

Planning Committee (North)
5 DECEMBER 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, Roy Cornell, Jonathan Dancer, Matthew French, Billy Greening, Tony Hogben, Christian Mitchell, Godfrey Newman, Stuart Ritchie, David Skipp, Claire Vickers and Tricia Youtan

Apologies: Councillors: John Chidlow, Christine Costin, Leonard Crosbie, Adrian Lee and Connor Relleen

Absent: Councillors: Josh Murphy, Brian O'Connell and Simon Torn

PCN/59 **MINUTES**

The minutes of the meeting of the Committee held on 7 November were approved as a correct record and signed by the Chairman.

PCN/60 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/1023 – Councillor Billy Greening declared a personal interest in this item because he knew one of the objectors.

PCN/61 **ANNOUNCEMENTS**

There were no announcements.

PCN/62 **APPEALS**

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

PCN/63 **DC/17/1704 - 41 PONDTAIL ROAD, HORSHAM**
(WARD: HOLBROOK WEST) APPLICANT: MR PAUL CLARKE

The Head of Development reported that this application sought permission for a change of use from public house to children's day nursery. The proposal included rear extensions, changes to elevations including windows, and surfacing the garden area predominantly with artificial grass. The car park would be rearranged to increase space for the garden whilst retaining the 17 parking spaces.

The application site was located in the built-up area of Horsham on the eastern side of Pondtail Road and was the site of the Rising Sun, which had ceased

trading in June 2017. There was an embankment leading up to the railway line along the western boundary, and detached dwelling along Pondtail Road.

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.

An addendum to the report had been circulated to Members with further detailed comments from the Highway Authority, which concluded that there was no objection subject to: a pedestrian barrier in the entrance off the footway; and parking restrictions, should these prove necessary following parking surveys before and three months after the opening of the nursery. A legal agreement would be required to secure funding for implementing parking restrictions and therefore a revised recommendation requiring the completion of a legal agreement was included in the addendum.

North Horsham Parish Council raised no objection to the application, and since publication of the report had provided additional comments regarding the need for the Highway Authority's and local residents' concerns to be addressed. Denne Neighbourhood Council raised no objection in principle but had concerns regarding pedestrian safety and access. The Local Member raised a number of concerns. Nineteen letters of objection from 15 households had been received, including one since publication of the report. Since publication of the report the applicant had contacted Members of the Committee setting out key points regarding the application.

Three members of the public spoke in objection to the application. The applicant and the applicant's transport consultant both spoke in support of the application, and the applicant's agent spoke, on behalf of the applicant's acoustic consultant, 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: loss of the public house; the need for a children's nursery; highway safety, transport and highway issues; impact on occupiers of neighbouring properties; and the character and appearance of the street scene.

Members were concerned that an overwhelming majority of pupils would arrive by car, given the wide catchment area of the nursery, and discussed the potential impact that additional traffic movements could have on Pondtail Road. They were concerned that the Road Safety Audit and conclusions of the Highway Authority had underestimated the level of traffic movements that would be generated, and that it was not robust enough, given the narrowness of Pondtail Road, the speed of existing traffic and the restricted nature of the site itself.

After detailed debate the Committee concluded that the application should be deferred to allow for further discussion with the Highway Authority so that the robustness of the Road Safety Audit could be tested. Members suggested that

during deferment of the application, Local Members should attend a site visit with officers.

RESOLVED

That planning application DC/17/1704 be deferred to allow for the Road Safety Audit to be reviewed through further discussions with the Highway Authority, in consultation with the Local Members.

PCN/64 **DC/17/0168 - 80 LAMBS FARM ROAD, HORSHAM**
(WARD: ROFFEY NORTH) APPLICANT: MR CELEBI

The Head of Development reported that this application sought permission to vary Condition 4 of previously approved permission DC/11/1660 (change of use from retail/office to a hot food takeaway) to extend the opening hours. They were currently 0900 - 2200 Monday to Saturday and at no time on Sundays. The variation would allow opening hours of 0900 – 2300 Monday to Saturday and 0900 – 2200 Sunday and Bank Holidays. No changes were proposed regarding the ventilation and extraction system.

The application site was located in the built-up area of Horsham on the southern side of Lambs Farm Road. The unit was in a small parade of shops with flats above. There were three delineated parking spaces serving the unit. The surrounding area was predominantly residential.

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 raised no objection to the application, and requested that measures to control cooking odours be put in place. Twenty letters of objection, from 13 households, had been received. The applicant's agent addressed the Committee 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 neighbouring amenity and traffic. Objections to the current operating of the business were not a planning consideration and were being investigated by the Council's Environmental Health Department.

Members discussed the proposal in the context of its location within a residential area and considered the impact it would have on residential amenity.

RESOLVED

That planning application DC/17/0168 be refused for the following reason:

The proposal would cause unacceptable harm to the amenity of nearby residents and was therefore contrary to Policy 33 of the Horsham District Planning Framework.

PCN/65 **DC/17/2240 - 41 GORINGS MEAD, HORSHAM (WARD: FOREST)**
APPLICANT: MR ANDREW WATSON

The Head of Development reported that this application sought permission for alterations to a chalet bungalow to form a two storey dwelling. The ridge height would increase by approximately two metres. Alterations included a new hipped roof, new windows, alterations to rear extensions and to a rear bay window. A front entrance canopy was also proposed.

The application site was located within the built-up area of Horsham on the south side of Gorings Mead. There was a very large rear garden to the south. Nearby properties were predominantly detached of differing styles and sizes, with semi-detached dwellings on the other side of the road. A public footpath ran along the eastern boundary.

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 Neighbourhood Council raised no objection to the application. One letter of support had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the design and appearance of the proposal and its impact on the visual amenities of the street scene; and the amenities of neighbouring occupiers.

Members considered the increase in size of the property in the context of the variety of style and size of nearby properties and concluded that the proposal was acceptable.

RESOLVED

That planning application DC/17/2240 be granted subject to the conditions and reasons as reported.

PCN/66 **S106/17/0015 - THE HOLBROOK CLUB, NORTH HEATH LANE, HORSHAM**
(WARD: HOLBROOK EAST) APPLICANT: DMH STALLARD

The Head of Development reported that this application sought permission for an amendment to Schedule 4 of the legal agreement that covered permissions DC/16/2855 (58 dwellings on part of the playing fields of The Holbrook Club) and DC/16/2856 (new 3G football ground at Horsham Golf and Fitness). The amendment would facilitate commencement of works on the residential

development at The Holbrook Club site before the football pitches at Horsham Golf and Fitness Club were completed. To facilitate this amendment, the applicant proposed interim measures to accommodate the displaced football teams when the 2018 football season begins.

The application site was located in the built-up area of Horsham and comprised approximately one third of land at The Holbrook Club. The site was west of Jackdaw Lane, and east of the club, which was accessed from North Heath Lane to the west.

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.

An addendum to the report had been circulated to Members advising of a revised recommendation that included a further variation to the legal agreement attached to DC/16/2855 and DC/16/2856 to secure the three conditions set out in 6.13 of the report. The revised conditions were as follows:

1. The Residential Development shall not commence until the 2017/18 football season has ended on 3rd April 2018 and works have commenced on site for the Football Ground Application.
2. The Residential Site Owner will provide alternative football pitch use in the local area for the teams listed below for the 2018/19 football season from April 2018.

Team	Provision
Holbrook 3 rd Team (if applicable)	Horsham Park
Holbrook 4 th Team	Horsham Park
Chesworth Rovers U10s	Forest School
Chesworth Rovers U11s	Forest School
Chesworth Rovers U16s x 2	College of Richard Collyer

3. The Residential Site Owner covenants with the District Council not to allow more than 50% of the open market units on the residential site to be occupied until the pitches at the HFC facility are available for use.

The addendum also included a revised recommendation requiring the amendment to be secured through a deed of variation.

North Horsham Parish Council supported the application. Southwater Parish Council objected to it. A Member of the Committee, who had objected to the application, withdrew their objection prior to the meeting. The Holbrook Club supported the proposal. Since publication of the report the Horsham Society had objected to the proposal, as advised in the addendum to the report. The applicant's agent addressed the Committee 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 proposal had a significant impact on the displaced teams during the interim

period. It was noted that Sport England required the interim arrangements to be made clear and legally binding.

Members concluded that the interim arrangements were acceptable.

RESOLVED

- (i) That a modification, by way of a Deed of Variation, be made to the legal agreement attached to permissions DC/16/2855 and DC/16/2856, to secure the revised conditions as set out in the addendum to the report.
- (ii) That, subject to (i) above, a modification, by way of a Deed of Variation, be made to Schedule 4, Part 1 of the legal agreement attached to permissions DC/16/2855 and DC/16/2856, to allow commencement of the approved residential development at The Holbrook Club prior to the approved pitches for Horsham Golf and Fitness being ready for use.

PCN/67 **DC/17/1023 - PHASE 4, OAKHURST BUSINESS PARK, WILBERFORCE WAY, SOUTHWATER (WARD: SOUTHWATER) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission for the erection of eight business and storage units, arranged as two blocks opposite each other, on a vacant site within the business park. New access from Wilberforce Way, hardstanding and parking for 31 cars was also proposed. The appearance of the blocks would be consistent with others on the surrounding estate.

The application site was located within the built-up area of Southwater within the established business park, which was a Key Employment Area. A bund with dense vegetation surrounded the southwest and northwest boundaries and screened the site from the Worthing Road and nearby properties.

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 had referred it to the Secretary of State. Five letters of objection, from three households, had been received. One member of the public 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; its impact on the landscape and trees; ecology; design and layout; impact on the amenity of nearby occupiers; access; access, highways and parking; and drainage.

Amended plans had been submitted that sought to address concerns regarding the impact on the bund. In response to concerns from the Local Member that the proposal still compromised the integrity of the bund, Members were assured that the bund would be retained at 30 metres; it was currently over 30 metres wide at the point at which the development would impinge upon it, and covered in mature vegetation.

RESOLVED

That planning application DC/17/1023 be granted, subject to confirmation that the Secretary of State does not wish to call it in, and subject to the conditions and reasons as reported.

PCN/68 **DC/17/1971 - LAND ADJACENT TO 193 TANBRIDGE PARK, HORSHAM (WARD: DENNE) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission to carry out surgery to an oak tree, which was protected under Tree Preservation Order (TPO) 867.

The application site was in an open public space north of 193 Tanbridge Park, within the built-up area of Horsham.

Details of relevant government policies and good practice, as contained within the report, were noted by the Committee. It was noted that surgery to the tree had been approved on a number of occasions. The Neighbourhood Council raised no objection to the application.

Members considered the officer's planning assessment which outlined the amenity value and declining health of the tree, and advised that reducing the canopy by approximately 30% would minimise the likelihood of structural failure.

RESOLVED

That planning application DC/17/1971 be granted subject to the conditions and reasons as reported.

PCN/69 **DC/17/2013 - HILLS CEMETERY, GUILDFORD ROAD, HORSHAM (WARD: DENNE) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission to carry out surgery to seven trees. Six of the trees (five limes and one ash) were protected under Tree Preservation Order (TPO) 357, and were on either side of the cemetery access road that ran south from Guildford Road. The seventh, a larger lime tree protected under TPO 1312, was on the western boundary of the cemetery close to Somergate.

Details of relevant government policies and good practice, as contained within the report, were noted by the Committee. It was noted that surgery to the trees had been carried out over the years. The Neighbourhood Council raised no objection to the application.

Members considered the officer's planning assessment which outlined the benefits of surgery for the amenity value of the trees and, in the case of the larger lime, in reducing its potential impact on the nearby property in Somergate.

RESOLVED

That planning application DC/17/2013 be granted subject to the conditions and reasons as reported.

PCN/70 **DC/17/2174 - LAND REAR OF 21 WOODLANDS WALK, MANNINGS HEATH (WARD: NUTHURST) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Development Manager reported that this application sought permission to carry out surgery to an oak tree, which was protected under Tree Preservation Order (TPO) 947.

The application site was within a council owned wooded strip that ran through Woodlands Walk estate in the built up area of Mannings Heath. Parts of the oak tree overhung two properties.

Details of relevant government policies and good practice, as contained within the report, were noted by the Committee. It was noted that the tree had been pruned a number of years ago. No consultation responses had been received.

Members considered the officer's planning assessment which outlined the reasons for the proposed surgery to a large cracked branch, and trimming of other overhanging limbs.

RESOLVED

That planning application DC/17/2174 be granted subject to the conditions and reasons as reported.

The meeting closed at 7.42 pm having commenced at 5.30 pm

CHAIRMAN