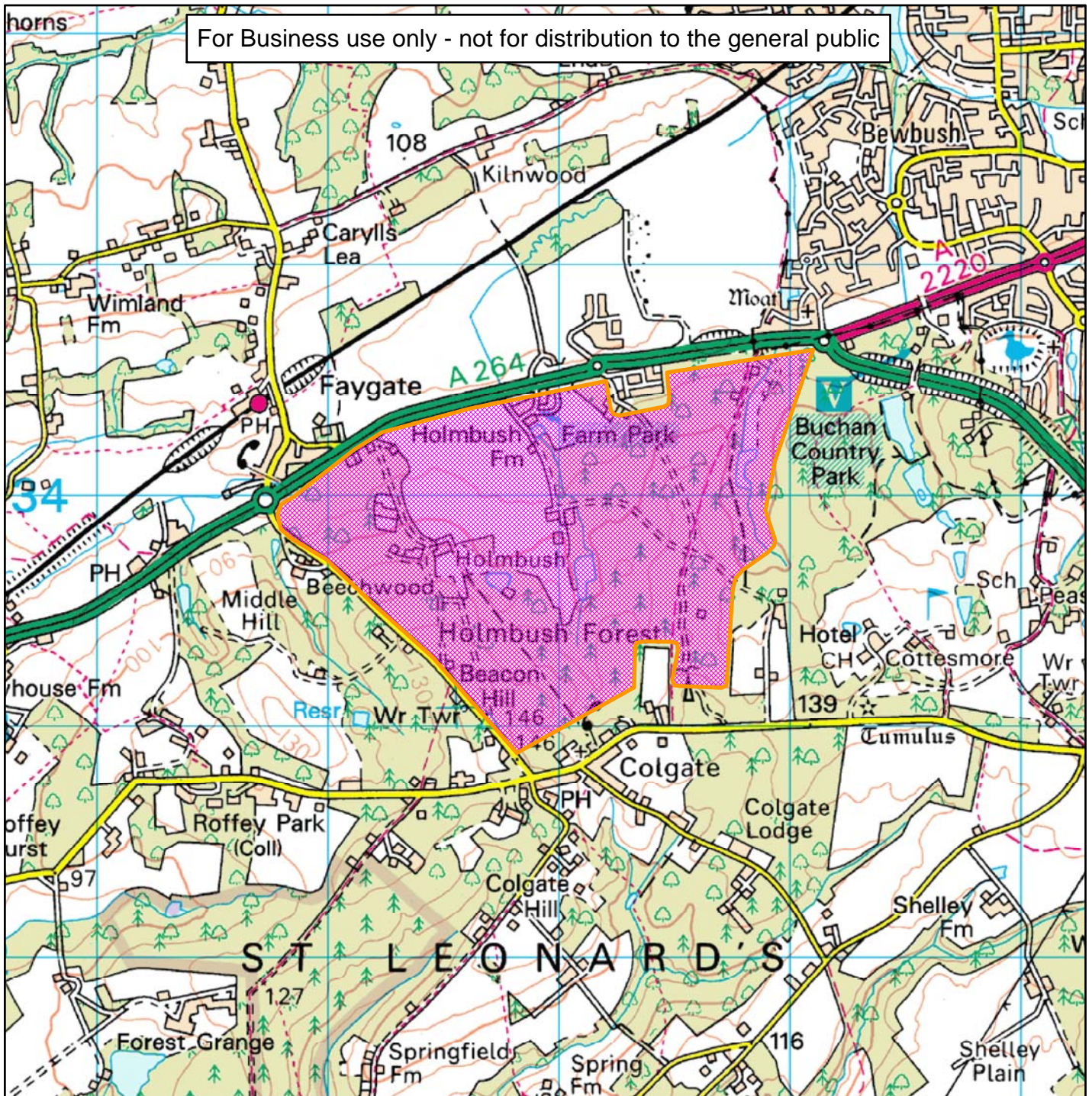
Background Papers: DC/17/0587





Holmbush Farm

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Scale: 1:25,000

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Organisation	Horsham District Council
Department	
Comments	
Date	20/07/2017
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Development Manager

**DATE:** 1 August 2017

**DEVELOPMENT:** Change of use from dwellinghouse (C3) to residential care home (C2) with 1 x 1 bed flat, and 7 bedrooms (total 8 residents), alterations to elevations including erection of a front porch and rear conservatory

**SITE:** Upper Totehill Cottage Five Oaks Road Slinfold Horsham RH13 0RL

**WARD:** Itchingfield, Slinfold and Warnham

**APPLICATION:** DC/17/0486

**APPLICANT:** **Name:** Pathway Healthcare **Address:** c/o Moore Planning 11 Bowden Rise Seaford BN25 2HZ

**REASON FOR INCLUSION ON THE AGENDA:** Development represents a departure from the Development Plan.

More than 8 representations have been received of a contrary view to the Officer recommendation.

**RECOMMENDATION:** Grant Planning Permission

### **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the change of use of the existing dwelling house (C3) to use as a residential care home (C2), with alterations to elevations including erection of a front porch and rear conservatory. The care home would provide accommodation for a maximum of eight residents at any one time.
- 1.3 The care home would comprise a reception area, sitting room, dining room, conservatory, kitchen, two bedrooms with en-suite facilities, a staff office and two WC's at ground floor level and five en-suite bedrooms and a store cupboard at first floor level. Vehicular access to the site would be via the existing access point off of Five Oaks Road. On-site car parking facilities will remain to the rear of the main property along the site's western boundary. To the rear of the existing garages will be the care home's refuse and recycling storage area and cycle parking store.
- 1.4 Since the application was submitted the development proposals have been amended and the detached bungalow containing two separate self-contained units has been omitted from

the scheme. It is likely however that should permission be granted for the current application that the bungalow element will be re-submitted under a separate application.

## DESCRIPTION OF THE SITE

- 1.5 The application site is accessed from the southern side of Five Oaks Road (A264) via the existing site entrance and access track which leads to a vacant two storey detached property with an informal parking area to the rear. There are a number of garages and outbuildings which are located to the rear of the dwelling, for the time being these ancillary buildings are to be retained as part of the current application proposals. There is an extension at ground floor and first floor level has historically comprised a self-contained unit, with a basement area, previously used as a day nursery, which was accessed by a separate staircase.
- 1.6 To the front of the dwelling there is a large garden area which extends eastwards from the main house. In the south east corner of the garden area there is a children's play area. The topography of the site slopes gently from west to east. There is an area of Ancient Woodland along the southern and western boundaries which separates the application site from the neighbouring properties 'Blackthorn' and 'Blackthorn Bungalow'.
- 1.7 The application site is located outside of any defined Built up Area boundaries, approximately 2.12km from the nearest settlement of Broadbridge Heath and is therefore located within the countryside.

### Background

- 1.8 Information submitted by the agent as a part of the application proposals advises that the proposed service is sought to address the specific commissioning needs of West Sussex County Council.
- 1.9 Supporting information submitted by the applicant advises that West Sussex County Council have a number of very vulnerable young adults who have been in residential school placements as a result of their profound and multiple learning difficulties. These placements are ending in July as the young people will have reached 18 years of age and the school year will finish. The young adults cannot support themselves either independently or with the aid of their families and are reliant upon dedicated, trained care staff around the clock. Many of the residents will be on the autistic spectrum and may also be non-verbal. It is advised that they would typically need support in managing and understanding their emotions and senses. They will however, be mobile and non-wheelchair bound. It is advised that the opportunity to live in a home such as Upper Totehill Cottage will afford residents an active, healthy and engaging lifestyle that any young adult would want to enjoy. Residents will live as part of a family and engage in daily tasks around the house such as cooking, cleaning and gardening as well as going on the weekly shop. The residents will also go out on activities on a daily basis. As is common with the providers other services, activities will include going horse riding, swimming, day-trips, the cinema, theatre, the local pub and even nightclubs. The residents are also supported to engage in part-time work or further studies where possible.
- 1.10 Staffing of the care home would be based around two shifts, daytime and night time, with changeovers taking place at 8am and 8pm. During the day there will be a team of four carers on duty with two carers on throughout the night. Staff are on hand at all times to assist our residents if needed and no staff will be sleeping and no on site staff accommodation.
- 1.11 The applicants state that in respect of the needs of the future residents the site benefits from being close enough to the major towns of Horsham, Broadbridge Heath and Billingshurst, yet far away enough to provide a controlled environment away from the

continual stimulation that an urban environment often bring. It is advised that this type of care would simply not be possible in a city/town environment due to space constraints and external stimulation which will always be outside of their control. The proposal seeks to create a care home where adults with learning difficulties will be given every opportunity to actively participate in typical household duties and acquire key life skills which will significantly contribute to their continuing personal development into adulthood.

- 1.12 Given the limited size of the proposed residential care home, it is not anticipated that there will be any more than one or two visitors per day. This figure could reasonably be expected to also include any visits that may also be required by medical and other professionals.

## **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 ( NPPF ) :**

- NPPF1 - Building a strong, competitive economy
- NPPF4 - Promoting sustainable transport
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF8 - Promoting healthy communities
- NPPF10 - Meeting the challenge of climate change, flooding and coastal change
- NPPF11 - Conserving and enhancing the natural environment

#### **Horsham District Planning Framework (HDPF 2015)**

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF15 - Strategic Policy: Housing Provision
- HDPF16 - Strategic Policy: Meeting Local Housing Needs
- HDPF18 - Retirement Housing and Specialist Care
- HDPF24 - Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF31 - Green Infrastructure and Biodiversity
- HDPF33 - Development Principles
- HDPF38 - Strategic Policy: Flooding
- HDPF40 - Sustainable Transport
- HDPF41 - Parking
- HDPF42 - Strategic Policy: Inclusive Communities
- HDPF43 - Community Facilities, Leisure and Recreation

### **RELEVANT NEIGHBOURHOOD PLAN**

The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015. However, there is currently no Neighbourhood Plan for the Parish. The site is not an allocated site within the Local Plan.

## PLANNING HISTORY AND RELEVANT APPLICATIONS

I/33/94	Permanent renewal of permission i/31/92 to allow for afternoon opening Site: Upper Tote hill Cottage Five Oaks Road Slinfold	Application Permitted on 22.12.1994
I/31/92	Amendment of condition 3 on i/16/90 to allow for afternoon opening Site: Totehill Nursery Sch Upper Totehill Cottage Five Oaks Rd Slinfold	Application Permitted on 26.01.1993
I/2/95	Change of use part of house from residential to day nursery Site: Upper Tote Hill Cottage Five Oaks Road Slinfold	Application Permitted on 25.04.1997
DC/14/2150	Application to discharge planning obligation S106/702	Withdrawn Application on 26.03.2015
DC/14/1448	Change of use of the main house from residential to day nursery with a single storey rear extension	Application refused on 05.12.2014

### 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](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

- 3.2 **Environmental Health**: No objection.
- 3.3 **Tree Officer**: No objection.
- 3.4 **Ecology Officer**: No objection.
- 3.5 **Access and Equalities Officer**: No objection.

#### OUTSIDE AGENCIES

- 3.6 **Itchingfield Parish Council**: Object on following grounds;

The application does not give any indication of the layout of the entrance, sight lines or the internal roadway. There is also a strong legal objection to the application citing the entrance and exit issues as well as inaccuracies in the boundary of the application site and ecological concerns.

(The Parish have been re-consulted on subsequent amendments but no further consultation responses have been received).

- 3.7 **WSCC Highways**: No objection.
- 3.8 **Southern Water**: There is no public foul and surface water sewer in the vicinity of the site. The applicant is advised to examine alternative means of foul and surface water sewage disposal.
- 3.9 **Natural England**: No objection - Standing Advice Applies. (Ecology statement requested and submitted).

#### PUBLIC CONSULTATIONS

3.10 35 Neighbour letters have been received (including 18 from 1 household and 2 from Batchelor Monkhouse acting as agents) objecting to the original scheme and subsequent amendments for the following reasons:

- Boundary Issues
- Ancient Woodland
- Highway Safety
- Visibility Splays
- Principle of Use
- Countryside location
- Sustainability
- Surface and Foul Water Drainage
- Boundary Treatment
- Safety and Security of Residents and Neighbours

#### **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 planning permission for the change of use of the existing dwelling to a residential care home for people, and would provide a 1 x 1 bed flat and 7 separate bedrooms (accommodating 8 residents in total) with profound and multiple learning disabilities and with Autism.

6.2 The main issues in this case are considered to be:-

- the principle of the development in this location;
- the impact and scale of the development on the character and visual amenities of the area,
- the amenities of neighbour and future occupiers,
- parking and highway safety issues,
- sustainability.

##### Principle

6.3 Policies within the Horsham District Planning Framework (HDPF) seek to direct new development to the main settlements of the District to ensure that the countryside is protected from inappropriate development. HDPF26 - Countryside Protection, advises that outside of built up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and either supports the needs of agriculture or forestry, provides for quiet informal recreational use, or ensures the sustainable development of

rural areas. Development that is considered harmful to the natural beauty and character of rural areas will be resisted.

- 6.4 Residential Care Homes would normally be restricted to sites within the Built up Area Boundary, however, the proposed client group that would occupy the care home rely on its quiet rural countryside location for their own amenity. The site benefits from being close enough to the major towns of Horsham, Broadbridge Heath and Billingshurst, yet far away enough to provide a controlled environment away from the continual stimulation that an urban environment often bring. The principle of the use of the site to provide a care facility within the countryside has previously been accepted under planning permission references DC/12/1685 and DC/14/1200 for a larger new respite facility south of Copsale Road, and in that respect the current application is not dissimilar in that it is also for clients with Autism and is also located within the countryside. The applicants advise that the proposed service has been overwhelmingly welcomed by families, care teams and commissioners alike and there is already far more interest than there would be beds available so there is clearly an urgent need for the service in the area.
- 6.5 HDPF42 Strategic Policy: Inclusive Communities advises that positive measures which help create a socially inclusive and adaptable environment for a range of users to meet their long term needs will be encouraged and supported. Particular account will be taken of the need to address the requirements stemming from (amongst others) the needs of faith and other community groups.
- 6.6 The principle of the development is therefore acceptable and in accordance with HDPF Policy 42 Inclusive Communities, which states that positive measures which help create socially inclusive and adaptable environments for a range of occupiers and users to meet their long term needs will be encouraged and supported. Particular account will be taken of the need to address the requirements stemming from [point 2 refers] people with additional needs, including the disabled or those with learning disabilities. The preamble to Policy 42 states that it is important that development should contribute towards meeting the needs of all sections of the community and help the community and help to encourage social cohesion.
- 6.7 HDPF Policy 43 Community Facilities Leisure and Recreation advises that the provision of new or improved community facilities or services will be supported, particularly where they meet the identified needs of local communities. Although a care home is not a community facility as set out in the definition within the Horsham District Planning Framework 2015, it is considered that a care home does help meet the needs of young people (in this case) and families within the community. This need is emphasised in HDPF Policy 42 above.
- 6.8 To ensure that any future proposals to change the use of the site as permitted development can be properly considered by the Council, a condition is recommended to require such proposals to be subject to consideration through a planning application. To control the use of the respite use a condition is proposed requiring details of a management programme to be submitted before the development is brought into use. The management programme will be required to set out the arrangements for the length of individual stays at the facility.
- 6.9 The principle of the development is, therefore, acceptable and in accordance with Policies HDPF42 and HDPF 43 of the Horsham District Planning Framework 2015 and the NPPF.

#### Character and Appearance

- 6.10 The application site comprises a substantial detached dwelling located on Five Oaks Road where there are a number of sporadic dwellings set within spacious plots within the countryside. The application site which is a vacant dwelling (previously also having been used as a day nursery) is a substantial size property with a large front garden. The nearest residential properties to the application premises are to the south and south west of the



application site and comprise 'Blackthorn' (the main dwelling) which is itself 77.1m from the application premises, and 'Blackthorn Bungalow' (ancillary dwelling) which is located 40.3m from the application premises. Both the neighbouring dwellings are separated by an expanse of Ancient Woodland.

- 6.11 The original application proposals included a separate bungalow that contained two self contained flats located to the rear of the existing dwelling. This element has been removed from the application currently under consideration, in order to allow the change of use of the existing dwelling to care home to be considered on its own. It is proposed that facilitating works will also be required including the erection of a conservatory to the rear and porch to the front and the replacement of an existing small rear extension. The relationship between the resulting dwelling and the neighbouring dwellings is considered to be acceptable and it is considered that the scale of the extensions (derived from the height, depth and footprint) is acceptable and does not compete with the existing dwelling or result in any visual harm.
- 6.12 HDPF2 Strategic Development advises that to maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment, the Spatial Strategy to 2031 is to [point10 refers] provide for the varied housing needs of the community in terms of tenure, affordability, care and other support needs.... '
- 6.13 Whilst the proposed use is not dependent on a countryside location to function, as required by HDPF Policy 26 of the Horsham District Planning Framework (2015), it is acknowledged that in respect of the well-being of the clients who use the site, a countryside location is considered to be the optimum location for a facility of this type.
- 6.14 In terms of character, the proposal will increase the level of activity on the site as a result of the 24 hour accommodation provided. However, given that the care home will be relatively small and that anticipated movements to and from the site will be limited in comparison to the historic use as a day nursery, it is not considered that the proposal would result in a harmful level of activity in the countryside.
- 6.15 The proposal, therefore, complies with Policies HDPF 2, HDPF26 and HDPF 33 of the Horsham District Planning Framework 2015 and the NPPF

#### Impact on amenities of nearby or future residents

- 6.16 Policy HDPF33 allows for developments which do not cause unacceptable harm to the amenity of nearby properties and land through overlooking or noise having regard to the sensitivities of surrounding development.
- 6.17 The nearest residential properties are located between 40m and 70m away from the existing building. The proposal will facilitate indoor activity and provides sleeping accommodation neither of which will harm the amenities of the surrounding residents. Whilst the proposal may alter the pattern of movement in an out of the site with some related comings and goings during the day (staff changing shifts at 8am and 8pm and limited visitors including families and health professionals), taking into account the previous more intensive use of the site, the separation of the access track from the nearest residential properties and belt of trees (Ancient Woodland), it is not considered that the proposal will have a harmful impact on the amenities of the surrounding residents.
- 6.18 Whilst the application site shares a common boundary with the neighbouring dwelling 'Blackthorn,' there is no overlooking between properties or loss of private amenity.
- 6.19 The proposal, therefore, complies with Policy HDPF 33 of the Horsham District Planning Framework (2015) and the NPPF.

## Highways

- 6.20 West Sussex County Council ( WSCC) Highways (the Local Highways Authority) have advised that they do not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore it is not contrary to the National Planning Policy Framework (para 32), and there are no transport grounds to resist the proposal.
- 6.21 Concern had been raised previously relating to the site access, however given that this proposal is not likely to result in a 'material' increase the Local Highways Authority are satisfied that the access is suitable for the proposed uses. A review of the access onto Five Oaks Road indicates that, there have been no recorded accidents within the last 3 years and that there is no evidence to suggest that the access and local highway network are operating unsafely. It is advised that visibility splays can be improved by maintaining and removing existing vegetation along the A264. A visibility splay condition is recommended to cover visibility at the point of access with the A264.
- 6.22 WSCC Highways have undertaken an additional trip generation analysis. Having inputted the proposed data into the TRICS (Trip Rate Information Computer System Data) this would result in fewer than 10 peak hour movements (09.00-10.00 and 16.00-17.00) on the network for the type of usage proposed. Therefore they cannot foresee there being a capacity concern. They acknowledge that the A264 has a proportion of traffic using it during most of hours of the day however this proposal is unlikely to result in significant queuing concerns along the A264 at any one time and not warrant formal junction capacity assessments.
- 6.23 WSCC Highways consider that there would be no material increase in traffic movements over the existing use. From a capacity perspective they are satisfied the proposal will not have a severe residual impact.
- 6.24 The proposed parking is considered acceptable for the size of the development proposals. In terms of parking layout an acceptable amount of turning space is available within the site to permit turning and access to the public highway in the forward gear. Given the un-formalised nature of the current parking area, the Local Highways Authority would recommend that the parking area is marked out and the spaces constructed with dimensions of 2.4 by 4.8 metres and 3.3 by 4.8 metres for the disabled bays.

## Ecology

- 6.25 Paragraph 109 of the National Planning Policy Framework (NPPF) states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Paragraph 118 expands on this stating that local planning authorities should aim to conserve and enhance biodiversity when determining planning applications and that opportunities to incorporate biodiversity in and around developments should be encouraged. The element of the proposals that originally resulted in a requirement for the ecology report have been removed from the current application, nevertheless, it is advised that the Council's Ecologist would not have objected on ecology grounds to the separate Bungalow development to the rear of the main dwelling had it remained.

## Drainage and Flooding

- 6.26 HDPF Policy 38 Flooding advises that development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere in accordance with policy criteria. The application site lies in Flood Zone 1 however the site area is less than 1 hectare and as such does not require a flood risk assessment. To ensure that water drains from the site and does not increase flooding on the site or cause

impact harmfully on the wider drainage network conditions are recommended to secure an appropriate drainage strategy.

- 6.27 Subject to conditions relating to foul and surface water drainage the proposal complies with Policy HDPF38 of Horsham District Local Planning Framework (2015) and the NPPF.

#### Trees

- 6.28 Whilst the bungalow as originally proposed has been removed from the current scheme, the Councils Tree Officer made the following comments and raised no objections.
- 6.29 Toat Copse is included in the Revision of the Ancient Woodland Inventory for West Sussex (*January 2010*) and as such is considered under the recently proposed revisions to the National Planning Policy Framework (NPPF) to be a designated heritage asset; at a local level such areas are considered to be of high importance and subject to policy 34 of the Horsham District Planning Framework (*November 2015*). This proposal shows no part encroaching onto, or within, the Ancient Woodland (AW) area.
- 6.30 The erection of a residential block in very close proximity to the boundary of the Ancient Woodland Site has been considered in the light of the Standing Advice for Ancient Woodland and Veteran Trees issued by Natural England. The advice suggests that a buffer zone of 15m in breadth or more and allowed to develop into a semi-natural habitat between Ancient Woodland sites and any residential activity in close proximity to it, would mitigate against danger. However, the appropriate size of the buffer is stated to depend “*on the local circumstances and the type of development*” (para. 6.4). In this case, the part of the existing dwelling close to the Ancient Woodland boundary appears to date from around the 1980’s. The land to the immediate west of the extension, upon which the small two-storey residential block is planned, is set to hard standing with areas of what appears to be redundant concrete plinths. The Councils Tree Officer advises that given the area of land abutting the Ancient Woodland boundary is already developed, and given its position adjacent to the existing residential building, it is not considered that the erection of the proposed residential block would be likely to cause any damage to the adjacent Ancient Woodland, either through the development process or beyond. Given the above circumstances, insistence upon a buffer zone is unnecessary and would be unreasonable.

#### Other

- 6.31 Other issues that have been raised relating to third party representation letters relate to concerns regarding the site boundary, a revised Location and Block Plan drawing has been submitted to supersede that which was originally submitted 23<sup>rd</sup> March 2017.

#### Conclusions

- 6.32 Overall, this scheme represents a departure from the Development Framework insofar as it proposes development on land outside the settlement boundary. However the principle of the development of the site is considered to be in accordance with the general thrust of Policies HDPF42 and HDPF 43 of the Horsham District Planning Framework 2015 and the NPPF.

## 7. RECOMMENDATIONS

### 7.1 Grant planning permission subject to conditions

#### Conditions:

- 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 commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 4 **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved drawing number 0532-GA-02 P8. The car parking spaces permitted shall thereafter be 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).

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, visibility splays for the access(es) serving the development shall be provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than that shown on the approved plans. Any external lighting that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for Care Home and for no other purposes whatsoever, (including those falling within Class C2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any

provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to (insert with reasons) under Policy 33 of the Horsham District Planning Framework (2015).

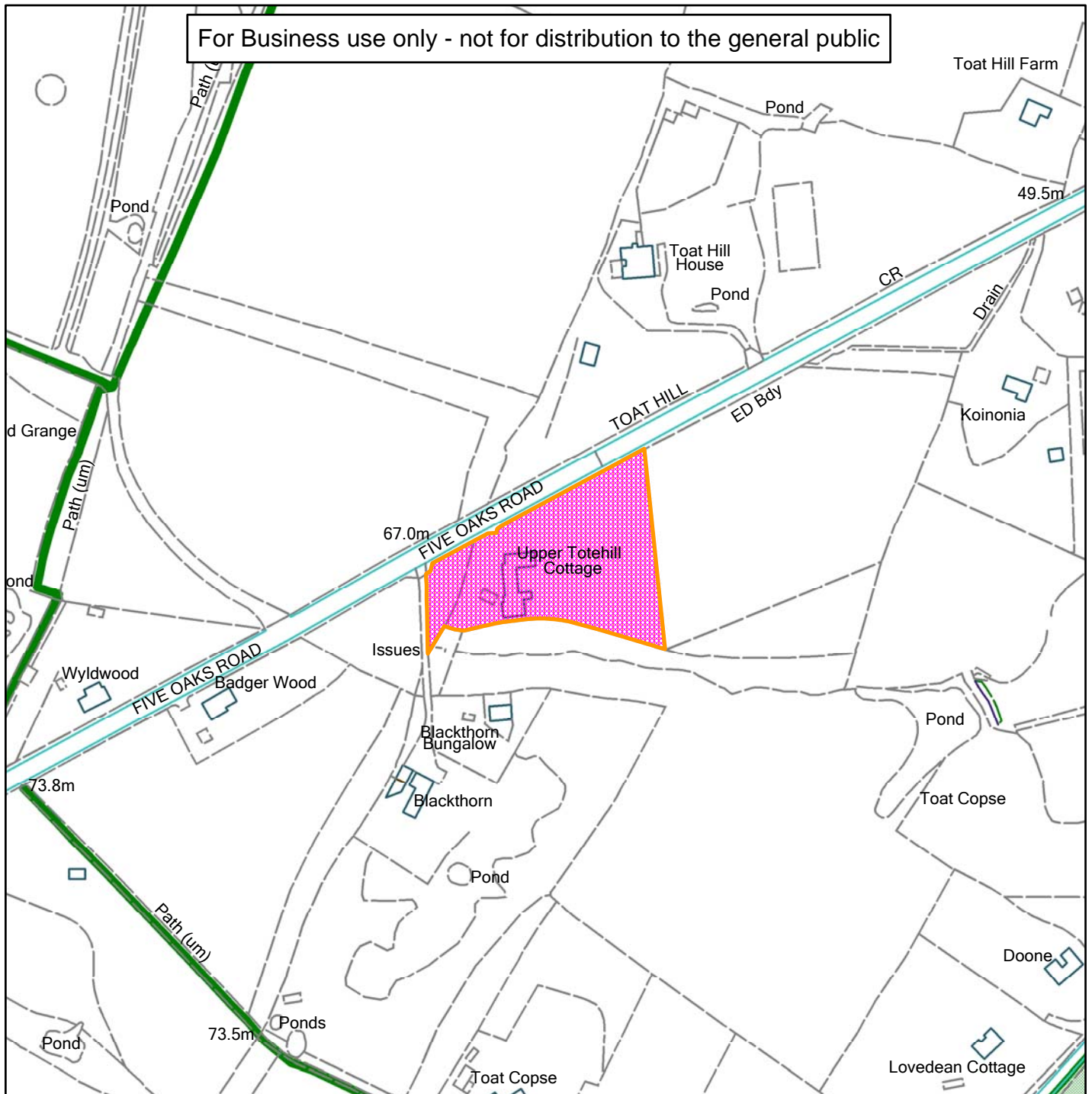
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Upper Totehill Cottage

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Date	20/07/2017
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Development Manager

**DATE:** 01 August 2017

**DEVELOPMENT:** Proposed erection of a single 3-bedroom dwelling, detached triple garage and construction of new driveway.

**SITE:** The Old School, Brighton Road, Lower Beeding, Horsham, RH13 6NQ

**WARD:** Nuthurst

**APPLICATION:** DC/17/0954

**APPLICANT:** **Name:** Mr & Mrs Lloyd **Address:** The Old School, Brighton Road, Lower Beeding, Horsham, RH13 6NQ

**REASON FOR INCLUSION ON THE AGENDA:** 8+ letters of support have been received, contrary to officers recommendation

### **RECOMMENDATION:**

#### **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 a single 3-bedroom dwelling, detached triple garage and construction of a new driveway. The proposed dwelling would be situated on land currently used as the rear paddock and residential curtilage of the existing dwelling of The Old School House, Brighton Road. The proposal is to erect a chalet style new L shaped dwelling with living accommodation provided within the roof-space incorporating one large gable end, two small roof dormers and 5 no roof-lights. The dwelling would be constructed of facing brick, with horizontal timber cladding, timber windows and doors and a clay tiled roof. The dwelling would utilise the existing access to the site currently serving the Old School House with the existing driveway retained and extended. A new triple detached garage and associated driveway and hard-standing would also be constructed. The proposed dwelling would be orientated diagonally within the plot with the front elevation facing westwards.

#### **1.2 DESCRIPTION OF THE SITE**

1.3 The application site is located within the associated rear curtilage of the property known as 'The Old School House'; located approximately 700m south west of the small village of Lower Beeding on the north side of Brighton Road. The site is situated within a small cluster of dwellings with the property neighbouring the dwellings "Chesters" situated directly adjacent to the north west of the site, "Beedling Lee" 100m to the east and "Glebe Lodge" on the south side of the road opposite the site. The listed building known as "The Glebe" is

situated approximately 180m south of the site. The site is not located within any defined built up areas and is therefore considered to be situated within a countryside location. The boundaries of the site are all densely screened featuring high level hedgerows, trees and other vegetation.

## 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:**

- NPPF1 - Building a strong, competitive economy
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF4 - Promoting sustainable transport
- NPPF7 - Requiring good design
- NPPF8 - Promoting healthy communities
- NPPF14 – Presumption in favour of sustainable development
- NPPF32 – Promoting Sustainable Development

#### 2.3 **Horsham District Planning Framework (HDPF 2015)**

- HDPF 1 – Strategic Policy: Sustainable Development
- HDPF 2 – Strategic Policy: Strategic Development
- HDPF 3 – Strategic Policy: Development Hierarchy
- HDPF 4 – Strategic Policy: Settlement Expansion
- HDPF 25 – Strategic Policy: The Natural Environment and Landscape Character
- HDPF 26 – Strategic Policy: Countryside Protection
- HDPF 32 – Strategic Policy: The Quality of New Development
- HDPF 33 – Development Principles
- HDPF 40 – Sustainable Transport
- HDPF 41 – Parking

### RELEVANT NEIGHBOURHOOD PLAN

#### 2.5 **Neighbourhood Plan**

Status – Lower Beeding Neighbourhood Plan Area has been designated only.

#### 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

LB/1/48	Improvements to sanitation (From old Planning History)	Application Permitted on 11.08.1948
LB/5/66	Proposed change of one dwelling unit (From old Planning History)	Application Permitted on 11.03.1966

### **3. OUTCOME OF CONSULTATIONS**

3.1 When 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](http://www.horsham.gov.uk)

3.2 Lower Beeding Parish Council : - No objection

#### **OUTSIDE AGENCIES**

3.5 WSCC Highways –: No objection, conditions recommended.

3.6 Southern Water: No objection, conditions recommended.

#### **PUBLIC CONSULTATIONS**

3.7 15 letters of representation have been received, of which 1 offered comment which neither supported nor objected to the proposal.0 objected to the proposal and 14 supported the proposal on the following grounds:

- Applicants have resided in village for 40 years and should be allowed to build as no other properties in the village suitable for their needs
- Additional housing required within Lower Beeding
- The site is well screened, not visible from the road
- Applicant's existing house too large and no other houses are suitable for accommodation of this nature
- Applicants contribute positively to village life and should be allowed the development to be able to remain in the village
- Well designed scheme

### **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 quality of the resulting residential environment for future occupiers.
- The highways impact of the proposal
- The existing trees

## 6.2 Principle of the development in the location

- 6.3 The application site is within a rural setting within a countryside location. Policy 2 (Strategic Development) of the Horsham District Planning Framework 2015 (HDPF) seeks to maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment. The policy sets out the Council's spatial strategy to 2031 which is to focus development in and around the key settlement of Horsham and to allow for growth in the rest of the district in accordance with the defined settlement hierarchy.
- 6.4 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 outside of the nearest defined built up area boundary of Lower Beeding (defined as a small village) and is therefore considered as development within the countryside.
- 6.5 Policy 4 (settlement expansion) makes provision for expansion outside of a Built Up Area Boundary where certain criteria are met. Criteria 1 requires that the site of any such development should be allocated within the Local Plan or in a Neighbourhood Plan and should adjoin an existing settlement edge. In this case the site does not adjoin an existing settlement edge, it is not allocated in the Local Plan (HDPF) and there is no current Neighbourhood Plan for Lower Beeding. The proposal is therefore considered to be contrary to Policy 4 of the HDPF.
- 6.6 Policy 26 of the HDPF relates to Countryside Protection and states that development outside of built up area boundaries must be essential to its countryside location and in addition must either; support the needs of agriculture or forestry, enable the extraction of minerals or disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas. There is no justification in this context to suggest that the development is essential to its countryside location nor that it would meet any of these additional criteria and it is therefore considered contrary to Policy 26 of the HDPF.

## 6.7 The character of the dwelling and the visual amenities of the countryside

- 6.8 Policies 26 (countryside protection), 32 (quality of new development) and 33 (Development Principles) of the HDPF require development to be of high quality design which is sympathetic to the character and distinctiveness of the site and surroundings. The proposed dwelling would be an L shaped chalet style dwelling with living accommodation also provided within the roof space. The property would be brick facing with timber windows and doors. The main L shaped building form would have a timber clad gable at the southern end and the tiled roof would be hipped at the eastern end. There would be the provision of two small dormers within the roof space and 5no roof-lights. There would also be a small projection from the building to the north of the site which would have a smaller roof form and be constructed as timber clad with a brick base. The properties directly adjacent to the site; The Old School House and Chesters to the North West are single and two storey properties respectively. The use of materials and overall design varies in the local vicinity with buildings and dwellings of differing ages and styles with the exception of white timber framed windows and gabled roof forms which are present at both neighbouring properties.

The application seeks to utilise the existing highway access currently solely serving The Old School House, therefore due to the position of the proposed dwelling at the rear of the site and the presence of mature vegetation on the boundaries the development would be

concealed from the public realm and it is considered that the proposal would have a neutral impact on the character of the street-scene and surrounding countryside.

- 6.9 To facilitate the development the curtilage land currently serving the Old School House would be divided between the existing and the new dwelling with the new dwelling retaining a larger portion of the curtilage space. The overall mass and scale of the new dwelling including the triple garage would be proportionate to the size of the plot in which it is proposed and comparable in scale to the adjacent buildings to the south east. The size of the remainder curtilage land to The Old School House is considered modest but acceptable.
- 6.10 The site is located in an area which is predominantly rural in nature with development appearing in small clusters of 3-4 dwellings set in clusters at least 100m apart and set at varying proximities to the road. The adjacent property to the east (Beeding Lee) is in a very large plot set over 100m from the proposed dwelling and therefore the site, in relation to the dwellings of The Old School House and the neighbouring property is read as a cluster of two dwellings.
- 6.11 Generally, "back-land" development is not a feature of this area with small clusters of 3-4 dwellings set at varying proximities to the road more characteristic. The subdivision of this large plot and the provision of the new dwelling at the rear would lead to an intensification of the use of this area. The introduction of backland development in this location is considered to be detrimental to the character of the area as it will introduce a form of development which cumulatively will impact negatively upon settlement character. In this respect the proposal is contrary to Policy 25 (Strategic Policy: The Natural Environment and Landscape Character) of the Horsham District Local Plan.

## **7.0 The amenities of the occupiers of adjoining properties**

- 7.1 Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of the occupiers of nearby property. The dwelling is orientated so that the dormer windows in the roof-space are looking directly south or east and views from these windows into neighbouring properties would be severely restricted by the bordering vegetation or by the roof-form of the proposed building itself. The dwelling is proposed to be situated approximately 25m from The Old School House and some 30 metres from Chesters and therefore due to the orientation of the building, the dense vegetation and distance between it and the neighbouring properties it is not considered that the new dwelling would be likely to cause significant harm to the amenity of the occupiers of neighbouring properties.

## **7.2 The quality of the resulting residential environment for future occupiers**

- 7.3 The intention of the proposal is to provide accommodation for the current owners and occupants of the Old School House who are seeking to create a long term sustainable dwelling for their later years. For this reason the layout of the ground floor of the property is considered to house all the necessary facilities for day to day living with two bedrooms as well as a kitchen-diner, lounge, study, bathroom and dog room proposed. The first floor is indicated to be the area of the house for "carers accommodation" with an additional lounge, kitchen, bathroom and bedroom provided within the roof-space. Whilst the proposal does indicate an almost entirely self-contained first floor, the overall layout of the property remains open and is not considered to amount to a proposal for two flats. The layout is spacious and considered that the standard of accommodation provided is acceptable and could easily be modified or adapted to suit future occupants.

#### **7.4 The highways impacts of the proposal**

- 7.5 The proposal is for a new detached 3-bedroom dwelling with a separate garage building accessed via the existing point of access on to Brighton Road that serves the existing property of the Old School House.
- 7.6 A driveway, hard-standing and turning area are indicated in the proposal as well as the provision of a new triple bay garage indicated for the storage of two vehicles with the third bay being used for storage. The Local Highway Authority has been consulted and has confirmed that there do not appear to be any existing highway safety issues in regards to the existing access and it is not considered that the additional dwelling would exacerbate any existing concerns. The Local Highway Authority do not object to the proposal and, in light of the above, the proposed development is therefore deemed to be in accordance with Policies 40 and 41 of the HDPF.

#### **7.7 Triple Garage**

- 7.8 A triple bay garage 10m wide, 6m deep and 4.8m in height is proposed for the north western part of the site adjacent to the dwelling. Two bays are indicated as being for vehicle storage with the third separated internally to provide a garden store. The garage would have a hipped tiled roof with brick facing walls, a small door and window on the eastern side providing an additional entrance to the garden store. The garage is located some 10m from the south western boundary with Chesters but against the north western boundary adjacent to the rear garden of Chesters which continues along the north western side of the site. The boundary features very dense high level screening which together with the distance of the garage from the south western boundary in particular, is not considered to be detrimental to the amenities of neighbouring occupiers and would be of a style and design consistent with the main dwelling proposed.

#### **8.0 The Existing Trees**

- 8.1 There are no trees covered with Tree Protection Orders within the vicinity of the site and there are no other constraints or restrictions on the land to control the removal or protection of trees. The dense vegetation that currently exists on the boundaries is considered to contribute to the screening and privacy of the site and therefore the retention of the density of landscaping is desirable. The dwelling and detached garage are indicated to be constructed in an area that would require a minimal removal of existing trees, notwithstanding this a suitable landscaping condition that refers to existing and proposed vegetation could be secured by condition if necessary.

#### **9.0 Conclusion**

- 9.1 The site is located outside of a built up area boundary and on a site not allocated for development within the HDPF or an adopted neighbourhood plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. It is not considered that the development is essential to its countryside location, and would introduce backland development into a countryside area where this is currently not characteristic. The proposal would comprise a form of development which cumulatively would lead to an increase and intensification of development within the countryside and therefore constitutes unsustainable development which would be contrary to policies 1, 3, 4, 25 and 26 of the Horsham District Planning Framework (2015).

## **10. RECOMMENDATIONS**

- 10.1 It is recommended that planning permission is refused for the following reason:
- 10.2 The site is located outside of a built up area boundary and on a site not allocated for development within the Horsham District Planning Framework or an adopted neighbourhood plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. It is not considered that the development is essential to its countryside location and it would introduce backland development into an area where this is not characteristic. Cumulatively it would lead to an increase and intensification of development within the countryside and therefore represents unsustainable development; contrary to policies 1, 3, 4, 25 and 26 of the Horsham District Planning Framework (2015).

Case Officer: Matthew Gest

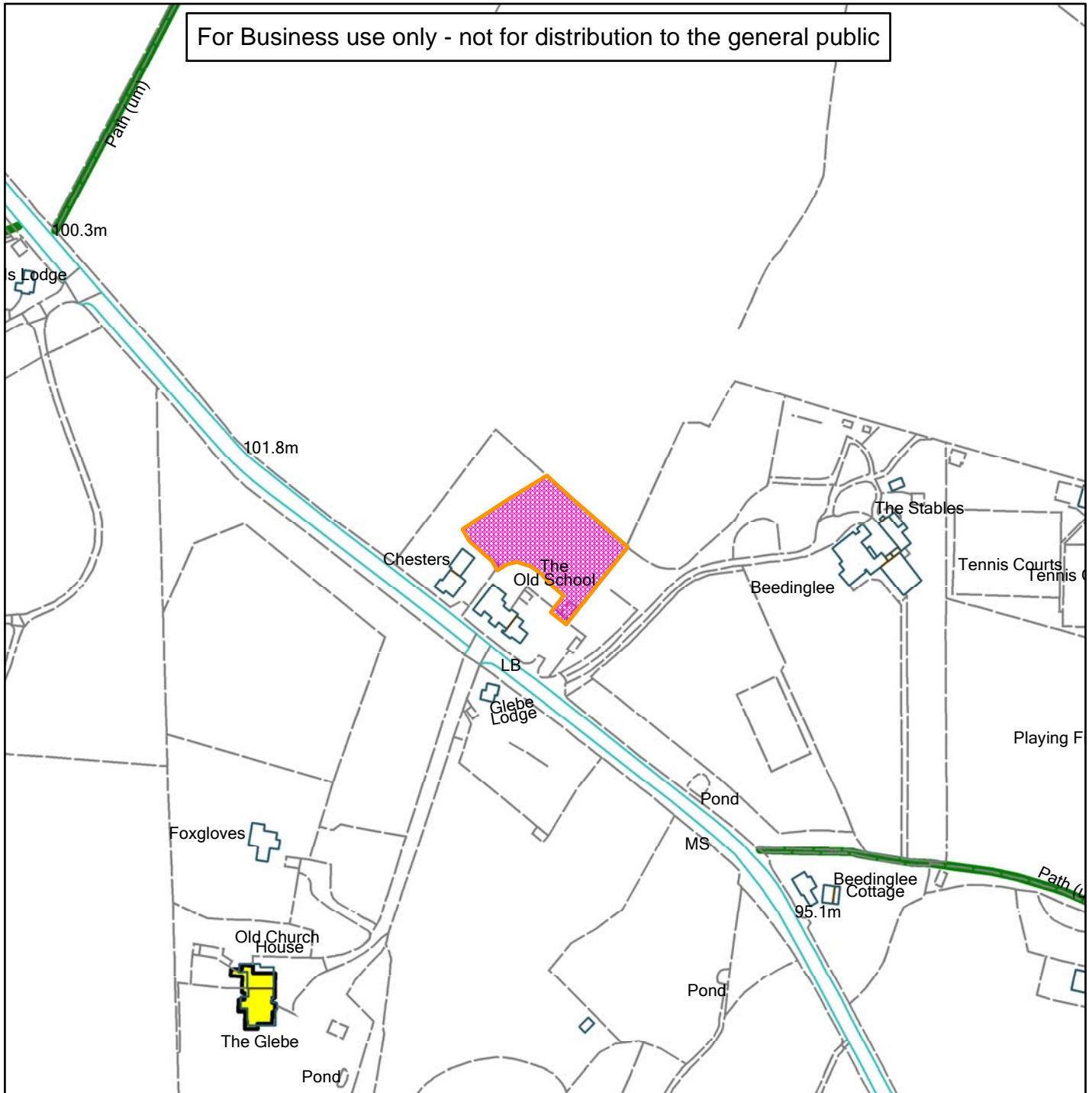
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The Old School

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Date	20/07/2017
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**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Development Manager

**DATE:** 1 August 2017

**DEVELOPMENT:** Reconfiguration of existing car park layout, with the addition of 37 new parking spaces. Installation of entry and exit barriers as part of a new ticketless automatic number plate recognition and improved car park lighting

**SITE:** Car Park Hurst Road Horsham West Sussex RH12 1RN

**WARD:** Horsham Park

**APPLICATION:** DC/17/0586

**APPLICANT:** **Name:** Horsham District Council **Address:** Parkside, Chartway, Horsham, RH12 1RL

**REASON FOR INCLUSION ON THE AGENDA:** The applicant is Horsham District Council

**RECOMMENDATION:** Grant Planning Permission

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 The application seeks permission for reconfiguration of the existing car park to create an additional 37 spaces plus 2 additional disabled accessible spaces. The additional spaces would be created in the south-eastern corner of the car park in place of an existing grassed and planted area, and in place of the central landscaped area. The proposed layout would also provide a free 15-minute drive through period to allow drop-offs and collections. The reconfiguration would take place in conjunction with the introduction of a ticketless system which would bring the site in line with other town centre car parks.

### DESCRIPTION OF THE SITE

1.3 The application relates to a Horsham District Council owned car park on the southern side of Hurst Road. The car park is closely associated with The Pavilions leisure centre and Horsham Park, providing a car parking facility for both. The existing car park provides 208 spaces, 5 of which are disabled accessible, with the layout including a central area of landscaping which provides pedestrian access to a crossing point leading to the Pavilions.

## 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:

#### **National Planning Policy Framework:**

NPPF4 - Promoting sustainable transport

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

#### **Horsham District Planning Framework (HDPF)**

HDPF1 - Strategic Policy: Sustainable Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF5 - Strategic Policy: Horsham Town

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF40 - Sustainable Transport

HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.3 Denne NC is part of the Horsham Blueprint which has been designated as a Neighbourhood Plan area.

### PLANNING HISTORY AND RELEVANT APPLICATIONS

HU/349/99	Erection of a new swimming pool with gymnasium facility and fitness suite alterations to access and car parking	Application Permitted on 14.04.2000
HU/50/97	25 metre 8 lane swimming pool with leisure waters, gymnastics training building, remodelling of car park & playground (outline)	Application Permitted on 10.04.1997
HU/187/80	Covered swimming pool	Application Permitted on 03.09.1980

## 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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 None

### OUTSIDE AGENCIES

- 3.3 Denne NC: Supports the application. The Pavilions Leisure Centre and Horsham Park are important, much valued and well used community facilities. The existing car park is often full and the community will benefit from additional parking spaces. The need and design of

the proposal outweighs the loss of the currently unremarkable landscaping. The needs of users, including pedestrians and cyclists, have been reasonably and safely facilitated in the revised plans.

- 3.4 West Sussex County Council – Highways: No objection to the principle of the development.

#### PUBLIC CONSULTATIONS

- 3.5 4 representations have been received objecting to the application for the following reasons:-

- Loss of landscaping;
- The Council should be encouraging walking and cycling rather than cars;
- Increased queues at the entry barrier;
- Inadequate access arrangements for pedestrians and cyclists;
- The access routes through the site would be confusing;
- There should be more cycle and motorcycle spaces;
- Question what will happen to existing fittings / street furniture.

- 3.6 Horsham Society: Object. The current car park presents an attractive entrance and a generous and family friendly layout. The proposal would lose significant areas of attractive landscaping for a marginal gain in parking spaces. The proposal provides inadequate access arrangements and question whether the proposal is cost effective.

- 3.7 Horsham District Cycling Forum: Object due to inadequate safety, access and provision for cyclists and pedestrians.

#### **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 key issues of consideration in the determination of this application relate to the impact of the proposal on highway safety, and visual and neighbouring amenity.

##### Highways

- 6.2 The proposal would provide increased capacity for parking at the site which would support the continued vitality of the adjoining leisure facility and park. A Road Safety Audit of the proposal has been carried out and this identified a number of minor issues relating to the car park access and exit arrangements, the siting of bays in relation to pedestrian crossing points, and the presence of road markings and street furniture (i.e. recycling bins). These points have been resolved through minor revisions to the proposed layout which addresses the issues raised in the Audit. There is no evidence to suggest that the revised ticketless

entry system, which reflects other car parks in the town centre, would result in vehicles queuing onto and obstructing Hurst Road, and no such concerns have been raised by the Highway Authority.

- 6.3 It is therefore considered that the resulting proposal would not result in a significant or harmful increase in trips to or from the site and no safety hazard would result from the scheme through conflict between vehicles, cyclists or pedestrians.
- 6.3 In respect of cycling, the existing arrangement, which utilises the main vehicular routes, would not be altered with uncontrolled entry and exit maintained for cycles. The existing cycle parking provision, which has recently been upgraded, would be retained with additional spaces created as part of the reconfiguration. Further details of the additional cycle parking spaces are required through condition.
- 6.4 On this basis there are no transport objections to the scheme which is considered to accord with policies 40 and 41 of the Horsham District Planning Framework (HDPF).

#### Character and appearance

- 6.5 The proposal would result in the loss of some soft landscaping which currently provides an attractive pedestrian route through the car park to pedestrian crossing points; a large proportion of this landscaping was secured as part of the original planning permission for a leisure facility and car park on the site (planning application ref: HU/349/99). The proposed layout would, however, retain as much of this planting as possible with the new spaces primarily affecting small trees, hedges and grassed areas. The planting which would be lost is not formally protected in its own right comprising relatively young tree specimens and shrubs.
- 6.6 It is considered that the proposed layout, in the context of immediately surrounding development, would not appear incongruous or out of keeping. The car park would continue to be viewed in connection with the immediately adjoining leisure facility with the resulting arrangement commonplace for such town centre uses. There is considerable scope for replacement planting in and around the car park, and this approach would soften the appearance of the car park when viewed from the surrounding area and mitigate the loss of the landscaped area to be removed. A condition is recommended to secure details of an appropriate landscaping scheme, and its subsequent implementation. It is considered that this approach would mitigate the visual impact of the proposal such that no significant visual harm would result from the proposal. On this basis the proposal would accord with policies 32 and 33 of the HDPF.

#### Impact on neighbouring amenity

- 6.7 The nearest noise sensitive premises are a considerable distance from the additional parking spaces. It is considered that any increase in the level of activity on the site would be screened by existing background noise levels, which are dominated by vehicular movements along Hurst Road. The additional parking spaces would not therefore be expected to generate harmful levels of noise or disturbance for occupants of adjoining properties.
- 6.8 The proposed layout makes provision for additional lighting columns designed to focus light onto the ground surface. The nature of the lighting coupled with the separation from adjoining residential properties would be sufficient to prevent any light nuisance resulting from the proposal. It is noted that representations have been received querying what will happen to existing fittings and street furniture when removed from the site and the applicant has advised that where possible these will be reused. While some wastage is inevitable this would not be sound reason to refuse the application.

## Conclusion

- 6.10 The reconfiguration of the existing car park would provide additional capacity without detriment to highway safety, visual amenity or neighbouring amenity. The application is therefore considered acceptable, subject to conditions, and would accord with the relevant policies of the HDPF.

## **7. RECOMMENDATIONS**

- 7.1 Grant planning permission subject to the following conditions:-

### Conditions:

- 1 A list of the approved plans

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-Commencement Condition:** No development shall commence until a Method Statement detailing measures to protect existing planting to be retained on site has been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented prior to the commencement of works and shall be retained throughout the duration of construction works.

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).

- 4 **Pre-Occupation Condition:** Prior to the first use of the additional car parking spaces 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).

- 5 **Pre-Occupation Condition:** Prior to the first use of the additional car parking spaces details of secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The additional car parking spaces shall not be brought into use until the 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).

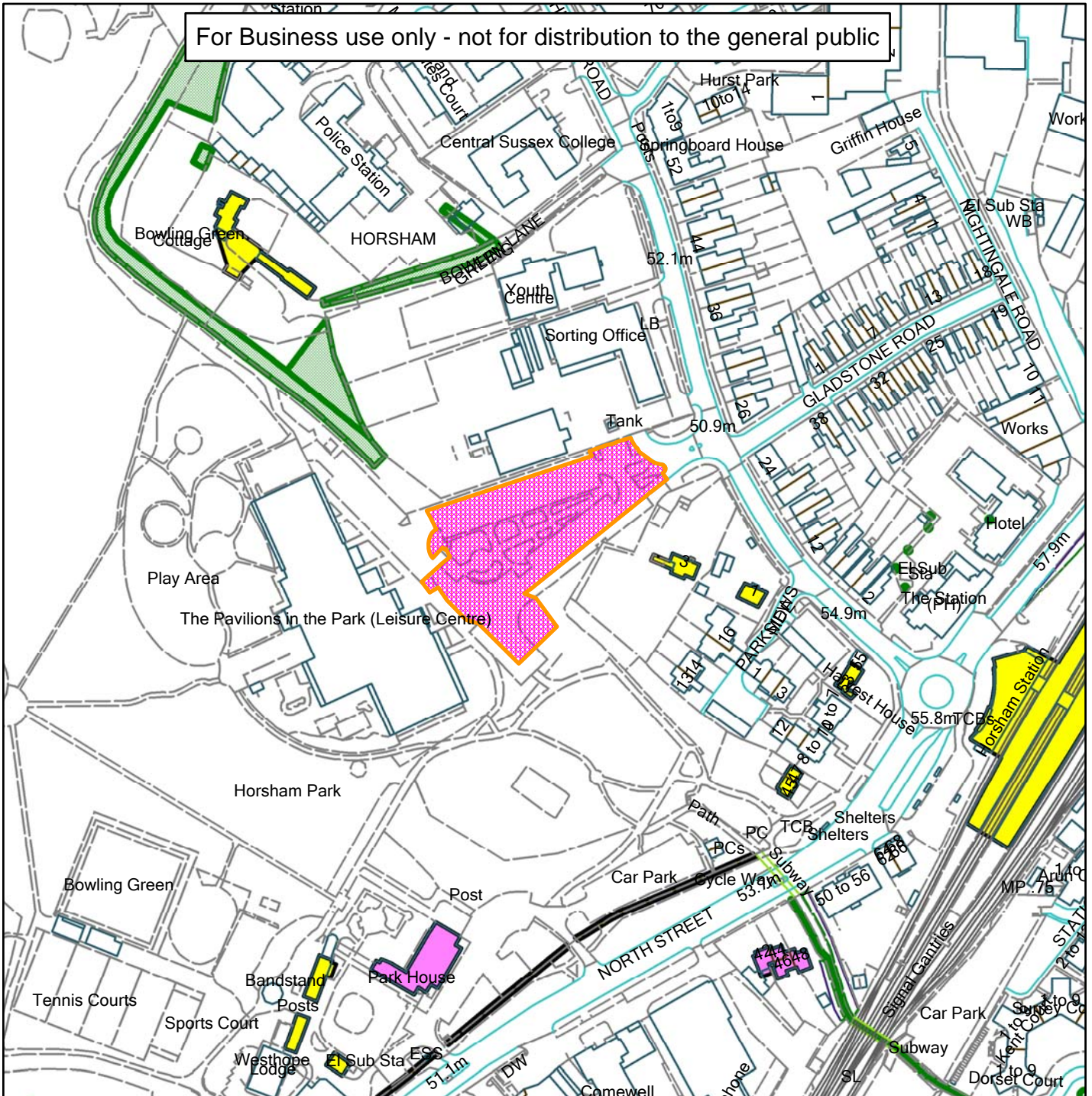
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Car Park, Hurst Road

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**Horsham  
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## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Development Manager

**DATE:** 01 August 2017

**DEVELOPMENT:** Change of Use from a former Ambulance Station (Sui Generis) to Use Class D1 plus two external storage containers

**SITE:** Horsham Ambulance Station Hurst Road Horsham West Sussex RH12 2DN

**WARD:** Horsham Park

**APPLICATION:** DC/17/0967

**APPLICANT:** **Name:** Horsham District Council **Address:** Parkside, Chart Way, Horsham ,West Sussex, RH12 1RL

**REASON FOR INCLUSION ON THE AGENDA:** The application has been made by or on behalf of the Council.

**RECOMMENDATION:** Grant Planning Permission

### 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 change of use of the existing building from an Ambulance Station (sui generis) to a D1 use. It is proposed that the building will be used by 2no theatre groups who currently use (the soon to be re-developed) Broadbridge Heath Leisure Centre. As part of the proposed change of use, some internal alterations are proposed including the creation of rehearsal space, a workshop and storage areas for Theatrical props, changing rooms, wardrobes, new accessible toilet, changing rooms, kitchen area and toilets, with partition walls added as required.
- 1.2 The premises will be used primarily for rehearsals, stage props construction and associated storage to serve the needs of the 2no theatre groups and not for public performances. Externally, a new fire escape door will be inserted to the north-eastern elevation, providing a direct exit from the large rehearsal room to be formed, which is currently the main ambulance garage, out into the car park area.
- 1.3 It is also proposed to provide 2no external storage containers to be positioned to the rear corners of the host building. The proposed containers would be second-hand, conventional styled transportation type containers which would measure 6.096m (L) x 2.45m (W) x 2.59m (H) (20ft L x 8ft W x 8.5ft H). The proposed containers would be mainly screened from views from the front of the building owing to the positioning of existing fencing and the existing building itself.

- 1.4 The proposal has been amended during the course of the application. It was initially proposed to provide one larger external storage container measuring approximately 12.19m in length. However this has been replaced with two smaller containers, as detailed above, due to logistical reasons.

#### DESCRIPTION OF THE SITE

- 1.5 The application site is a detached single storey building which was formally Horsham Ambulance Station until this service was moved to Crawley. The application site was used by SECamb's temporarily as a base for calls in Horsham and the surrounding area. The site benefits from a large car park and a small grassed area to the rear as well as a temporary portacabin type structure which is now used as the response post.
- 1.6 The application site is located on the south-western side of Hurst Road and accessed from the north-east and the surrounding area consists of predominately commercial/community services including WSCC Fire Station, the Law Courts, Sussex Police Station and Central Sussex College. To the north-eastern side of Hurst Lane there are residential properties and Horsham Hospital is located to the north-west.

## 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:**

- NPPF1 - Building a strong, competitive economy
- NPPF2 - Ensuring the vitality of town centres
- NPPF4 - Promoting sustainable transport
- NPPF8 - Promoting healthy communities
- NPPF14 - Presumption in favour of sustainable development

2.3 **Horsham District Planning Framework (HDPF 2015)**

- HDPF5 - Strategic Policy: Horsham Town
- HDPF11 - Tourism and Cultural Facilities
- HDPF13 - Town Centre Uses
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF33 - Development Principles
- HDPF39 - Strategic Policy: Infrastructure Provision
- HDPF40 - Sustainable Transport
- HDPF41 - Parking
- HDPF42 - Strategic Policy: Inclusive Communities
- HDPF43 - Community Facilities, Leisure and Recreation

#### RELEVANT NEIGHBOURHOOD PLAN

2.5 **Neighbourhood Plan**

Status – Horsham District Council has approved the designation of Horsham Blueprint as a Neighbourhood Forum as of June 2015.

2.6 **Supplementary Planning Document (SPD)**

Horsham Town Design Statement

## 2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

HU/599/71	Extension to fire station (From old Planning History)	Application Permitted on 21.12.1971
HU/335/01	Single-storey extension and internal alterations Site: Ambulance Station Hurst Road Horsham	Application Permitted on 22.10.2001
DC/16/1107	Erection of portable building to provide an Ambulance Community Response Post	Application Permitted on 12.08.2016

## 3. OUTCOME OF CONSULTATIONS

3.1 When 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](http://www.horsham.gov.uk)

3.2 **Denne NC Parish Council** – No objection.

### INTERNAL CONSULTATIONS

3.3 **HDC Head of Community and Culture** - Fully supports this application from a community and culture perspective. This change of use provides continuity of provision for 2 important community organisations, one of which supports a number of other drama groups throughout the district.

3.4 **HDC Environmental Health** – No objection in principle, conditions recommended.

### OUTSIDE AGENCIES

3.5 **WSCC Highways** – Use is temporary and 16 parking spaces are available. No objection

3.6 **Sussex Police** – No objection.

### PUBLIC CONSULTATIONS

3.7 No representations have been received.

## 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 impact on the locality
- The amenities of the occupiers of adjoining properties
- The existing parking and traffic conditions in the area

### **Change of use**

6.2 The application seeks full planning permission for the change of use of the existing building from an Ambulance station (sui generis) to a D1 use. It is proposed that the building will be specifically used by two theatres groups for practice only but not as a theatre.

6.3 The existing building was vacated by the Ambulance Authority in May 2017 who up until the transfer of the full Ambulance Service to facilities in Crawley, were using the premises as a temporary base/response point for calls out in Horsham and the surrounding area. The facility has since relocated to a small portacabin on the site and there are no policies within the Horsham District Planning Framework (HDPF) which would seek to retain the existing sui generis use. On this basis the change of use is considered acceptable in principle.

6.4 The proposal would facilitate use of the premises by theatre groups, providing rehearsal space, a workshop and associated storage areas. There would be no performances taking place on the site and the proposal would fall within Use Class D1, a non-residential use, which encompasses a number of community uses. Policies 42 and 43 of the HDPF seek to create inclusive communities and support the provision of new or improved community facilities or services, particularly where they meet the identified needs of local communities. The proposed use would be supported by these policies and would bring a vacant building back into meaningful use, with the applicant responding to a recognised need for such accommodation within this part of the District.

6.5 As such, it is considered that the use of this building for the proposed use would help to create a socially inclusive and adaptable environment which supports leisure and recreation in the District, in accordance with Policy 42 and 43 of The Horsham District Planning Framework.

### **The effect of the development on the amenities of the occupiers of adjoining properties**

6.6 Policy 33 of the Horsham District Planning Framework requires proposals to be of a high standard of design, relate sympathetically with the built surroundings and character of the surrounding area; also of particular relevance in respect of the development would be its impact upon both private neighbour amenities and the visual amenities of the area and to have appropriate access and parking arrangements.

6.7 Details submitted with the application state that the vacant building will be used by the theatre groups primarily in the evenings and with occasional use during the daytime. While no specific hours have been proposed, taking into account the non-residential makeup of the vicinity and the 24 hour operations of the Fire Station and Police Station which are in close proximity, it is considered that the use of the premises during the evenings would be acceptable. As such, it is not considered necessary to attach a condition which relates to hours of operation.

- 6.8 Notwithstanding the above points discussed regarding the use of the premises and hours of operation, the D1 use class includes a wider range of 'Non-residential Institution' uses such as creches, day nurseries and public halls which could attract a larger number of people to the site and may be operated differently to the way the theatre groups will use the premises. As such, it is considered necessary to attach a condition restricting the use of this building to be used by the 2no theatre groups in question only as necessary and by no other use within Use Class D1.

**The effect of the development on the existing parking and traffic conditions in the area**

- 6.9 The former Horsham Ambulance station is close to public transport links including both trains and buses from points nearby. The premises currently benefits from 16no car parking spaces. Following consultation with WSCC Highways who confirmed that they had no objection to the proposal, it is considered that there would not be any parking or transport issues associated with the change of use of this building to be used by the theatre groups.

**Conclusion**

- 6.10 Overall, the proposed change of use of the existing building to D1 use is considered to be acceptable and does not raise any concerns in terms of the aims identified within the HDPF. The proposal would be in accordance with policies 11, 33, 40, 41, 42 and 43 and is therefore recommended for approval.

**7. RECOMMENDATIONS**

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

1 A list of the approved plans

2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises shall only be used as theatre rehearsal space, with associated ancillary uses, and for no other purposes whatsoever, including performances (and including those uses falling within Class D1 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Any alternative use of the premises within Class D1 would raise amenity and highway considerations which would need to be considered through a planning application under Policies 33 and 40 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition:** The existing bi-folding 'garage' doors shall only be used/opened for loading and unloading and shall be kept shut at all other times.

Reason: To safeguard the amenities of nearby properties and their occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The playing of live or recorded music or generation of other amplified sound shall be restricted as to be inaudible at nearby premises.

Reason: To safeguard the amenities of nearby properties and their occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

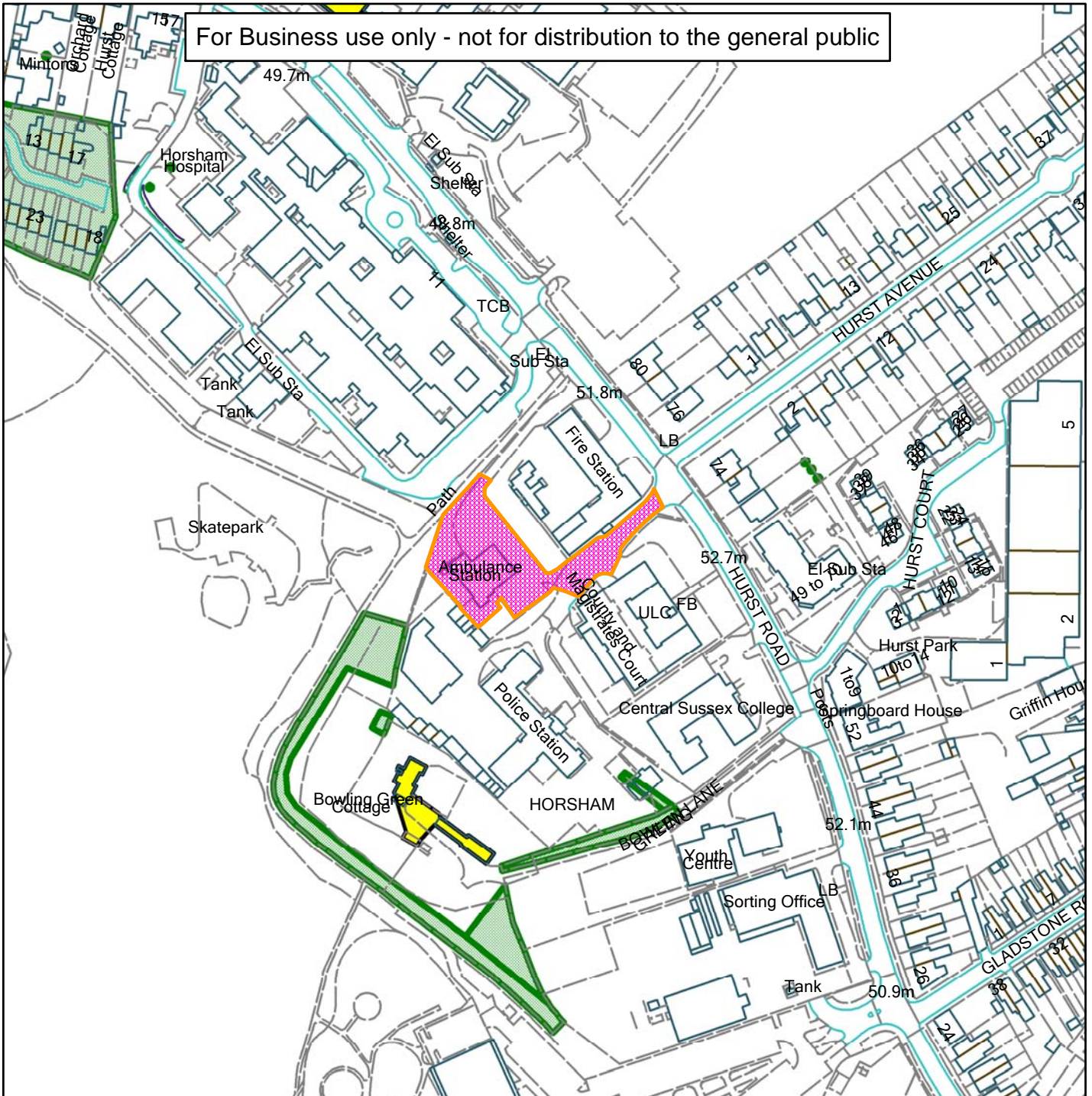
Background Papers: DC/17/0967





Horsham Ambulance Station

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**Horsham  
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## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Development Manager

**DATE:** 1 August 2017

**DEVELOPMENT:** Approval of Details reserved by conditions 6 and 10 to approved application DC/16/1844

**SITE:** Broadbridge Heath Sports Centre Wickhurst Lane Broadbridge Heath Horsham West Sussex RH12 3YS

**WARD:** Broadbridge Heath

**APPLICATION:** DISC/17/0232

**APPLICANT:** **Name:** Mr Brian Elliott **Address:** Horsham District Council, Parkside Chartway Horsham RH12 1RL

**REASON FOR INCLUSION ON THE AGENDA:** The application relates to conditions applied to an approved planning application made by this Council.

**RECOMMENDATION:** To approve the details submitted in respect of conditions 6 and 10 of DC/16/1844 subject to no objection from Southern Water.

### **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

1.1 Members will recall that at the 1 November 2016 meeting of the Planning Committee North planning permission was granted for the redevelopment of the Broadbridge Heath Leisure Centre under Planning Application DC/16/1844. The permission was for the following:

'Demolition of existing leisure centre and associated facilities, demolition of existing Bowls Club canopy and existing external sports pitches. Erection of new 2- storey leisure centre with associated parking, landscaping and facilities. Retention of part of the Tube as a multi use sports area.'

1.2 This application seeks to agree the details reserved by conditions 6 and 10 of the planning permission. Condition 6 relates to the submission of a Construction Environment Management Plan to be agreed prior to works commencing.

1.3 Condition 10 seeks to agree a drainage strategy detailing the proposed means of foul and surface water drainage prior to works commencing.

#### DESCRIPTION OF THE SITE

1.4 The site lies within the built-up area of Broadbridge Heath and comprises the existing Broadbridge Heath Leisure Centre and Multi-Use Games Areas (MUGAs) adjacent to the east

- 1.5 The southern boundary adjoins the land being developed for sports pitches as part of the adjacent Wickhurst Green housing development. The northern boundary adjoins the access road to the Indoor Bowls Centre and adjacent Tesco car park, with the Indoor Bowls Centre to the east and A24 beyond. A running track and stands sits to the west which is to be retained.

## 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 24 (Strategic Policy: Environmental Protection)
- Policy 31 (Green Infrastructure and Biodiversity)
- Policy 32 (Strategic Policy: The Quality of New Development)
- Policy 33 (Development Principles)
- Policy 35 (Strategic Policy: Climate Change)
- Policy 37 (Sustainable Construction)
- Policy 38 (Strategic Policy: Flooding)
- Policy 39 (Strategic Policy: Infrastructure Provision)
- Policy 40 (Sustainable Transport)
- Policy 41 (Parking)
- Policy 42 (Strategic Policy: Inclusive Communities)
- Policy 43 (Community Facilities, Leisure and Recreation)

### RELEVANT NEIGHBOURHOOD PLAN

None

### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1844	Demolition of existing leisure centre and associated facilities, demolition of existing Bowls Club canopy and existing external sports pitches. Erection of new 2- storey leisure centre with associated parking, landscaping and facilities. Retention of part of the Tube as a multi-use sports area.	Application Permitted on 15.11.2016
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## 3. OUTCOME OF CONSULTATIONS

### INTERNAL CONSULTATIONS

- 3.1 **HDC Environmental Health:** No objection.
- 3.2 **HDC Drainage Engineer:** No objection.

### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No objection.
- 3.4 **Southern Water:** Comment

Southern Water cannot recommend the discharge of condition 10 as the final discharge points to the public sewer has not been indicated.

## PUBLIC CONSULTATIONS

3.5 **Broadbridge Heath Parish Council:** Have considered and make no comment.

## 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 At its meeting on 1 November 2016, Members resolved to grant planning permission for the re-development of the Leisure Centre, comprising first the construction of a new Leisure Centre on the site of the MUGAs followed by the demolition of the existing Leisure Centre building to provide 175 parking spaces. Permission was granted subject to a number of conditions, two of which (Conditions 6 & 10) required the submission and agreement of details prior to works commencing.

### Condition 6:

6.2 This conditions states:

‘No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.’

6.3 A detailed Construction Phase Health and Safety Plan (CPHSP) has been submitted including site logistics plans for each phase of the construction and demolition period. The secure site compound is to be on the MUGA land between the existing Leisure Centre building and the Bowls Centre, tightly focussed around the construction site. The CPHSP anticipates that 3-4 lorries will access the site per day, which can only be via the single site entry point to the north from the A264. Details of site operatives and community consultation are detailed within the CPHSP.

- 6.4 Environmental Health and the West Sussex County Council Highways department have raised no objection to the Construction Environment Management Plan (CEMP) submitted. The requirements of the condition are therefore considered to have been satisfied.

Condition 10:

- 6.5 This conditions states:

Development shall not commence until a drainage strategy detailing the proposed means of foul and surface water drainage and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include details of the proposed Sustainable urban drainage systems (SuDS) scheme, providing details of its future and ongoing maintenance. The drainage designs should clearly demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

The scheme shall be carried out in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to protect water quality and to ensure the future maintenance of the surface water drainage system to comply with the NPPF and policy 38 of the Horsham Development Planning Framework 2015.'

- 6.6 A detailed strategy including for maintenance has been submitted. The strategy provides for a mix of permeable paving and an attenuation tank to ensure no flooding occurs for up to the 1 in 100 year 6 hour storm event.
- 6.7 Environmental Health officers and the HDC Drainage Engineer have raised no objection to the details submitted. However, Southern Water are not able to agree the discharge of this condition until the links to the public sewer have been clarified. Southern Water have not identified any capacity issue with the sewer therefore this matter is procedural Subject to no objection being raised by Southern Water once the links have been clarified, the requirements of the condition will have been satisfied.

## **7. RECOMMENDATIONS**

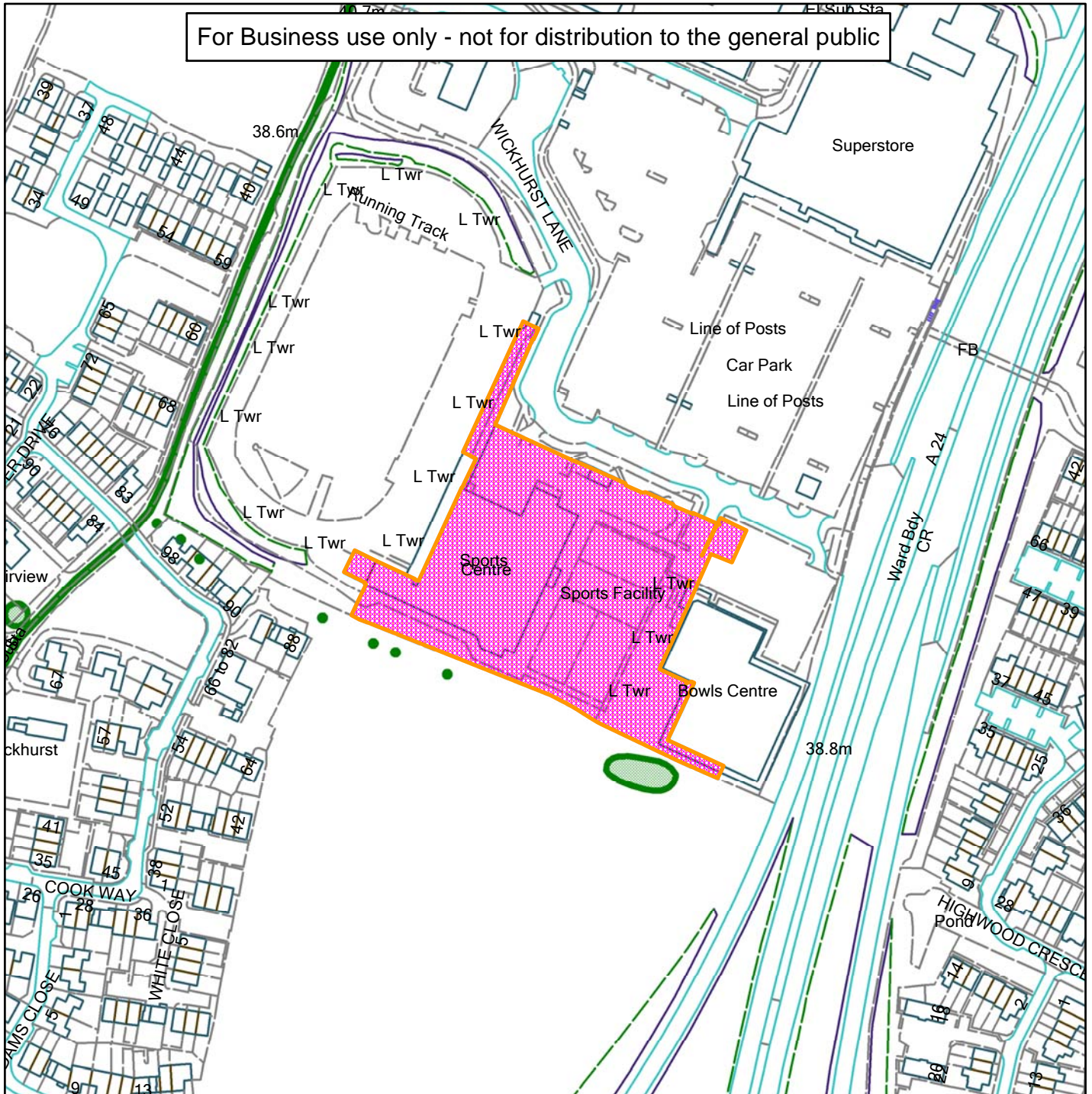
- 7.1 It is recommended that the submitted details be approved subject to no objection from Southern Water.

Background Papers: DC/16/1844 & DISC/17/0232



Broadbridge Heath Sports Centre

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