



Email: committeeservices@horsham.gov.uk
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Planning Committee (South)

Tuesday, 15th August, 2017 at 2.30 pm

Main Conference Room, Parkside, Chart Way, Horsham

Councillors:

Brian O'Connell (Chairman)	
Paul Clarke (Vice-Chairman)	
John Blackall	Gordon Lindsay
Jonathan Chowen	Tim Lloyd
Philip Circus	Paul Marshall
Roger Clarke	Mike Morgan
David Coldwell	Kate Rowbottom
Ray Dawe	Jim Sanson
Brian Donnelly	Ben Staines
David Jenkins	Claire Vickers
Nigel Jupp	Michael Willett
Liz Kitchen	

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	5 - 8
<i>To approve as correct the minutes of the meeting held on (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk 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.)</i>	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
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. | Appeals | 9 - 12 |
| | Applications for determination by Committee: | |
| 6. | DC/17/1367 - Tesla Engineering Company Limited, Building 9, Water Lane, Storrington (Ward: Chanctonbury) Applicant: Tesla Engineering Ltd | 13 - 38 |
| 7. | DC/16/2836 - Kings Field, Northcroft, Henfield (Ward: Henfield) Applicant: Henfield Parish Council | 39 - 52 |
| 8. | DC/17/0347 - London Road, Pulborough (Ward: Pulborough and Coldwaltham) Applicant: Mr S O'Carroll | 53 - 68 |
| 9. | DC/17/0902 - Ridgelands, Kent Street, Cowfold (Ward: Cowfold, Shermanbury and West Grinstead) Applicant: Mr T R Dickson | 69 - 78 |
| 10. | DC/17/0805 - Sake Ride Farm, Wineham Lane, Wineham, Henfield (Ward: Cowfold, Shermanbury and West Grinstead) Applicant: Mr Brian O'Connell | 79 - 86 |
| 11. | Urgent Business | |
| | 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)

Addressing the Committee	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.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	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.
Declarations of Interest	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.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	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.
Public Speaking on Agenda Items (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 2 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<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"> ○ 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. ○ 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. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - 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). - 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). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<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>
Alternative Motion to Refuse	<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>
Voting	<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"> - Two Members request a recorded vote - A recorded vote is required by law. <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>
Vice-Chairman	<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 (South)
20 JUNE 2017

Present: Councillors: John Blackall, Philip Circus, Paul Clarke, Roger Clarke, Ray Dawe, Brian Donnelly, David Jenkins, Paul Marshall, Mike Morgan, Brian O'Connell, Kate Rowbottom, Jim Sanson, Claire Vickers and Michael Willett

Apologies: Councillors: Jonathan Chowen, David Coldwell, Nigel Jupp, Liz Kitchen, Gordon Lindsay, Tim Lloyd and Ben Staines

PCS/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Brian O'Connell be elected Chairman of the Committee for the ensuing Council year.

PCS/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor Paul Clarke be appointed Vice-Chairman of the Committee for the ensuing Council year.

PCS/3 **TO APPROVE THE TIME OF MEETINGS OF THE COMMITTEE FOR THE ENSUING YEAR**

RESOLVED

That meetings of the Committee be held at 2.30pm for the ensuing Council year.

PCS/4 **TO APPROVE AS CORRECT THE MINUTES OF THE MEETING HELD ON 16TH MAY 2017**

The minutes of the meeting of the Committee held on 16th May 2017 were approved as a correct record and signed by the Chairman.

It was noted that the resolution, as printed in Minute No. PCS/107 of the meeting held on 21st March 2017 regarding Planning Application DC/16/2108 (Monastery Lane, Storrington), should be amended to show the correct planning application number DC/16/2108.

PCS/5 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/0665 – Councillor Mike Morgan declared a personal and prejudicial interest in this item because he lived opposite the application site. He withdrew from the meeting during determination of the application.

PCS/6 **ANNOUNCEMENTS**

There were no announcements.

PCS/7 **APPEALS**

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

The Director of Planning, Economic Development & Property advised that the Council's decision not to pursue an appeal of the Inspector's decision to allow DC/15/0193 (Threals Lane, West Chiltington) was taken on Counsel advice and would not set a precedent, particularly given the number of appeal decisions which had supported Horsham District Planning Framework (HDPF) policies. The Parish Council was being advised of details of this decision.

Members were advised that the Head of Development was carrying out a review of appeal cases over the last year.

PCS/8 **DC/17/0347 - 46 LONDON ROAD, PULBOROUGH (WARD: PULBOROUGH & COLDWALTHAM) APPLICANT: MR S O'CARROLL**

The Head of Development reported that this application sought permission for the construction of a detached two storey building of traditional appearance comprising two 2-bedroom maisonettes, each with its own access. The closest corner of the building would be approximately two metres from the boundary, and five metres from the corner of 46 London Road. Overlooking windows would be obscure glazed. The highest part of the roof would be approximately 8.2 metres. A total of three parking spaces were proposed.

The application site was within the built-up area of Pulborough. It was a roughly triangular area located between a terrace of three dwellings, the railway line and London Road. A large supermarket and petrol filling station were within 360 metres of the site, and Pulborough railway station and village facilities were a little over one kilometre away.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. Relevant planning history, in particular outline permission DC/14/2284, was also 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. Twelve letters of objection had been received. The

applicant's agent addressed the Committee in support of the proposal, and a representative of the Parish Council spoke in 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; character and appearance; residential amenity; the communal amenity space; and highways and parking.

There was concern over land ownership issues within the site, where it was noted that the Parish Council's initiative for a footbridge over the railway line could be compromised should the development be allowed.

Members discussed aspects of the proposal, in particular its impact on parking and the highway safety, including access onto the London Road. Whilst the Highway Authority had raised no objection, Members considered that a more comprehensive analysis was required before the application could be determined.

RESOLVED

That planning application DC/17/0347 be deferred to allow for further clarification in the assessment of the highways impact of the proposal, to include an onsite meeting with West Sussex County Council Highway Authority and Local Members.

PCS/9 **DC/17/0665 - 8 CHESTNUT WAY, HENFIELD (WARD: HENFIELD)**
APPLICANT: MR ALAN MURPHY

The Head of Development reported that this application sought permission for a single storey side extension to an existing bungalow, which would project 7.35 metres from the dwelling, with a ridge height of 4.6 metres. A replacement detached single garage with a pitched roof was also proposed.

The application site was located in the built-up area of Henfield on the eastern side of Chestnut Way, behind the main high street. Chestnut Way was largely made up of detached bungalows of a similar character and description, and was within the Henfield Conservation Area.

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. Fourteen letters objecting to the proposal and subsequent revisions had been received. One member of the public spoke in objection to the application. A representative of the applicant addressed the Committee on behalf of the applicant and on behalf of the applicant's agent in support of the proposal. Councillor Mike Morgan, who had declared a personal and prejudicial interest, addressed the committee in

objection to the application. He then withdrew from the meeting and took no part in its determination.

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; its impact on the conservation area; neighbouring amenity; highways; and impact on trees.

Members considered the size of the proposal in relation to the existing building and how it would relate to the plot, which was prominently located near the entrance to Chestnut Way, and its impact on the character of the locality, including the Grade II Listed Building in Church Street. Concerns regarding the proximity of the replacement garage to the public highway and its impact on access safety were also discussed.

RESOLVED

That planning application DC/17/0665 be refused for the following reasons:

- 01 The size, scale and massing of the development would lead to overdevelopment on the site.
- 02 The proposal is out of character with the streetscene and therefore contrary to Policy 33 of the HDPF.
- 03 The impact on road safety of the proximity of the garage to the public highway.
- 04 Subject to agreement with the Heritage Officer, the detrimental impact of the proposal on the Grade II Listed Building, Martyn Lodge, contrary to Policy 34 of the HDPF.

The meeting closed at 3.22 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (South)

Date: 15th August 2017



**Horsham
District
Council**

Report by the Head of Planning & Environmental Services: APPEALS
Report run from 03/07/17 to 02/08/17

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/17/0593	Tisserand Piggeries Stane Street Billingshurst West Sussex RH14 9AE	05-Jul-17	REF	-
DC/17/0506	South Lodge Knepp Castle West Grinstead Horsham West Sussex RH13 8LJ	17-Jul-17	REF	-
DC/17/0530	3 Greenfield House The Square Storrington Pulborough West Sussex RH20 4DJ	25-Jul-17	REF	-
DC/17/0665	8 Chestnut Way Henfield West Sussex BN5 9PA	01-Aug-17	PER	REF
DC/17/0411	Firside Lower Faircox Henfield West Sussex BN5 9UT	02-Aug-17	PER	REF

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/17/0243	Woodshill House Broadford Bridge Road West Chiltington Pulborough West Sussex RH20 2LD	Fast Track	13-Jul-17	REF	
DC/16/1664	Crosswinds Hampers Lane Storrington Pulborough West Sussex RH20 3HZ	Written Reps	30-Jul-17	PER	REF
DC/17/0093	Land To The Front of Ling Heath Common Hill West Chiltington Pulborough West Sussex RH20 2NR	Written Reps	02-Aug-17	REF	
DC/17/0274	49 Saltings Way Upper Beeding Steyning West Sussex BN44 3JH	Written Reps	10-Jul-17	REF	
DC/17/0687	Land South of Dukes Row Pulborough Road Cootham West Sussex	Written Reps	10-Jul-17	REF	

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/16/2579	9 Freemans Close Billingshurst West Sussex RH14 9UQ	Fast Track	DISMIS	REF	
DC/16/2049	Land Between Shona and Camwood Mill Lane Ashington West Sussex	Written Reps	ALLOW	REF	
DC/16/1082	Land at Coombelands Lane Pulborough West Sussex	Written Reps	DISMIS	REF	REF
DC/16/2538	The Piggery West End Lane Henfield West Sussex BN5 9RA	Written Reps	DISMIS	REF	REF

DC/16/2371	1 Orchard Close Small Dole Henfield West Sussex BN5 9YA	Written Reps	DISMIS	REF	
DC/16/2414	Land Rear of Oakley Flats High Street Partridge Green West Sussex RH13 8HX	Written Reps	DISMIS	REF	
DC/16/2411	Chicken Sheds Chalk Farm Okehurst Lane Billingshurst West Sussex	Written Reps	DISMIS	REPA	
DC/16/2412	The Barn Chalk Farm Okehurst Lane Billingshurst West Sussex	Written Reps	DISMIS	REPA	

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development

DATE: 15th August 2017

DEVELOPMENT: The erection of two new industrial buildings (4,729sqm) and ancillary storage building (286sqm) with associated parking and landscaping.

SITE: Tesla Engineering Company Limited Building 9 Water Lane Storrington Pulborough West Sussex RH20 3EA

WARD: Chanctonbury

APPLICATION: DC/17/1367

APPLICANT: **Name:** Tesla Engineering Ltd **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: Departure from the Development Plan

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager, subject to completion of a legal agreement and appropriate conditions.

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 two new industrial buildings for B2 use with a gross internal floor area of 2,364.5 sqm each and an associated storage building which would have a gross external area of 286 sqm with access, parking, landscaping and ancillary works on land at Water Lane. The proposed buildings would sit to the north of an existing industrial building (Unit 9) and associated parking which was permitted by the Council in 2013.
- 1.2 The two buildings would be of steel portal frame construction with dimensions of 66m in length by 30m in width. Both buildings would have a smaller area (6m x 30m) of two storey office accommodation on the western and southern sides, on units 11 and 10 respectively. The buildings would be 10m in height to the eaves and 11.6 m to the ridge with the office area measuring 6.7m to the eaves and 7.3m to the ridge. The proposed steel framed storage building would incorporate dimensions of 21.3m in length, 14m in width and 6m in ridge height. The storage building would be located between Units 9 and Unit 10 and the roller shutter door positioned to the eastern side of the storage building. Unit 10 is orientated east west with the roller entrance doors positioned to the south of the building and unit 11 is orientated north south with the roller shutter doors positioned to the west of the building. Parking areas are located to the east adjacent of unit 11 and to the west of unit 10.

- 1.3 The proposed development is to be phased as shown on the submitted phasing plan. The Applicant states that there is an existing requirement for the construction of the proposed storage building (Phase 1) in conjunction with the existing business operations on their existing site, which is located immediately to the south of Water Lane. This will therefore be built first following any grant of planning permission. The second building, Unit 10 (Phase 2) is anticipated to be required within the next year and the third building, Unit 11 (Phase 3) is anticipated to meet longer term needs, the construction is therefore anticipated at 5+ years. The applicant has stated that planning permission is sought for all three buildings to ensure that there is a comprehensive strategy for further growth of the business that will meet their needs without any further requirement for expansion into undeveloped land within the foreseeable future. Tesla expects these buildings to meet their future growth requirements over the next 15-20 years.
- 1.4 To create a level platform for the buildings, the existing land which slopes approximately 45m above ordnance datum (AOD) in the east to 40m AOD in the west would be re-profiled, with the buildings set into the ground by approximately 4m along their eastern halves similar to the existing Unit 9 building, to achieve a finished floor level of 39.80-m AOD.
- 1.5 The cut material from the levelling ground works would be re-used to create a landscape bund on the western boundary of the site adjacent to the Public Right of Way filling the existing gap in the hedgerow of the site. A second bund with associated landscape planting is proposed along the eastern boundary of the site from the residential dwellings in Watermeadow Lane to the east. None of the existing hedgerow perimeter trees would be removed as part of the development.
- 1.6 In respect of parking, a total of 110 car parking spaces would serve the development proposals on site, along with 4 HGV parking spaces, 31 cycle parking spaces and 12 motorcycles bays.
- 1.7 Tesla Engineering Ltd manufactures resistive and superconducting electro-magnets for particle accelerators of all types. They produce specialised gradient coils for magnetic resonance imaging (MRI) scanners and advanced superconducting magnets for emerging markets such as nuclear fusion, renewable energy sources, semi-conductor processing and cancer therapy. The company has been established in Storrington since 1973 and it is maintained by the applicant that its existing staff of approximately 298 employees are among the most experienced magnet designers and builders in the world. Approximately 80% of staff currently employed by Tesla lives within 15 miles of the existing facility. It is proposed that the new buildings would provide employment for between 75-100 additional employees.

DESCRIPTION OF THE SITE

- 1.8 The application site is located on the north east side of Water Lane, opposite the existing Water Lane Industrial Estate and to the north of Tesla's existing Unit 9. The site is a parcel of undeveloped land comprising an arable field with mature hedgerow boundaries and trees which lies outside any built-up area as defined with the Horsham District Planning Framework. It is a Green Field site although the western part of the site is within an area which has previously been subject to landfilling and comprises rough scrubland bounded by shrubs and trees.
- 1.9 The application site has a site area of 2.48 hectares and the western part of the site lies within a flood plain. The northern boundary of the site is unmarked on the ground, running east to west along the arable field. The eastern site boundary runs close to the edge of the site, but has been determined by the need to avoid the easement around a high pressure water main which runs north-south along the eastern edge of the field. The hedge to the

east along the edge of the field is variable, with some tall trees interspersed with lower sections of planting.

- 1.10 The southern site boundary lies adjacent to the existing Unit 9. The western boundary lies adjacent to the northern side of Water Lane, and is marked by a row of mature roadside trees. A section of public footpath, approximately 100m in length lies adjacent to the upper western boundary of the site.
- 1.11 A stream runs parallel to Water Lane, just inside the site boundary, and is culverted beneath the existing access to Unit 9 within the site boundary at a point where there is a gap in the roadside tree line.
- 1.12 The area to the north and east of the site is open countryside, comprising large arable fields bounded by mature trees and hedgerows. There are residential developments 250m to the south-west and 100m to the south-east of the site, and to the south of the industrial estate.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF 2012)

NPPF 1 – Building a strong, competitive economy

NPPF 3 – Supporting a prosperous economy

NPPF 4 – Promoting sustainable transport

NPPF 7 – Requiring good design

NPPF 9 – Protecting Green Belt land

NPPF 10 – Meeting the challenge of climate change, flooding and coastal change

NPPF 11 – Conserving and enhancing the natural environment

NPPF 14- Presumption in favour of sustainable development

- 2.3 HORSHAMDISTRICT PLANNING FRAMEWORK (HDPF 2015)

Policy 1: Strategic Policy: Sustainable Development

Policy 2: Strategic Policy: Strategic Development

Policy 3: Strategic Policy: Development Hierarchy

Policy 4: Strategic Policy: Settlement Expansion

Policy 7: Strategic Policy: Economic Growth

Policy 9: Employment Development

Policy 10: Rural Economic Development

Policy 24: Strategic Policy – Environmental Protection

Policy 25: Strategic Policy: The Natural Environment and Landscape Character

Policy 26: Strategic Policy: Countryside Protection

Policy 30: Protected Landscapes

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 36: Strategic Policy: Appropriate Energy Use

Policy 37: Sustainable Construction

Policy 38: Strategic Policy: Flooding

Policy 39: Strategic Policy: Infrastructure Provision

Policy 40: Sustainable Transport
Policy 41: Parking

2.4 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

2.5 Horsham District Guidance & Relevant Assessments

- Horsham District Landscape Capacity Assessment 2013
- Planning Advice Document: Air Quality & Emissions Reduction Guidance – May 2014
- Draft Storrington Area Quality Action Plan – October 2012
- Horsham District Landscape Capacity Assessment 2013

NEIGHBOURHOOD PLAN & PARISH DESIGN STATEMENT

2.6 The site is within the Parish of Thakeham. The Thakeham Neighbourhood Plan was subject to a Referendum on 22 March 2017, where the majority (93%) of those who voted were in favour of the plan. The Thakeham Neighbourhood Plan which covers the period up to 2031 was 'made' by the Council on the 26 April 2017. It now forms part of the statutory development plan.

2.7 The policies within the Thakeham Neighbourhood Plan which are considered to be relevant to this proposal include Thakeham 1 – Spatial Plan, Thakeham 5 – Employment Sites, Thakeham 6- Design, Thakeham 9 – Development in the Countryside and Thakeham 10- Green Infrastructure & Valued Landscapes. Two of the main objectives within the Plan which are relevant to this proposal relate to:

- Ensuring any new development within the countryside area is confined to uses which require a location in the countryside and benefits the countryside's landscape and economy in order to protect our valued landscape.
- Supporting the local economy through its existing businesses and to encourage expansion of local employment within settlements

2.8 The Thakeham Village Design Statement was adopted under the previous Planning Act by the Council as Supplementary Planning Guidance (SPG) and therefore holds limited weight in the consideration of this application.

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.9

DC/12/1891	Proposed new industrial building with access, landscaping, parking and ancillary works	Approved 21/03/2013
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3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

3.2 **HDC Economic Development:** The proposal would enable Tesla to expand the business, retaining existing jobs and creating 100 additional jobs. Tesla is an important local business and one of the larger employers in the District. It is important that they are retained within the District and are able to expand. There is a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies. This is reflected in the poor performance of the District in terms of business rates growth and

the lack of opportunities to allow existing companies to expand. It is clear that there are no existing commercial sites that would meet the needs of Tesla, with the risk that the company would need to relocate outside of the District. Overall it is considered that there are significant economic benefits which justify the proposed expansion. As such it aligns with Priorities 1 & 2 of the Economic Strategy.

- 3.3 **HDC Strategic Planning:** No objection. The proposed scheme conflicts with policies 4 and 26 of the HDPF as the site is located outside the built-up area boundary of Storrington and is not allocated within a Local Plan or a Neighbourhood Plan. Nevertheless, the proposed development would provide employment floor space for an existing, expanding business in this location, which would provide additional jobs (quantified at 100 jobs within the applicant's Planning Statement) and would be supported by policy 7 of the HDPF in this respect, given the economic benefits of the proposed scheme. The proposal does not strictly conform with some policies (as set out above), but given the shortfall of employment land, the economic benefits of the scheme, together with the relatively sustainable location of this site, the case officer may consider that the benefits of the proposal outweigh the partial policy conflict.
- 3.4 **HDC Environmental Health:** In general the conclusions of the report are satisfactory and the recommendations considered appropriate. However, relevant conditions should be applied in relation to the acoustic impact arising from the operation of all internally and externally located plant and activity; the opening times of roller shutter doors to the proposed building; restricting the use of power tools and other noise generating plant machinery or equipment in the open air; restriction of timings for deliveries; restriction working hours for construction; restricting delivery times associated with construction and restricting burning on site.
- 3.5 **HDC Environmental Health (Air Quality):** No objection. Accepts the approach taken by the consultant to calculate emission damage costs. Regarding the air quality assessment dated April 2017, the results are based on the assumption that (per day) 38 vans (and no lorries) will take the route through the Air Quality Management Area (AQMA). However, there is uncertainty regarding this assumption and therefore it is vital that the mitigation measures proposed by the consultant (Travel Plan and financial contribution to Storrington Air Quality Management Plan) are implemented. A list of Storrington Air Quality Action Plan projects that can be supported with the funds are:
- Prohibition of lorry turning movements at the mini-roundabout of Manley's Hill and School Hill. A rough estimate is £25,000 (legal costs of a TRO plus £16,000 for illuminated signs plus £2,000 for all diversion signage).
 - Prohibition of loading/unloading on North Street – estimated at £8,000 (includes legal costs of a Traffic Regulation Order and the installation of 4-5 signs).
 - Linking of the pedestrian crossings on High Street/West street using a MOVA (Microprocessor Optimised Vehicle Actuation) technology – estimated cost of £25,000 (includes a £500-£1000 for a site study and £20,000 for scheme implementation).
 - Improvements to advisory lorry route signage around Storrington - £5,000
 - Scheme to retrofit/upgrade school buses - £20,000 (estimated cost to retrofit one bus).
 - Car parking incentives to encourage the uptake of ULEVs - £1,000
- 3.6 **HDC Drainage Engineer:** No overall objections with regards the surface water strategy being proposed, clarification required on the design parameters used in the 'Mircodrainage'.

- 3.7 **HDC Consultant Ecologist:** No objection, subject to the vegetation clearance works taking place as outlined in section 7 of ecology report. If minded to approve the application, conditions should relate to bat sensitive lighting and vegetation clearance.
- 3.8 **HDC Landscape Architect:** No objection, subject to conditions securing landscaping and appropriate planting, different colour roof and sensitive lighting, any effect to views from the South Downs National Park can be positively mitigated.
- Landscape condition of the area is generally good but in decline due to the urban influence of the industrial TESLA unit and industrial estate to the south of the area.
 - Strong rural character except close to the urban edge
 - Settlement edge setting already compromised by the introduction of the TESLA unit and Water
 - Visibility of any potential development being localised, with partial enclosure or screening but with some scope for mitigation of any adverse effects
 - potential development may be perceptible and would alter the balance of features or landscape elements within the view. The existing boundary vegetation would be retained however the undulating landform would be lost.
 - Views into and out of settlements are of some importance but there is likely to be some scope for mitigation
 - No concerns with potential views from the South Downs escarpment as the proposed buildings will be partially screened by the existing line of trees to the west but the roofs will be visible just above.
 - The substantial buffer/tree belt along the western and northern boundary will mitigate views and the adverse effect on the landscape character. This would also provide transition from the built-up suburban area of Storrington to the rural feel of Thakeham.

OUTSIDE AGENCIES

- 3.9 **The Environment Agency:** Part of the proposed development site was a former landfill and there could be a risk of contamination that could be mobilised during construction to pollute controlled waters. The Design and Access Statement dated May 2017 submitted in support of this planning application provides us with some confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. However, further detailed information will be required before built development is undertaken and therefore conditions are recommended.
- 3.10 **West Sussex County Council Highways:** No objections.
- £144,964 Total Access Demand Contribution - Allocated for pedestrian crossing improvements to Water Lane/Thakeham Road junction and cycle improvements linking Storrington to Wisborough Green cycle route (scheme 91 within the West Sussex Walking and Cycling Strategy 2016-2016).
 - The current application will result in a more intensive use of the existing access. The Local Highways Authority accept that the existing form and geometry are adequate to serve the additional development now proposed.
 - Whilst the proposal is acknowledged to give rise to additional trips on the highway network, the LHA are satisfied that this development would not result in any severe highway capacity issues.
 - Parking provision for staff has been assessed against the WSCC Car Parking Standards. The number of spaces proposed are sufficient for the applicant's needs.
 - As the proposal will result in additional vehicle movements through the Water Lane Roundabout, a contribution should be taken towards pedestrian crossing improvements at this junction.

- The potential impact on the Air Quality Monitoring Areas should be assessed by the District Council's Environmental Health team.
- No over-riding concerns would be raised with the information submitted to date. Prior to the LHA recommending conditions, the applicant should confirm the operation of the site and whether this results in shift working, and therefore peaks of movement away from the normal network peak hours.

3.11 West Sussex County Council Rights of Way:

A section of Public Right of Way (PROW) Footpath 3424 runs to the west of the proposed development, beyond and contiguous to the red line of the planning application boundary. It is understood that the application does not propose any alteration to the PROW. A 1.5m high stock proof fence is proposed along the boundary of the site with new hedge planting and a shall mound. More open landscaping should be used rather than close-boarded fencing which would have a negative impact on visual amenity in a rural location. The local area lacks connectivity for cycling and equestrian journeys. I would seek improvement to Footpath 2448 to upgrade this to a bridleway.

3.12 West Sussex County Council Flood Risk Management: The majority of the proposed site is at 'low' risk from surface water flooding and at 'moderate risk' from ground water flooding based on the current mapping. No records held in terms of historic surface water flooding within the confines of the proposed site. Current Ordnance Survey mapping shows an ordinary watercourse within 50m of the boundary of the site.

The proposed sustainable drainage techniques (below ground attenuation with a restricted discharge to watercourse) proposed to control the surface water from this development to Greenfield run-off rates is acceptable in principle, additional details should be provided through the specified conditions.

3.13 Natural England: At the time of writing this report no response has been received, comments will be reported at the Committee Meeting.

PUBLIC CONSULTATIONS

3.14 Storrington & Sullington Parish Council: No objection. The Parish Council are aware that the applicant had looked at other sites which were unsuitable for the kind of specialist work that they undertake. The company provides high added value and employs a number of local people, to lose such an industry would be devastating to the community.

3.15 Thakeham Parish Council: No objection subject to conditions. Considerations are given to the importance of Tesla for the local economy and for local employment. Concerns were raised in relation to the location of the proposal on Greenfield land which projects into the countryside away from the built-up area boundary. Concerns are also raised in relation to the risk and pressure for future developments extending into the countryside. On balance, the Parish Council considers that the policies relating to countryside protection are narrowly outweighed by the importance of retaining and facilitating the expansion of a key local enterprise. The Parish Council propose conditions in relation to mitigating visual impact, mitigating impact on the natural environment, improvements to the footway on Water Lane and restricting any future changes of use.

3.16 Thakeham Village Action Group: In favour of the expansion of Tesla Engineering, objection to new buildings being sited in the countryside on a green open field. Building on brownfield sites, particularly as they are in such close proximity to the existing site, is far more in keeping with regional and local planning policies than building on Greenfield land. It would be contrary to the HDPF and Thakeham Neighbourhood Plan which have policies to restrict new building in countryside locations to that which is appropriate to the countryside. In our opinion, siting these buildings on this land is likely to increase the chances of further fields in the south of Thakeham being approved for housing.

3.17 4 letters have been received objecting to the application and 4 letters of representation which neither object nor support the application, the comments are summarised below:

- Loss of general amenity
- Over development
- Loss of privacy and light
- Noise impact
- The road is already at capacity and additional traffic would make it unsafe for car users and pedestrians.
- Negative impact on countryside location
- Potential for excessive noise pollution impacting on the quality of life and health of residents in Watermeadow Lane and surrounding roads.
- The additional traffic and HGV's associated with the development will have a direct impact on pollution and air quality in Storrington
- The disturbance of contaminated waste will be detrimental to the health of nearby residents.
- Location of new building in the countryside on a green open field is contrary to the HDPF and Thakeham Neighbourhood Plan which aim to restrict development in the countryside.
- Allowing this development on Greenfield land is likely to increase the changes of further fields to the south of Thakeham being approved for housing.
- Despite additional parking being proposed, there is an existing shortage of parking spaces which is putting pressure on the local area.
- Existing waste and litter problems would be exacerbated
- Currently HGV vehicles delivering to Tesla park overnight on Water Lane.
- There are trees with preservation orders located near the entrance of the site.
- The location of development is ill-considered and is next to numerous public rights of way that are regularly used by locals and dog walkers.

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 determination of the application are considered to be the principle of development, the impact of the development on the surrounding landscape, environmental issues and the effect of the development on highway safety and capacity.

Principle of Development

- 6.2 The application site lies outside of the built-up area boundary and is therefore within the countryside. The spatial strategy for growth set out in the Horsham District Planning Framework seeks to direct development within the built-up area boundaries, with development outside of these boundaries coming forward through site allocations, either in the Local Plan or Neighbourhood Plans. Thakeham Neighbourhood Plan has been through examination and was successful at referendum, the Plan has therefore been 'made' by Horsham District Council and forms part of the statutory development plan. The site is not allocated for development in the Neighbourhood Plan and conflicts with one of the main objectives which specifies that any new development within the countryside area is confined to uses which require a location in the countryside.
- 6.3 The proposed development is therefore a Departure from the Development Plan and the Thakeham Neighbourhood Plan; which forms part of the Development Plan. This assessment will therefore need to consider whether there are any special circumstances which would warrant an approval of the application.
- 6.4 The current Government guidance set out within the National Planning Policy Framework (NPPF) specifies that sustainable development should be seen as a golden thread running through both plan making and decision taking. Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Paragraph 28 of the NPPF states that "planning policies should support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings."
- 6.5 The existing Unit 9 was permitted relatively recently in 2013, and was put forward on the basis of a need to continue to expand the growth of the company and meet the demands of fulfilling existing and future orders of the business. Although markets can be difficult to predict, given the short time scale between this proposal and the previous permission for Unit 9, it has to be questioned whether this proposal for two additional industrial buildings and an associated storage building would meet an identified need for the business.
- 6.6 In order to provide some reassurances, a Need and Alternatives Assessment has accompanied this application, providing further detail in relation to how conditions have changed since the need for the recently construction Unit 9 was identified, whether the current proposal would meet future demands and whether the countryside surrounding the site would likely come under further pressure for expansion of large scale development in the near future.

Need

- 6.7 Tesla Engineering Ltd manufactures resistive and superconducting electro-magnets for particle accelerators of all types. It produces specialised gradient coils for magnetic resonance imaging (MRI) scanners and advanced superconducting magnets for emerging markets such as nuclear fusion, renewable energy sources, semi-conductor processing and cancer therapy. The company has been established in Storrington since 1973 and it is maintained by the applicant that its existing staff of approximately 298 employees are among the most experienced magnet designers and builders in the world. Approximately 80% of staff currently employed by Tesla lives within 15 miles of the existing facility. The business has expanded over time and is continuing to grow with an increasing annual turnover.
- 6.8 As it has been predicted that the company will continue to grow, the Applicant states that more storage and production space is required to meet the increase in manufacturing orders. The recent success of the company means that the current level of manufacturing

space is no longer sufficient and the business is at capacity in terms of orders and manufacturing space. To secure future growth of the business and attract new orders, Tesla state they need additional floor space and capacity to manufacture the new orders.

- 6.9 Within the Needs and Alternatives Assessment a list of five prototypes magnets that Tesla are currently working on are set out, the company will require additional production space to fulfil these orders. These projects will require the first industrial building in Phase 2 to be built within approximately 1 year. Whilst the company state that the need for the second industrial building in Phase 3 is less urgent, in light of the unprecedented growth, Tesla are proposing a phased, comprehensive strategy for the site to accommodate their future growth requirements over the next 15-20 years. Along with the two proposed manufacturing buildings, the company specify they have a current need to increase storage facilities for manufacturing tools on the site in the form of the proposed 286sqm storage building (Phase 1) which would be built immediately on the grant of any planning permission.
- 6.10 Since the approval and construction of Unit 9 in 2013 (which was approved on the basis of need), the turnover of the business has steadily grown. The outcome of the Needs Assessment is not able to specify what growth in turnover of the business will be as a result of the proposed development. However, it is expected that, in due course the proposed two additional units would create similar levels of business as the existing Unit 9. Should the business remain at capacity then the Applicant states that a potential significant loss of future turnover and 50% of the current turnover.
- 6.11 The economic benefits and additional employment opportunities provided in the local area in conjunction with the proposed expansion of the existing business is a key consideration which aligns with one of Horsham District Council's aims of achieving and maintaining economic prosperity in the District. The HDPF acknowledges that there is a lack of employment land in the District and much of the business accommodation stock does not meet the requirements of existing businesses. The plan also recognises that there needs to be opportunities for existing businesses to grow, expand and change to meet modern business demands. Tesla is one of the District's largest private sector employers, approximately 298 people.
- 6.12 In the consideration of the planning application for Unit 9, it was stated that 50-75 additional jobs across the site would be created by the industrial unit. In reality, Tesla has confirmed that staff numbers have risen by a lesser amount since the construction of Unit 9, from 280 in 2012 to 298 today. Tesla has attributed this to general working efficiencies made across the business at this time. For example, in 2012 it took nearly 160 hours to make one of Tesla's best-selling products, whereas now it takes around 110 hours to make the same product. Tesla consider that had Unit 9 not been approved the overall number of jobs on the site would have decreased and despite future efficiency savings they are confident given their workload that the proposed two units would result in 75-100 local people being employed.
- 6.13 As a result of the additional manufacturing contracts from the expansion of Unit 9, additional staff have also been employed in manufacturing, the machine shop and administration. In 2016, Tesla also bought products and services from companies within 15 miles of their existing facilities, including other businesses within the Water Lane Industrial Estate. The existing company therefore currently contributes significantly to the local economy within the Horsham District.
- 6.14 This application presents an opportunity for the local economy to benefit from an estimated 75-100 new jobs, additional indirect employment through the supply chain, additional business rates, increased local spend and continued investment in employees training and career progression. Whilst there is some uncertainty regarding the anticipated increase in jobs figure given the smaller rise in jobs from the construction of Unit 9 in 2013, it is

considered important to seek to retain the 298 jobs currently employed by Tesla at the site, and as advised above the applicant is confident the proposal would result in a net increase of jobs.

Alternative Options & Sites

- 6.15 Various alternative options are explored within the Needs and Alternatives Assessment, such as creation of additional floor space within the existing site; creation of additional floor space elsewhere within the District or re-locating the entire business to an alternative location. There was no additional space within Tesla's existing site or within the wider Water Lane Industrial Estate as they are both intensely developed and any existing buildings would not meet the size requirements of the business. There was also found to be no scope to redevelop the existing site due to its limited size and any re-development would require a temporary relocation, which would be impractical even if a suitable site could be found.
- 6.16 Tesla have previously rented 15,000sqft of floor space in Lancing, approximately 10 miles (20mins) driving distance from their Storrington complex. Following a trial period of 5 years this arrangement was terminated due to impracticalities and inefficiencies. Tesla consider it essential that the business operates from a single complex in terms of management, efficiency, viability of the business, the need to share equipment and environmental impact. It is the company's preferred option to expand next to the existing Unit 9 and adjacent to its existing premises. The assessment identified 14 sites within Storrington and neighbouring towns which were assessed against Tesla's requirements. However, none of the sites met their requirements as they were either unavailable for rent or sale in a reasonable timeframe or were not of a size or height to accommodate Tesla's operation. The third option to move the entire business to another location outside of the Horsham District or the UK is a viable option especially given Tesla's international market. Tesla has confirmed that a 'do nothing' approach is not an option as this would cause the company to become less competitive and lose their market share if they were not able to meet demand. The Assessment therefore highlights the two most realistic solutions would be either a) Tesla re-locate outside the District, or b) expand at the site subject to this planning application.
- 6.17 Tesla have confirmed they would prefer to stay in their established site in Storrington. The associated risk of re-location of the business outside of the Horsham District, should the company not be allowed to expand their existing site would severely affect the local economy resulting in the loss of the existing 298 jobs at the factory and a potential 75-100 additional jobs created by this proposal.

Impact of the Development on Landscape

- 6.18 This application proposes two substantial industrial buildings and one associated storage building in an arable field, which have respective ridge heights of 11.6 m and 6m. Given the rural nature of the surrounding area to the north, east and west the proposal will inevitably have a degree of visual impact on the rural landscape setting. At present open views of the arable field are available along the site's western boundary from the public footpath (PRoW 3424). Glimpsed views towards the southern boundary are also possible from Water Lane through the intervening vegetation and across the Unit 9 car park. Open views are available from the car park and users of the open spaces within the grounds of the TESLA unit; however these are not for wider public usage. On its northern and eastern boundary the site is contained by mature hedgerows and trees. The site is therefore seen against the backdrop of the open countryside to the north and western boundary and industrial development to the south. When assessing the overall effects of the proposed buildings and associated parking on the landscape character, it is necessary to consider whether the harm arising from the development would be significant enough to warrant refusal in this instance.

- 6.19 The site is identified on the Horsham District Landscape Capacity Assessment 2013 as Landscape Character 59. Although most of the study is still relevant, the site forms part of a wider study area and does not reflect the more recent changes in circumstances such as the introduction of the Tesla's Unit 9 within the Character Area. The Council's Landscape Officer considers that the overall landscape sensitivity is moderate with the landscape condition of the area generally good but in decline due to the urban influence of the existing industrial unit 9 and industrial estate to the south of the area.
- 6.20 The proposed industrial buildings would have limited impact on wider views with visibility of the development being localised from the adjacent fields. The site's topography is currently undulating and the land is at its lowest level on the northern-west corner, gently rising towards the eastern boundary. As part of the proposals, the existing land would be re-profiled with the buildings set into the ground by approximately 4m to sit level with the existing Unit 9 and achieve a finished floor level of 39.80-m AOD. This would to a certain extent mitigate some of the visual impact on the landscape, especially when incorporated with the retained boundary hedging and trees which would provide some screening of the development from the surrounding fields. It is however acknowledged that the site itself and its immediate surroundings would change significantly in character.
- 6.21 Views into and out of settlements are considered to be of some local importance but there is scope for mitigation of any adverse effects on the landscape which are incorporated within this scheme. These include additional planting in the gaps between the existing hedging and planting along the northern, eastern and western boundaries which will form a substantial buffer/tree belt around the site to mitigate any adverse impact of the development on the landscape character. Bunds would also be formed on the western boundary and along the eastern boundary which would provide further screening of the development. The Council's Landscape Officer considers that the location of the buildings would relate to the existing settlement edge. This would provide a transition from the built-up suburban area of Storrington to the rural aspect of Thakeham.
- 6.22 Views of the proposed development from the South Downs National Park (SDNP) escarpment and the wooded greensand ridge from elevated land in the south of the area would be relatively limited and would be mostly screened by the existing line of trees to the west. Given the 11.6 m height of the two proposed industrial buildings, the roofs are likely to be visible from the SDNP. They are however proposed to be constructed in green metal roof cladding instead of white, making it less visually prominent than the white roof of Unit 9, which the Landscape Officer considers is more noticeable within the landscape. Subject to the agreed roof colour, appropriate planting, sensitive lighting; the Landscape Officer considers that any views of the buildings from the surrounding area or SDNP can be positively mitigated.

Environmental Issues

- 6.23 A Screening Opinion has been sought from the Council in respect of the proposed development and it has been confirmed that an Environmental Impact Assessment would not be required as it was not considered in relation to Schedule 3 of the Environmental Impact Assessment regulations that the development, paying attention to the development characteristics, location and nature of the impacts, would have a significant effect on the environment.
- 6.24 With exception of the existing access road to the site, the site is located outside the former landfill site to the west. A full contamination assessment of the site has accompanied this application and all contaminant concentrations are identified as being low and are not of concern with respect to human health, in terms of commercial land use. The Environmental Health Officer has raised no concerns with respect to the contamination assessment undertaken on the site.

- 6.25 The Environment Agency has also confirmed that the supporting information gives some assurances that it will be possible to suitably manage the risk posed in terms of any potential mobilisation of the nearby contaminated land and associated pollution of controlled waters by this development. The Environment Agency has raised no objection to the application provided their suggested conditions are attached to any recommendation of approval.
- 6.26 The site is within the Site of Special Scientific Interest 'Impact Risk Zone' of two statutory designated sites, Sullington Warren SSSI and Hurston Warren SSSI (not within the SSSIs themselves). Natural England has been consulted on this application as per their Standing Advice in respect of the likely impact of the proposed development on the designated SSSIs. Natural England's comments have not been received at the time of writing this report, yet their comments will be reported at the Committee Meeting. An Ecology Impact Assessment has been submitted with this application and the Council's Ecology Consultant has raised no objection to this proposal with regard to ecology, providing that vegetation clearance takes place in accordance with the recommendations made in the Ecology Assessment and subject to the recommended conditions.

Air Quality

- 6.27 Policy 24 of the HDPF requires developments to minimise exposure to and the emission of pollutants including noise, odour, air and light pollution. Developments are also expected to contribute to the implementation of Local Air Quality Action Plans. Air pollution in Storrington is a particular issue due to the large number of vehicles using the road through Storrington, combined with the stop/start nature of driving conditions at peak times. The Storrington Air Quality Management Area (AQMA) was declared in December 2010. The boundary of the AQMA has been defined on the basis of the areas which are, or are likely to exceed the air quality objective for nitrogen dioxide, and where there is "relevant exposure" that is places where people live close to the road. The Air Quality Management Area in Storrington incorporates West Street, the High Street and part of School Hill and Manleys Hill.
- 6.28 The HDC Planning Advice Document (PAD): Air Quality & Emissions Reduction Guidance sets out a range of specific measures to be implemented in order to minimise and offset the potential emissions produced from a new development. As there are growing concerns regarding air pollution across the District, particularly in Storrington and Cowfold the two AQMAs declared for exceeding the annual NO₂, the guidance has been created to ensure that new developments do not worsen the air quality. The guidance establishes the principle of Horsham District as an 'Emission Reduction Area' and requires developers to use 'reasonable endeavours' to minimise emissions and, where necessary, offset the impact of the development on the environment.
- 6.29 For the purposes of this guidance the proposed development is categorised as a Major Development Category which is set out in the document as requiring Type 1, 2 and 3 mitigation. Type 1 and 2 mitigation measures should generally be incorporated into a scheme design and can include installation of charging plug-in and other ultra-low emission vehicles, a travel plan and use of ultra-low service vehicles. Type 3 mitigation includes a pollution damage cost attributable to the proposed development and potential additional off-site mitigation measures.
- 6.30 This application has been supported by an Air Quality Assessment which has been conducted by an Air Quality Consultant on behalf of the Applicant. A screening assessment of the vehicle emissions has been undertaken as part of the submitted Air Quality Assessment and shows based on predicted movements associated with the development, 288 Light Duty Vehicles (LDVs) and 46 Heavy Duty Vehicles (HDVs), 38 LDVs and 0 HDVs

would access the Storrington AQMA. This information shows that the higher emission vehicles comprising the HGVs would not be going through the AQMA, however it is acknowledged that the same restrictions cannot realistically be placed on staff and visitor cars and light commercial traffic (e.g. courier vans etc) and so the 38 LDVs estimates the proportion of these vehicles that would travel through the AQMA.

- 6.31 The assessment of operational phase impacts showed that the predicted increase in traffic movements would have an insignificant impact on local air quality. As such, mitigation measures proposed in relation to Type 1 & 2 mitigation include:

Type 1

- 10% parking spaces to incorporate facilities for Electric Vehicle (EV) charging points (phased with 5% provision initially and a further 5% trigger to be agreed with HDC)

Type 2

- Implementation of the Tesla Travel Plan; an on-going strategic document with a number of measures:
- Implementation of the Tesla Traffic Management Plan; a strategy to minimise the interface between public and site goods vehicles and where possible, reduce the level of traffic generated by the site.

- 6.32 The damage cost calculation used to monetise costs associated with the increase in pollutant emissions from transport estimated for a 5 year period has been calculated by the Applicant's Air Quality Consultant as £68,736.57. The Applicant considers that the Type 1 and Type 2 mitigation measures would equate to £33,432. Once these costs have been removed from the 5 year exposure cost value of £68,736.57, the Applicant's Consultant calculates the remaining mitigation sum as £35,304.57.

- 6.33 The HDC Planning Advice Document: Air Quality & Emissions Reduction Guidance states that all mitigation measures should be equivalent value of the emissions calculation and that this should also be appropriate to the type and size of development and local policy requirements. In addition, any compensatory sum requested by the Council must meet the CIL Regulations 2010 tests which require them to be necessary to development, directly related to the development and fairly reasonably related in scale and kind to the development.

- 6.34 It is acknowledged that the proposed industrial buildings would increase traffic and pollution in the Storrington AQMA due to some LDVs passing through the area. It is considered that only two of the six projects identified by the Council's Environmental Health Officer and listed below would directly relate to the proposed development.

- Improvements to include the prohibition of lorry turning movements at the mini-roundabout of Manley's Hill and School Hill (a rough estimate is £25,000 with legal costs of a Traffic Regulation Order, £16,000 for illuminated signs and £2,000 for all diversion signage).
- Improvements to advisory lorry route signage around Storrington - £5,000

- 6.35 The two identified projects equate to a total of £30,000 which creates a £5,304.57 shortfall of the calculated pollution damage cost. As the other projects identified would not relate to the proposed development, it would only be considered reasonable in terms of the CIL tests to secure £30,000 towards the two projects listed above. Lastly, the pollution damage cost must be fairly and reasonably related in scale and kind to the development. The application site is located approximately 1.2km from the Storrington AQMA and the submitted Traffic Management incorporates a routeing plan which specifies that HGVs

would be required to access and exit the application site via the existing access serving Unit 9, then via Water Lane and the A283 to Washington Roundabout. No HGVs would therefore need to go through the AQMA and therefore the impact of the proposed development on the air quality in the AQMA would be to some extent mitigated. The details covered in the Traffic Management Plan and comprising the routeing plan can be secured through a Section 106 agreement, which provides a legal requirement for the HGVs to follow the routeing plan.

- 6.36 It is acknowledged that the occasional HGV may miss the Water Lane turning and end up in the AQMA, however the pollution damage cost contribution would mitigate this impact by securing road improvements prohibiting lorry turning movements at the mini-roundabout of Manley's Hill and School Hill and providing advisory lorry route signage around Storrington. The Travel Plan and 10% parking spaces to incorporate charging facilities for electric vehicles charging would also provide employees with alternative or more sustainable methods of transport to work. Given that the Type 1 and 2 mitigation measures put forward by the Applicant have been given an estimated valued at £33,432, it is considered that the reduced pollution damage sum of £30,000 towards the identified projects would relate reasonably in scale and kind to the development and assist in mitigating the impact of pollutants associated with the proposed development and the additional LDV movements through the AQMA. The £30,000 can be secured through a Section 106 agreement and will be allocated to the projects identified above.

Highways Issues

- 6.37 The application site would be accessed from the existing vehicular access serving Unit 9 from the junction with Water Lane. The proposal would result in a more intensive use of the access and the Highways Authority has confirmed that the existing access is adequate to serve the additional industrial units. The Transport Statement accompanying this application calculates that the proposed units are expected to generate an additional 54 vehicle movements (53 arrivals, 1 departure) in the AM network peak period. 84 vehicle movements (8 arrivals, 76 departures) are expected in the PM peak. Based on data recording of where existing employees are travelling to work, it has been calculated that 27% of trips will arrive and depart to the east, 12% to the west (from Storrington), and 61% south (via Water Lane and the A283).
- 6.38 Whilst it is therefore acknowledged that the proposal would give rise to additional vehicular trips on the highway network, it is considered that that these trips would quickly disperse beyond the Water Lane Roundabout. A formal capacity assessment for the Water Lane Roundabout has been undertaken for a future year scenario and on the basis of this information the Highways Authority considers that this junction would continue to operate well within capacity with minimal increases to queues and delays with the additional vehicle trips. As a result of the supporting information provided, the Highways Authority are satisfied that this development would not result in any severe highway capacity issues.
- 6.39 The parking provision of 110 car parking spaces would meet the full provision allowed in the County Council's parking standards and allows for 1 space per 40sqm. The proposal would result in additional vehicle movements through the Water Lane Roundabout and therefore the County Council have requested a Total Access Demand contribution of £144,964 towards pedestrian crossing improvements to Water Lane/Thakeham Road junction and cycle improvements linking Storrington to surrounding the villages, to include the Storrington to Wisborough Green Cycle route. This would contribute towards a longstanding desire to improve pedestrian access across the Roundabout which comprises a key route towards the former Rydon School site and future dual education campus comprising Thakeham First School and Steyning Grammar School.
- 6.40 The County Council Public Rights of Way Officer has requested an upgrade of the Footpath 2448 to a bridleway as the local area lacks connectivity for cycling and equestrian

journeys. This public footpath is located approximately 240 metres to the south-west of the application site and provides a link between the end of Water Lane and Downsview Avenue. Given the distance from the application site, it is not considered that a contribution towards the upgrading of this public footpath to a bridleway would be necessary or reasonably related to the development in terms of the CIL tests and the County Council Total Access Demand contribution would facilitate enhancement of non-motorised modes of transport.

- 6.41 The application has been supported by a Travel Plan which sets out a number of measures, initiatives and targets currently adopted by Tesla across their entire site in Water Lane to increase travel choices and reduce reliance on single-occupancy car travel. The implementation and monitoring of the Travel Plan will be secured by planning condition and in consultation with the County Council.

Impact to Neighbouring Residential Properties

- 6.42 The impact of noise arising from the proposed development is an issue of concern given that the proposed buildings would operate on a 24 hour basis and would be elevated when compared to the nearest neighbouring properties to the south-east in Water Meadow Lane and East Wantley Cottage to the west.
- 6.43 A noise survey has accompanied this application and has assessed the likely noise impacts from the operational phase of the development. The report concludes that there should be no adverse impacts on the occupiers of residential properties provided that the recommendations set out in the report are carried out. These measures include: the workshop must give a minimum Weighted Sound Reduction Index (Rw) of 25 dB, the roller shutter doors must be kept closed at all times especially at night, no noisy activities are to be undertaken outside of the unit and location of noisier plant within the unit away from the eastern and southern ends of the building and to provide internal buffer zones. The Council's Environmental Health Officer considers the conclusions of the Noise Report to be satisfactory and the recommendations are considered appropriate. Subject to the imposition of appropriate conditions to mitigate noise impact the Environmental Health Officer has raised no objection to this proposal.

Conclusion

- 6.44 Within this report, it has been acknowledged that Tesla, a company dedicated to the design and manufacture of resistive and superconducting electromagnets for science medicine and industry has been well-established in Storrington since 1973 and currently employs 298 employees, 80% of which live within 15 miles of the existing site. In addition to the jobs created, Tesla buy many of their products and services from local companies within 15 miles of their existing facilities. The company therefore contributes significantly to the local economy. The business has an identified need to expand their premises in order to continue its growth. Whilst alternative options have been considered the company's preferred option would be to stay within Storrington and expand adjacent to their existing site and to the north of Unit 9, permitted by the Council in 2013.
- 6.45 It has been acknowledged that the forecasted increase in 75 jobs proposed following the construction of Unit 9 has not been achieved. The company have attributed this to general working efficiencies made across the business at this time. In addition, there are some fluctuations in staff levels depending on the workload of manufacturing jobs. This has created an element of doubt as to whether the forecast of 75-100 additional jobs created by the proposed development is realistic. What could be lost should the company not be allowed to expand their current site, lose further business and potentially relocate outside of the District or the UK, is a consideration that holds important weight in the assessment of this departure application. The loss of 298 jobs within the area, plus any additional jobs

created by the development and the company's secondary spending in the local area would harm the local economy of the area.

- 6.46 The Applicant has shown a commitment to reducing the impact of pollution associated with the development through a financial contribution towards air quality improvements in the local area and a number of mitigation measures including a Travel Plan, Traffic Management Plan and installation of EV charging points which will provide employees with alternative or more sustainable methods of transport to work. The proposed routeing plan would also route vehicles outside of the AQMA. It is considered that the financial contribution, proposed mitigation measures and routeing plan would mitigate the impact of the proposed development on air quality in Storrington. It has been demonstrated that other environmental impacts including landscape impact, ecology, contamination and flooding of the proposed development have been overcome or can be mitigated subject to the submission of additional information secured by conditions.
- 6.47 In conclusion, it is considered that the proposed development, a departure from the development plan, is in this instance justified on the basis that the proposed development would enable a successful local business to be responsive to market conditions, enable future economic growth and provide benefits to the local economy and the Horsham District as a whole. The proposed development would socially support the surrounding communities by providing additional local employment and accessible services. The proposed buildings have been positioned next to an existing industrial unit where views and the environmental impact on the landscape would be mitigated by existing planting and additional landscaping. Given the Government's current support for economic development and the strong economic justification for the proposal, with its potential loss of 298 jobs, it is Officer's view that in this particular instance, the resultant benefits to the local economy outweighs any impact to the surrounding countryside or environment and the proposal is therefore considered, on balance, to be acceptable.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager, subject to completion of a Legal Agreement securing the HDC pollution damage cost, WSCC Total Access Demand contributions and the HGV routeing plan and appropriate conditions

Conditions:

1. Approved List of Plans
2. 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. 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 only be used for purposes falling within Class B2 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 and for no other purpose or Use 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 under Policy 33 of the Horsham District Planning Framework (2015).

4. For a period of 5 years from the initial occupation of each building hereby permitted, the buildings shall only be occupied in connection with the operation of Tesla Engineering Ltd or other company occupying existing premises at the Water Lane Industrial estate.

Reason: In order to secure appropriate occupation of the development which would otherwise have been contrary to the provisions of the Development Plan.

Pre-Commencement Conditions

5. Prior to the commencement of development of phases 2 and 3 as shown on the phasing plan dated the 27th July 2017, an assessment of the acoustic impact arising from the operation of all externally located plant and activity shall be undertaken in accordance with BS4142:1997 and submitted to the Local Planning Authority for each phase together with a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment. The scheme as approved by the Local Planning Authority shall be fully installed upon the occupation of the building within phases 2 and 3 as shown on the phasing plan dated the 27th July 2017 and shall be operated for as long as the use of the buildings within phase 2 and 3 are continued.

To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6. No development relating to the building in each phase as shown on the phasing plan dated the 27th July 2017 shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for each phase. The Statement shall provide for, but not be limited to:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding, where appropriate
 - v. the provision of wheel washing facilities if necessary
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of neighbouring properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. No development relating to the building in each phase as shown on the phasing plan dated the 27th July 2017 shall take place, until a Surface Water Drainage Scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years plus 20% climate change. The Surface Water Drainage Scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The Surface Water Drainage Scheme shall include, but not be limited to, the following:

- The peak discharge rates and together with associated control structures and their position.
- Details of the drainage system capacity (e.g. 1:30 year).
- Safe management of critical storm water storage up to the 1:100year event.

- Overland flow routes for events in excess of the 1:100 (plus 20% Climate change)
- Details of measures to ensure that critical storm water runoff from the site will not exceed that of the undeveloped site.
- Provide topographical information of pre and post development.
- Details of how the scheme shall be maintained and managed after completion

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

8. No development relating to the building in each phase as shown on the phasing plan dated the 27th July 2017 shall take place until precise details of the existing and proposed finished floor levels for that phase of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

Pre-Occupation Conditions

10. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27th July 2017, full details of the hard and soft landscaping works in relation to that phase 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).

11. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27th July 2017, a landscape management plan in relation to that phase (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27th July 2017, the proposed car parking spaces and HGV parking spaces, accesses and turning areas shown within each phase on the phasing plan dated the 27th July 2017 shall be constructed in accordance with the proposed layout plan within the Transport Assessment received on the 20th June 2017. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

13. Prior to the occupation of the buildings in phase 2 and 3 as shown on the phasing plan dated the 27th July 2017, a plan showing the layout and position of the EV parking spaces shall be submitted to and approved in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and no building within phase 2 and 3 shall be occupied until provision has been made for users to access the charging facilities.

Reason: To encourage low-emissions vehicle choices in order to assist in ensuring delivering the Air Quality Action Plan for this area in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).

14. Prior to the occupation of the building within phase 2 as shown on the phasing plan dated the 27th July 2017, the Applicant shall implement the measures incorporated within the travel plan submitted on the 16th June 2017. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27th July 2017, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to

demonstrate that the site remediation criteria have been met.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

16. Prior to the occupation of the building in phase 3 as shown on the phasing plan dated the 27th July 2017 details for the installation of 1 fire hydrant shall be submitted to and approved in writing by West Sussex County Council. The fire hydrant shall be installed at no cost to the County Council. The details shall include the proposed location and proposals for its connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of fire fighting and to arrange for its installation in the approved location in accordance with the West Sussex Fire Brigade Guidance Notes.

Reason: To ensure that there is adequate provision for fire hydrants serving the site.

17. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27th July 2017, the position and details of any external lighting for that phase shall be submitted to, and approved in writing by the Local Planning Authority. The external lighting shall be installed and 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).

18. Prior to the occupation of the buildings in phase 2 and 3 as shown on the phasing plan dated the 27th July 2017 details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, that phase of the development shall have been submitted to and approved in writing by the Local Planning Authority. The buildings in phase 2 and 3 hereby permitted shall be not be occupied until the approved 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).

Regulatory Conditions

19. The materials to be used on the buildings hereby permitted shall strictly accord with those indicated on Drawing No. DHA/11978/08 – Proposed Storage Building, DHA/11978/05 – Proposed Plot 10 Elevations & Drawing No. DHA/11978/07 – Proposed Unit 11 Elevations

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

20. No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

(a) All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated within the Arboricultural Implications Assessment shall be completed and cleared away;

(b) All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: 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).

21. Any clearance of vegetation from the site shall only take place in accordance with the recommendations made in Section 7 of *The Ecological Impact Assessment Report* by Lloyd Bore, dated March 2017.

Reason: To provide ecological protection and enhancement in accordance with policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

22. No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

23. No plant or machinery shall be operated from the site and no commercial processes be carried out from the site on Saturdays other than between the hours of 0800 – 1300 and at no time on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

24. The roller shutters doors on the proposed buildings shall not be opened except between the hours of 08:00 hours and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

25. No operations involving the use of power tools or other noise generating plant, machinery or equipment (with the exception of fork-lift truck movements), shall be undertaken within the site, other than within the buildings hereby permitted.

Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

26. Deliveries to or from the premises shall not take place other than between the hours of 07.30-17.30 Monday to Friday and 08.00 hours and 13:00 on Saturdays, and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

27. If, during any phase of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

28. Piling or any other foundation designs including ground source heating and cooling systems using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

29. No infiltration of surface water drainage into the ground in areas of contamination is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: As the site is underlain in part by a former landfill site and this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

30. Each phase of the development hereby approved and shown on the phasing plan dated the 27th July 2017 shall be carried out in accordance with the Noise Assessment submitted on the 16th June 2017 in relation to internally located plant.

Reason: In the interests of amenity of neighbouring residential occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

31. No external plant (except fork-lift trucks) shall be operated externally within the site in conjunction with the storage building (phase 1) hereby permitted.

Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

32. There shall be no external storage on site in conjunction with the development hereby permitted.

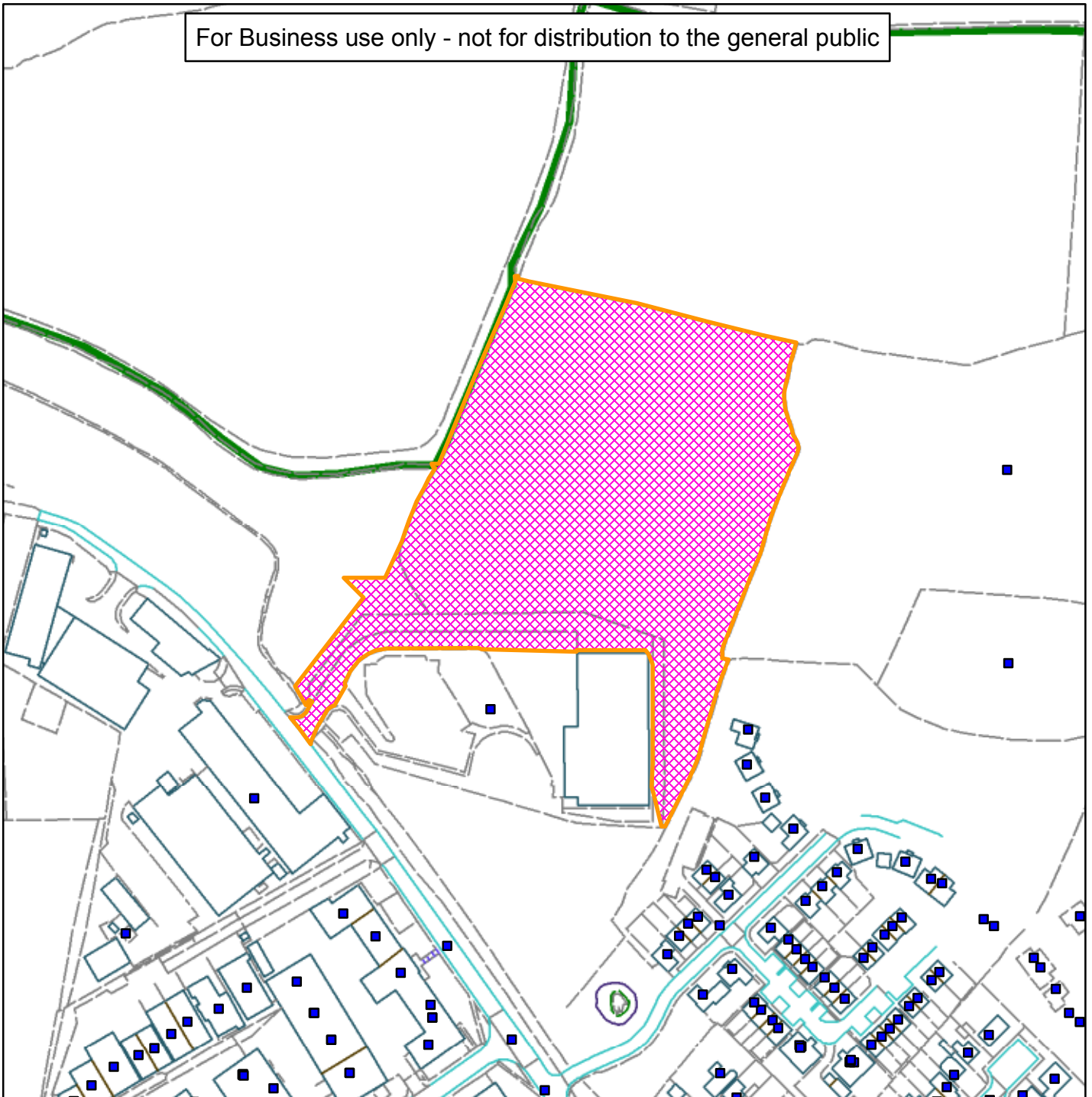
Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/12/1891



Water Lane

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	03/08/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 15 August 2017

DEVELOPMENT: New secondary access road and car parking for Henfield Leisure Centre with 32 parking spaces and associated drainage, fencing and lighting

SITE: Kings Field Northcroft Henfield West Sussex

WARD: Henfield

APPLICATION: DC/16/2836

APPLICANT: **Name:** Henfield Parish Council **Address:** The Henfield Hall Coopers Way Henfield BN5 9DB

REASON FOR INCLUSION ON THE AGENDA: More than eight representations received with a contrary view to Officers

RECOMMENDATION: Approve permission subject to a s106 agreement to secure the completion of improvements to the 'Memorial Fields' playing fields prior to first use of the proposed development

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The proposal seeks to provide an additional 32 parking spaces, of which there would be 3 x disabled spaces and 3 x parent and child spaces.
- 1.3 Vehicular access would be from Deer Park to the north and would link through from the rear of the existing youth centre car park, with the existing spaces being retained for the use of the youth centre / nursery. The boundary alongside the cemetery would be retained as existing, with a new swale formed, providing a 5m wide depression serving land drainage purposes. A double-lane roadway, some 4m wide, would run from the north of the site, alongside the cemetery boundary and the new swale, and would then extend into a new area of parking, alongside the eastern (rear) wall of the leisure centre.
- 1.4 The new parking area would be surfaced with permeable blocks. A line of timber bollards would provide separation between the roadway and the swale, whilst the western boundary between the roadway and the wider playing fields would be protected by a 1.5m high weld mesh style fence and a row of shrub planting. A raised road table would be located at the entrance point to the new roadway, along with a red height restriction 'gate', and speed humps / pillows would restrict speed along the roadway.
- 1.5 New 6m high lighting columns would provide illumination to the car park and roadway.

- 1.7 Various amendments and additional details have been received in support of the proposal and to clarify the permeable and no-dig paving construction in relation to the tree roots.
- 1.8 The works to form a new 'link road' / access facility from the north to the existing leisure centre have been desired for a considerable period of time, with funding set into the s106 agreement on the northern redevelopment of Parsonage Farm (DC/09/1222). As part of playing pitch improvements in the Henfield area improvement works to the Memorial Field facilities commenced in May 2017. These works would offset the loss of playing pitches at the application site arising from the proposed access road. A successful grant application was made to Sport England for the improvement works at the Memorial Field.

DESCRIPTION OF THE SITE

- 1.9 The application site concerns part of a public playing field which lies alongside the western boundary of the Henfield Cemetery, and between the Henfield Leisure Centre to the south and the Henfield Youth Centre to the north, comprising an area of some 125m x 21m.
- 1.10 The existing cemetery boundary is defined by a dense hedge and a number of trees at reasonably regular intervals, with more mature trees located closer to the leisure centre alongside the southern part of the boundary. These trees currently have a low-level canopy spread, some 2m above ground level. The northern part of the site, where it adjoins the existing car park to the Youth Centre, along Deer Park, includes a number of mature Oak trees.
- 1.11 The northern part of the site adjoins the existing car park to the youth centre, which also operates a day nursery. There are 5 spaces and 1 disabled space serving this building, accessed off Deer Park. Additionally, this car park provides pedestrian access into cemetery. This paved surface also provides a convenient link between the recent residential estate at Deer Park to the north and the Leisure Centre, schools and other facilities within the centre of Henfield to the south.
- 1.12 The Leisure Centre provides various facilities, including a number of all-weather tennis courts, a gym, sportshall, children's soft play centre, cafe and squash courts. The existing car park provides some 80 spaces, of which two are disabled spaces.
- 1.13 The wider playing fields are marked out to provide a full-sized football pitch and can also provide two junior pitches. In addition, there is a BMX/skate-park some 30m to the west of the Youth Centre building (DC/06/2125).

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
 NPPF4 - Promoting sustainable transport
 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

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

HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF24 - Strategic Policy: Environmental Protection
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF31 - Green Infrastructure and Biodiversity
HDPF32 - Strategic Policy: The Quality of New Development
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

2.4 The Henfield Neighbourhood Plan has been quashed and is currently being re-evaluated.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/12/1279	Construction of 'Link Road' between Deer Park (Youth Club) and Leisure Centre car park	Withdrawn Application on 19.11.2012
DC/06/2125	Provision of skate park to include BMX bike and in-line skating (land adjacent to Henfield Youth Centre)	Application Permitted on 26.04.2007

3. **OUTCOME OF CONSULTATIONS**

3.1 The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

3.2 Arboricultural Officer: Object:-

- Although the installation of an access roadway and car park in this vicinity appears feasible, provided greater consideration is given to how this can be realistically constructed using the 'No-Dig' technique to ensure against tree root damage, the construction of the large swale in such close proximity to trees of value in the local landscape is unsatisfactory. It is likely to lead to serious damage to a number of important trees, including one veteran specimen;
- The proposal to excavate a swale along the eastern boundary of the site would come within 6m of T3, the veteran oak, and to within around 1.7m of 3 x other trees along the site boundary having category 'B' status (trees T5, T8 and T10). The percentage encroachment put forward here, in regard to the four trees noted, represents, in each case, between 40% and 48% ingress, well over recommended limits (of some 30% for healthy trees). And in the case of the veteran tree, T3, this is wholly inappropriate and in conflict with best practice. It is noted this is to be managed by 'hand digging', but as the position of the swale cannot be moved on account of finding roots that are 'in the way', this will be of no benefit. At the proximity to the trees suggested, it is clear that serious root damage is likely, hand digging or not.

- There is further concern at the proposed installation of low voltage cabling along the eastern side of the car parking area to serve a number of lighting columns (drawing number 22631: 301).

3.3 Drainage Engineer: No Objection.

OUTSIDE AGENCIES

3.4 Sport England: No Objection:-

- According to Sussex FA records Henfield FC use the facilities with 3 adult teams playing and training on the site. The Youth section has 8 teams who use this site as their main ground;
- Proposal would lead to the loss of playing fields capable of forming pitches or used for informal play, and would reduce the ability to rotate pitch layouts throughout the year thus resulting in a potential loss of playing fields;
- Improvement works to the Memorial Field site in Henfield, subject to a grant by Sport England (SE), would result in an overall benefit which balances out the loss of this section of the playing field. The existing pitches at the Memorial Field have been in a poor state, and unusable for many months, as confirmed by a SE agronomy inspection as part of the grant application;
- Proposal broadly compliant with SE criteria E4 provided any grant of approval is subject to a planning condition (or other suitable mechanism) to secure provision of replacement / upgraded playing pitches at the Memorial Field. Works to the application site, affecting the potential playing areas should not be commenced until the new / upgraded facilities at the Memorial Fields are declared fit for purpose.

3.5 West Sussex Highways: No objection:-

- The proposed parking area would be accessed from Deer Park, which has direct access from the A281. Although narrow in places and subject to traffic calming measures, there appears to be little or no on-street parking along Deer Park.
- The additional 32 spaces are unlikely to generate a significant level of additional traffic, however, owing to the proximity of the priority / give way operating a few metres east of the site's access, there may be some confusion over who has right of way on emerging from the new road, which could be intensified when the car park is operating at peak capacity (for example start / end of sports matches) – removing the road narrowing island is suggested
- It is clear that the section of Deer Park which the proposed new road would join is to remain a private highway and not adopted by the Local Highways Authority. Permission to remove the road narrowing island would need to be agreed between private parties
- Following additional information having been received, it is noted that the proposed road is to be a shared surface, and therefore a minimum width of 4.1m is advised , along with a contrasting surface material finish, whilst a width of 4.1m minimum at the access point would allow for 2 cars to pass each other and for larger vehicles to enter / exist the site safely.

PUBLIC CONSULTATIONS

3.6 Letters of representation have been received from a number of neighbouring and nearby properties, along with a number of local organisations:

SUPPORT (from 13 properties):-

- Essential new road - alleviate traffic pressure on Fabians Way and Northcroft, particularly during busy school runs - as promised for a number of years;
- Originally part of proposal for Deer Park development;
- Reduction of congestion around school and through village to serve the leisure centre;
- Additional footpath would take up more of playing field;
- Provision of extra parking when leisure centre holds large event;
- Provision of contribution towards the upkeep of section of road owned by Bysshop Meadow Management Company;
- Existing adequate footpaths to remain available;
- Existing congestion to parking area off Deer Park caused during funerals - proposal would alleviate this;
- Potentially remove school drop-off / pick-up parking pressures around St Peter's primary school - unless specifically only for Leisure Centre users;
- Should reduce traffic along Church Street / Upper Station Road caused by new residential development of 200+ houses in Bishops Park - parking ban along these roads should be implemented along with new parking laybys along Fabians Way
- Minimal impact on layout of Kings Field outdoor space;
- Support in principle but flaws remaining - largely concerning the aggressive and nature of drivers on school run along Northcroft, illegally parked vehicles and vulnerable pedestrians;
- Concern that new facility would be overrun during school pick-up / drop-off times.

Support from Henfield Leisure Centre:-

- Easier way for users to access Leisure Centre if coming from north ;
- Existing car park is often full to capacity;
- Access through Northcroft is congested with cars parked on both sides of the road - promised some 26 years ago that there would be a northern access road.

Support from Football Club:-

- Alleviate pressures on the Northcroft Road leading to the front of the leisure centre;
- It has also been stated that the existing football pitches are insufficient at the Henfield Playing Field, and of a poor standard, resulting in league matches being cancelled;
- The area of playing field to be used is not used;
- Need to relieve congestion in Northcroft, leading into the leisure centre;
- There are ongoing works between Henfield Football Club, the Parish Council, District Council and Sport England to provide 2 full-sized additional pitches at the Memorial Field, estimated to be ready by September 2018.

Support Henfield Tennis Club:-

- Tennis sessions often running late owing to parking congestion in the main car park - weekend congestion is deterring members from playing and affecting club membership;
- New and existing club members would be provided with an additional route into the club.

OBJECTIONS (from 21 properties):-

- No provision for pedestrians / footpath along new roadway;

- More likely to use this route owing to proposed street-lighting and lack of lighting to cemetery footpath;
- Loss of actual spaces as currently 2-3 cars use end of access / parking area adjacent to youth club;
- No pedestrian crossing or traffic calming at 'bottom' of road;
- Potential high volume of foot traffic from Deer Park to schools, also use of road for cyclists (100+ school children walk this route daily);
- No lighting in top area of existing car park and therefore potential danger for vehicles reversing out of spaces and other road users;
- Road Safety Audit required as route will become a major pedestrian route;
- Would not accord with design standards included within WSCC guidance
- CCTV required;
- Loss of playing space used by families - partly on account of fence / barrier;
- Direct / quick route so will be used to gain access to leisure centre, schools, nursery;
- Unsightly appearance from Euroguard fencing and metal gantry over recent loss of Oak trees and green 'rural' field - no planting to be provided to screen the fence;
- Street lights along Deer Park go off at night to reduce light pollution - the same should apply to proposed lights;
- Noise to nearby residents - reflected off Henfield Leisure Centre wall;
- Are 32 additional spaces really sufficient to deal with parking issues experienced along Fabians Way?
- Other potential car parks could be utilised in busy times by the leisure centre, such as the medical centre - an attractive pedestrian route might make these car parks more appealing - charges for use of existing car park at leisure centre may also make other parking options more viable, and pay for an attractive path;
- Playing field already encroached upon by other development, such as skate park, youth centre, small changing pavilions;
- Use of dead space behind leisure centre sensible but new development would add pressure on health and vitality of trees and hedges;
- No buffer between cemetery and car fumes - change of ambiance of 'resting place';
- Potential bottleneck for users of new car park along footpath beside leisure centre;
- Waste of resources to build a long access road to such a small car park - more efficient to build a larger car park directly off Deer Park;
- Adverse impact to houses backing onto cemetery from additional street lighting along new road and noise;
- Bottlenecks along traffic calming measures in Deer Park when classes are due to start - increase in pollution;
- Potential large space for cars to park at night and for other nefarious activities;
- New lighting impact on what is currently a dark area;
- Restricted access for residents to use of playing fields and other outdoor pursuits;
- Lack of consultation;
- Inappropriate use of funds;
- Could existing leisure centre car park be extended? Other options to reduce congestion around school should be explored as Leisure Centre parking very rarely full;
- Existing parking / access to leisure centre is adequate;
- Contrary to Henfield Neighbourhood Plan - not ancillary activity to public recreation;
- Potential confusion for road users thinking new road provides a through-route from Deer Park to Kingsfield;
- Unacceptable to rectify potential 'mistake' in allowing construction of leisure centre with unsuitable access should not be rectified now by 'ruining' the field.

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 raised in the consideration of this application relate to the principle of development in this location and the resulting amenity and highways impacts.

Principle

- 6.2 The proposal would result in the loss of open space which currently forms part of a playing field. Policy 43 of the HDPF states that proposals which would result in the loss of sites and premises currently or last used for the provision of community facilities or services, leisure or cultural activities for the community will be resisted unless equally usable facilities can be conveniently provided nearby.
- 6.3 To overcome the loss of the existing playing fields, and ensure compliance with the above policy, the Parish Council has indicated an on-going commitment to provide upgraded sports / football pitches in the locality. As part of the application evidence of a link between improvements to the provision of pitches at the Memorial Field and the proposed development have been provided. The Memorial Field was recognised as being in a poor condition and unusable for many months of the year. Works are underway which would significantly increase their use and allow for additional playing and training time. The works to Memorial Field were subject to a grant from Sport England, with the grant application referring to the proposed works subject of this planning application.
- 6.4 It is considered that the improvements works to the Memorial Fields would offset the loss of playing fields which would result from the proposed development, and the relationship between the two sites would ensure the proposal accords with Policy 43 of the HDPF. Sport England have raised no objections to the proposal, confirming that their policy exception E4 allows a loss of playing fields when they are replaced by playing fields of an equivalent or better quality and quantity, in a suitable location and subject to equivalent management arrangements, prior to the commencement of development.
- 6.5 The provision of new and upgraded pitches at Memorial Fields does not form part of the current application. A s106 agreement is therefore required to ensure the Memorial Fields have been improved and made available for use prior to the commencement of the development proposed by this planning application. This approach, which forms part of the recommendation, would ensure the proposal does not conflict with the views of Sport England.

Impact on neighbouring amenity

- 6.8 Policy 33 of the HDPF requires new development to be designed so as to avoid unacceptable harm to the amenity of neighbouring occupants and users, for example through overlooking and noise.

- 6.9 A number of representations have been received raising concerns relating to increase noise and disturbance from the proposed parking area. There is approximately 60m separation from the application site and adjoining residential properties, and it is understood that the car park would be locked at certain times (including the night-time) and opened up during busy periods, thus potentially alleviating any concerns over undue noise and disturbance during unacceptable periods of the day, and more specifically during night-time hours. A car park management plan, which would include details of operating hours, is required through condition.
- 6.12 On the basis of the distance between the proposed development and neighbouring residential properties, the nature of the development, and controls which are to be put in place regarding its use in the management plan, it is not anticipated that the proposal would result in a detrimental loss of neighbouring residential amenities. The proposal would therefore accord with policy 33 of the HDPF.

Character and appearance

- 6.13 Policy 33 of the HDPF requires new development to ensure retention of important existing natural features, such as hedges and trees, and to ensure it relates sympathetically to the local landscape. HDPF policy 25 also seeks to ensure that the natural environment and landscape character is protected against inappropriate development, whilst HDPF 31 seeks to maintain and enhance existing green infrastructure.
- 6.14 The proposed location of the new access road and car park would be alongside the site boundary and the cemetery boundary, thus seeking to ensure the proposed development does not unduly compromise the function or visual aspect of the wider playing fields. The area to the rear of the leisure centre is not used for any sporting purposes and is quite overshadowed by the tree cover and the adjacent leisure centre building. It is considered that utilising this little used space at the rear of the centre could be achieved without undue detriment to the overall visual openness of the playing fields beyond, and visually, would complement the wider setting.
- 6.15 The height of the fencing between the new roadway and the playing fields has been reduced to a height of 1.5m and would be planted up with a line of shrubs on the playing field side. It is considered that the new fence would recede into the background of the boundary vegetation alongside the cemetery when viewed across the playing field. When viewed from the new roadway the fence would become part of the wider works and would therefore be unlikely to be seen as an isolated component.
- 6.16 The peaceful and tranquil character of the cemetery is noted, as its proximity to a playing field, leisure centre, tennis courts and residential back gardens. The proposed access road and modestly-sized car park, indented to serve the existing leisure centre, is therefore not considered to lead to a harmfully adverse impact on the character and nature of the cemetery.
- 6.17 It is noted that there are a number of trees located alongside the development site, which could be impacted upon by the excavation works required in association with the proposed swale, permeable parking surface and service runs for the new lighting columns. The trees are not located within a conservation area nor are they subject to a tree preservation order. As such, while the trees are of amenity value, there are no formal protections in place.
- 6.18 The Council's Arboricultural Officer has raised an objection to the proposal owing to the incursion into the RPA of a number of trees located along the boundary of the site, by the proposed excavation works of the swale, the unspecified details of the no-dig parking surface, and the proposed service runs for the lighting columns alongside the parking area. In response to these concerns additional details have been received, confirming that the

design would allow for any roots found on the site, so as to avoid any harm to the long-term health of the adjoining trees.

- 6.19 It is considered that as the principle of a no-dig parking surface construction is considered acceptable and given that the service runs and locations of the lighting columns can be formally agreed at a later date (once they have been finalised) appropriate details to mitigate any harm to trees can be secured through condition. On this basis it is considered that there would be no arboricultural grounds to refuse the application, and any potential harm to trees can be offset by condition.

Highway impacts

- 6.20 The existing route to the Leisure Centre/Football Pitches and Tennis Club is via the residential roads of Northcroft and Kingsfield which experience high levels of on-street parking reducing the carriageway to one-way in some locations. The proposed new road will be accessed via Deer Park, an estate road with direct access to the A281, which although narrow in places with priority give-way (traffic calming) in operation experiences little or no on street parking. The proposed road would improve access to the site and this is supported.
- 6.21 The scheme has been subject to a Road Safety Audit which raised no fundamental issues with the proposed development. The Highway Authority has advised that the proposal is unlikely to result in a severe impact on the highway network and there are no highway safety concerns arising from the proposal. On this basis the proposal is considered to accord with Policies 40 and 41 of the HDPF.

Conclusion

- 6.22 The principle of the proposal is considered acceptable and would provide additional parking to the leisure centre, accessed from the north, which would not create any highway safety or capacity concerns. The development would not result in significant harm to amenity, with conditions recommended to mitigate any potential harm to adjoining trees.

7. RECOMMENDATION

- 7.1 To approve planning permission subject to a s106 agreement to secure the provision and improvement of the Memorial (playing) Fields prior to the commencement of development, and the following conditions:-

- 1 Approved plans list
- 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, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed:

- All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained

during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence in relation to the excavation of the swale and the required drainage connections or the installation of the lighting columns until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the approved landscaping scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until a detailed surface water drainage scheme, including a Surface Water Drainage Statement based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground level of any part of the development hereby permitted shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:-

- confirmation of type and colour of the safety fence alongside the roadway,
- details of bollards alongside the swale,
- confirmation of the roadway surfacing and parking area surfacing, including contrasting surface material finish to shared surfaces

The development shall subsequently be implemented in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to

achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, full details of soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority, including a landscape management plan, setting out long term design objectives, management responsibility and maintenance schedules for the public landscape areas, The landscape management plan shall be carried out as approved. 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).

- 8 **Pre-Occupation Condition:** Prior to the first use of the development hereby permitted, full details of the proposed car park management plan shall be submitted to and approved, in writing, by the Local Planning Authority. The management plan shall include the control mechanisms and operating hours of any barriers to be installed at the entrance to the car park. The car park shall thereafter be operated in accordance with the approved plan.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** Prior to the first use of the development hereby permitted, the car parking spaces serving the leisure centre shall be constructed in accordance with the approved details and thereafter retained as such for their designated use.

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

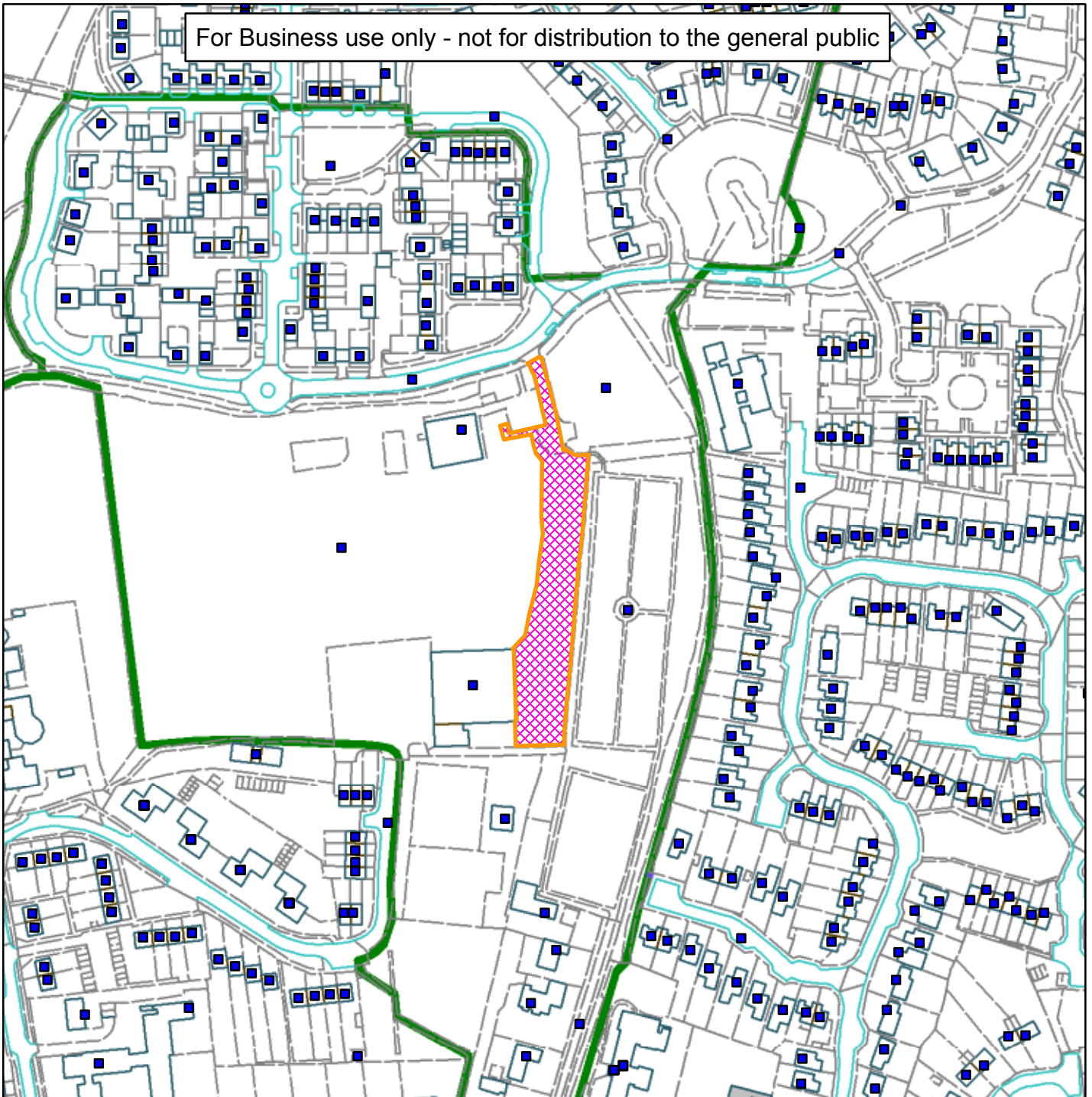
Background Papers: DC/16/2386

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Kings Field

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	03/08/2017
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Head of Development

DATE: 18 August 2017

DEVELOPMENT: Construction of detached two storey building to provide 2no. two bedroom maisonettes with associated access and parking

SITE: London Road, Pulborough, West Sussex, RH20 1AS

WARD: Pulborough and Coldwaltham

APPLICATION: DC/17/0347

APPLICANT: **Name:** Mr S O'Carroll **Address:** 3 Birchwood Close, Ifold, West Sussex, RH14 0TW

REASON FOR INCLUSION ON THE AGENDA: At the request of the Local Member and due to the number of representations received contrary to the Officer recommendation.

RECOMMENDATION: To grant planning permission

1. THE PURPOSE OF THIS REPORT

1.1 The application was reported to Planning Committee North in June 2017 where it was deferred to allow a site visit by Members and Officers of the Highway Authority to review the proposed on-site parking provision and access. A copy of the original Committee Report is attached at Appendix A.

1.2 This site visit took place on 18 July 2017 and additional comments have since been received from West Sussex County Council Highways, these are summarised below.

Parking

1.3 The parking space to be provided as visitor / additional meets the West Sussex County Council (WSCC) requirements at a dimension of a minimum of 2.4m x 4.8m, with the overall provision of three spaces being provided at the site in line with the current Parking Demand Calculator.

1.4 A manoeuvre could be completed clear of the public highway network to allow vehicles to egress the site in forward gear.

- 1.5 The potential for overspill parking was raised at the site meeting, raising concern to the impact on the highway network in this location. However, it is not considered that overspill parking would take place in the vicinity on London Road, as this would lead to an obstruction on an A Class road, which can be dealt with as an offence under Section 22 of the Road Traffic Act 1988 and Section 137 of the Highways Act 1980 respectively, both of which would be enforceable by Sussex Police.

Visibility

- 1.6 The site visit revealed that there is a potential to improve the existing sightlines to the north, which is currently obscured by a fence and overgrown vegetation. There is a strip of land which runs between the application site and the public highway which is in the ownership of the WSCC. Moving the fenceline back to the rear edge of the WSCC highways boundary, and pruning the overgrown vegetation would address and improve the sightlines to the north of the existing access
- 1.7 The potential widening of the existing pedestrian footway in this location would also improve sightlines for all highway / footpath users.

Access

- 1.8 Improving the gradient to the site and existing properties 44-46 London Road would also yield improvements to the site egress onto the public highway.
- 1.9 It is therefore recommended that the first 4m of the access drive off London Road be improved to form a level area which would allow for all four wheels of a vehicle to be level whilst waiting to exit the site onto London Road.

Footbridge

- 1.10 The WSCC-owned strip alongside the application site was acquired by WSCC Highways in preparation for a feasibility report of providing a new footbridge alongside the existing bridge to accommodate pedestrian traffic. At the present time there is though no further information over the deliverability of the new footbridge.

2. Conclusion

- 2.1 The further consultations that have taken place since the last Committee Meeting have been taken into account, with additional and amended conditions recommended, as set out below. The remaining considerations are as set out in the previous committee report and it is recommended that planning permission be granted.

1 Approved plans list

- 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 (*amended*) **Pre-Commencement Condition:** 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:-

- i. the anticipated number, frequency and types of vehicles used during construction,
- ii. the method of access and routing of vehicles during construction,
- iii. the parking of vehicles by site operatives and visitors,
- iv. the loading and unloading of plant, materials and waste,
- v. the storage of plant and materials used in construction of the development,
- vi. the erection and maintenance of security hoarding,
- vii. 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),
- viii. details of public engagement both prior to and during construction works.

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

- 4 **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **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).

- 6 **Pre-Commencement Condition:** No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority and in consultation with Southern Water, showing how the public sewer will be protected during works.

The development shall be carried out in accordance with the approved scheme. It should be noted that some types of permeable paving within 5m of a public sewer will not be considered acceptable by Southern Water.

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).

- 7 **Pre-Commencement Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The approved sound attenuation works shall be completed before the dwelling(s) are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development hereby

permitted and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **(New) Pre-Commencement Condition:** No development shall commence until details of access improvement works have been submitted to and approved in writing by the Local Planning Authority. The access improvement works shall consider the possibility of gradient improvement, fence relocation, vegetation pruning and footway widening. The access improvement works shall be carried out in accordance with the agreed details prior to the first occupation of the approved development, and shall be retained as such thereafter.

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

- 9 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavoring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, 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).

- 11 **Pre-Occupation Condition:** The building/extension hereby permitted shall not be occupied until the window(s) at ground and first floor on the north-west facing elevation on Plan 1621/03 and 1621/04 have been fitted with obscured glazing. No part of that/those window(s) that are/is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of the adjoining occupants at No.46 London Road in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces serving it have been

constructed and made available for use in accordance with approved drawing number 1621/02 rev A. 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).

- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 1621/02 rev A. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 14 **(New) Pre-Occupation Condition:** No part of the development shall be first occupied until details of maximum achievable visibility splays have been submitted to and approved in writing by the Local Planning Authority. The visibility splays shall be provided in accordance with the agreed details prior to the first occupation of the development. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level or as otherwise agreed.

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

Background Papers: DC/17/0347



Horsham District Council **PLANNING COMMITTEE** **REPORT FROM 20 JUNE** **2017 MEETING**

TO: Planning Committee South

BY: Development Manager

DATE: 20 June 2017

DEVELOPMENT: Construction of detached two storey building to provide 2no. two bedroom maisonettes with associated access and parking.

SITE: London Road Pulborough West Sussex, RH20 1AS

WARD: Pulborough and Coldwaltham

APPLICATION: DC/17/0347

APPLICANT: Mr S O'Carroll

REASON FOR INCLUSION ON THE AGENDA: At the request of Ward Councillor and owing to number of representation letters received.

RECOMMENDATION:

1. THE PURPOSE OF THIS REPORT

- 1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The proposal seeks full planning consent for the erection of a detached two-storey building on the open area of land adjacent to the terrace of three properties. The new building would form 2 self-contained, 2-bed maisonettes. Each would be independently accessed, with bedrooms at the rear and living rooms at the front of the dwellings.
- 1.3 The proposed building would have a traditional appearance, using brick and part tile-hanging to the elevations, with a tiled hipped roof. The block would be some 8.65m wide and 11.682m deep with a stepped footprint. The highest part of the roof is indicated at some 8.2m. The closest corner of the proposed development would be some 2m off the boundary with No.46, and some 5m off the rear corner of this property.
- 1.4 The new building would be provided with a cycle store and bin store area along the site's western boundary, alongside No.46 London Road, and a new 2m high close-boarded fence alongside the northern boundary to the railway line.
- 1.5 The site would be provided with three vehicular parking spaces across the forecourt, on a ratio of one space per dwelling and one visitor space.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises an open area of land which is situated between a terrace of three red-brick post-war dwellings, a railway line and a raised public highway known as London Road. The land appears to have been previously used as garden land to the adjacent terrace.
- 1.7 The site and neighbouring terrace are served by way of a shared access off London Road. Parking for these three properties is by way of areas of land to the side and front of the terrace.
- 1.8 The adjacent road to the east of the site lies at an elevated level, with a level difference of between 1.2m - 2.1m.
- 1.9 A large supermarket and petrol filling station with convenience store lie within 360m of the site, and the Pulborough railway station lies some 1.2km distant, whilst the wider facilities within Pulborough village also lie some 1.2km distant. The site is not subject to any heritage designations, or Tree Preservation Orders.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 **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
 NPPF11 - Conserving and enhancing the natural environment
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 HDPF1 - Strategic Policy: Sustainable Development
 HDPF2 - Strategic Policy: Strategic Development
 HDPF15 - Strategic Policy: Housing Provision
 HDPF16 - Strategic Policy: Meeting Local Housing Needs
 HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
 HDPF32 - Strategic Policy: The Quality of New Development
 HDPF33 - Development Principles
 HDPF40 - Sustainable Transport
 HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Pulborough Parish Neighbourhood Plan (2015-2031) has been formally submitted for examination. At this stage, no decision has been forthcoming

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/2284	The erection of one detached two storey house	Application Permitted
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DC/14/0938

Erection of one pair of semi-detached houses
(Outline)

on 17.12.2015

Withdrawn Application
on 08.07.2014

3. OUTCOME OF CONSULTATIONS

- 3.1 The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk

OUTSIDE AGENCIES

- 3.2 **West Sussex Highways** - No Objection in principle:-

- Accident data does appear to indicate a collision near the access, but this is not anticipated to have been as a result of the use of the access or visibility at the location. London Road is a Class A road subject to a 30mph speed limit. No apparent concerns with existing properties using this same access
- Existing bell-mouth junction onto London Road is sufficient in size to enable two vehicles to pass in the event of one seeking to exit onto London Road and one wish to turn into the access, ensuring no disruption to the free flow of traffic along London Road
- Site would be serviced by way of existing refuse / recycling operations and by way of an existing vehicular access which serves existing residential properties
- The initial scheme indicated two parking spaces to be included within the site, whilst the West Sussex County Council (WSCC) parking demand calculator indicates 3 spaces (1 each per dwelling and 1 undesignated space) to be sufficient to serve two maisonettes in this location, along with secure cycle provision. However, the impact arising from any overspill parking on adjacent streets was not considered to result in a 'severe' impact on the operation of the highway network, and therefore the provision of two spaces was considered to be in line with para 32 of the NPPF.
- The proposal is sited within a short walk to shops and reasonable walking distance to bus stops and Pulborough Train Station. This offers alternatives for commuters and alleviates the reliance on the use of a car for transportation.
- A subsequent amendment to include three spaces across the forecourt raised concerns regarding the manoeuvrability of vehicles seeking to enter the marked 'visitor' space, whilst concerns were also raised regarding the visibility over adjacent land, where it appeared a new fence line would be sited to the boundary with No.46

Comments are awaited from the Highway Authority regarding a revised forecourt layout and sight-line proposal, which will be reported to Members at the meeting.

- 3.3 **Southern Water** - No objection, subject to conditions.

PUBLIC CONSULTATIONS

- 3.4 **Parish Council Consultation** – Objection, the proposal represents an overdevelopment of the site.

3.5 **Public Consultations** - Letters of objection have been received from 12 neighbouring and nearby properties:

- Blind access onto London Road with cars often travelling faster than speed limit
- Insufficient parking – most households have two cars & visitor parking
- Increased demand for on-street parking
- If permitted, then controls should be in place to stop parking in nearby roads and obstructing adjacent parking and turning areas
- Additional vehicles pulling out of access will increase danger to children of St Marys School
- Frontage of terrace already contains 5 cars – likely parking spillover would obstruct existing properties and access
- If footbridge is constructed alongside road-bridge – do plans take account of this? Potential access problem for new owners
- Disruption during build
- Blocking of access to neighbouring houses

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

Background:

6.1 Outline planning permission has already been for a single detached two storey house under DC/14/2284. As part of this application access and layout were approved, with all other matters reserved. This permission has not been commenced but remains extant until December 2018.

Principle:

6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.

6.3 Policy 3 of the HDPF states that development will be permitted within settlements that have defined built-up areas. The application site is within the built-up area of Pulborough, which is defined as a settlement with a good range of services and facilities, strong community networks and local employment provision. The site is therefore well located in policy terms

for the principle of additional residential infill development, provided it is of an appropriate nature and scale to maintain the characteristics of the settlement.

Character and appearance:

- 6.4 Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'. Policy 33 requires developments to relate sympathetically with the built surroundings
- 6.5 The principle of a building on the site was established through the granting of planning permission for a single dwelling (ref: DC/14/2284). In contrast to this permission the current scheme would comprise a larger footprint with a siting parallel with London Road, and contrasting with the adjoining terrace row.
- 6.6 Although of a larger footprint than each of the adjacent terraced dwellings, the proposed building would, on account of its siting within the site, not be seen as unduly large or dominant in views from the immediate surroundings. While the site has an irregular shape and sloping land levels, the proposed building would be set into the land with levels that are comparable to the adjacent terrace. The proposed development would utilise materials which complement the adjacent terrace, with the design of the block and hipped roof also suited to the wider context of the site. This approach would further minimise the visual impact, such that no significant harm to the prevailing character and appearance of the area would result.
- 6.7 The proposal is therefore considered to result in a form of development which respects the wider character, in accordance with policies 32 and 33 of the HDPF.

Residential Amenity:

- 6.8 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity of occupiers and users of nearby property and land.
- 6.9 In this instance, the proximity between the adjacent property at No.46 and the proposed development has been taken into account. Owing to the splayed siting of the proposed block, there would be no adverse impact on the outlook from the habitable windows at No.46, even though the proposed development would be set beyond the rear building line of the terrace.
- 6.10 The side-facing windows to the proposed development would serve a bathroom at ground floor and a landing at first-floor, both of which could be conditioned to be obscure-glazed and with restricted openings, thus ensuring that no adverse loss of privacy or overlooking occurs to the neighbouring residential property.
- 6.11 The proposal is therefore considered to accord with the requirements of Policy 33 of the HDPF.

Highways and Traffic:

- 6.12 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.

- 6.13 The Highway Authority has assessed the existing access from London Road to the terraced properties, which would be used to serve the proposed development. The achievable visibility splays, and the 30mph speed limit along London Road, comply with the guidance laid out in the Manual for Streets, whilst the existing bell-mouth access can accommodate two passing vehicles, thus ensuring that any manoeuvring into / out of the site does not affect the free-flow of traffic on the public highway.
- 6.14 The scheme originally included two parking spaces whilst the parking demand calculator indicated 3 spaces should serve the new dwellings. The applicant, in response to concerns raised by local residents, amended the plan to allow for three parking spaces, one of which was to be a designated 'visitor' space. However, following concerns raised by the Highway Authority regarding the layout, and the potential resulting conflict with pedestrians emerging from No.46 and the manoeuvrability into / out of the designated visitor space, further revisions have been sought in order to address this situation.
- 6.15 The potential sight-line concerns arising by way of the proximity of space 1 and the boundary with No.46 is considered to be addressed by way of the current boundary fence line, which is set back from the front corner of the house and the front door to the property. As a result there would be more than sufficient sight-lines in this area to ensure that any pedestrians emerging from the adjacent property at No.46 would be aware of any vehicular movements into/out of this space, and vice versa.
- 6.16 The revised layout, showing the demarcated spaces 1 and 2, and a sizable area to the eastern side of the site, would provide for occasional visitor parking, suitable manoeuvring space and sufficient space to access the properties on foot. It is noted that the arrangements to secure use of the visitor parking area would be informal and would be reliant on the co-operation between residents within the new development.
- 6.17 It is considered that such an informal arrangement would be suited to this scale of proposal, where the needs of visitor parking may arise on a flexible basis. However, the resulting proposal would achieve the desired three spaces as advised by the WSCC Parking Standards Calculator, and the eventual layout could be subject to a planning condition which would also be subject to approval of final landscaping details and plans. On this basis the proposal is considered to accord with policies 40 and 41 of the HDPF.

Other Matters:

- 6.18 The proposal incorporates communal amenity space for future occupants of both units. It is understood that a division of the site into two fenced-off gardens might not be achievable or desirable given the site levels along the eastern side and the potential for overlooking windows into the adjacent garden. It is considered, in this particular instance, that a well-designed landscaping scheme to create a communal garden, to which both new properties have an equal access, would be preferable to the creation of two smaller parcels of private amenity space which are fenced and potentially underutilised. The proposed arrangement would therefore be sufficient for the needs of future occupants.
- 6.19 The application site is located between a busy highway and a railway line. As part of the existing permission the principle of a dwelling on the site was considered acceptable following noise assessments which informed a scheme for soundproofing to ensure acceptable living conditions for future occupants. The current application would adopt the same approach as the existing permission, with a condition recommended to ensure the development would provide an acceptable standard of accommodation.
- 6.20 In respect of the additional points raised in neighbour representations, noise and disturbance during construction would though be controlled through the Construction Method Statement required by condition 3, and would not amount to such harm to warrant

refusal of the application. While potential future proposals for a footbridge alongside the road are noted any land ownership issues would need to be addressed outside of the planning process.

Conclusion:

- 6.21 The proposal would lead to an acceptable form of development and would not lead to material harm in terms of its impact on the residential amenities of neighbouring properties and the character of the surrounding area. Furthermore, the proposal is within the built-up area boundary and in a sustainable location. The Highway Authority has not raised an objection to the principle of the proposal, noting that the impact of the development would not be severe, and thus a reason for refusal on these grounds could not be sustained, particularly as the amended layout now provides for three parking spaces in line with the parking demand calculator.

7. Recommendation:

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

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

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

- 3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding, where appropriate
 - v. the provision of wheel washing facilities if necessary
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of 44-46 London Road during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **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).

- 6 **Pre-Commencement Condition:** No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority showing how the public sewer will be protected during works. 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).

- 7 **Pre-Commencement Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation where required. The approved sound attenuation works shall be completed before the dwelling(s) are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development hereby permitted and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** The building/extension hereby permitted shall not be occupied until the window(s) at ground and first floor on the north-west facing elevation on Plan 1621/03 and 1621/04 have been fitted with obscured glazing. No part of that/those window(s) that are/is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of the adjoining occupants at No.46 London Road in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces serving it have been constructed and made available for use in accordance with approved drawing number 1621/02 rev A. 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).

- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 1621/02 rev A. The cycle parking facilities shall thereafter be retained as such for their designated use.

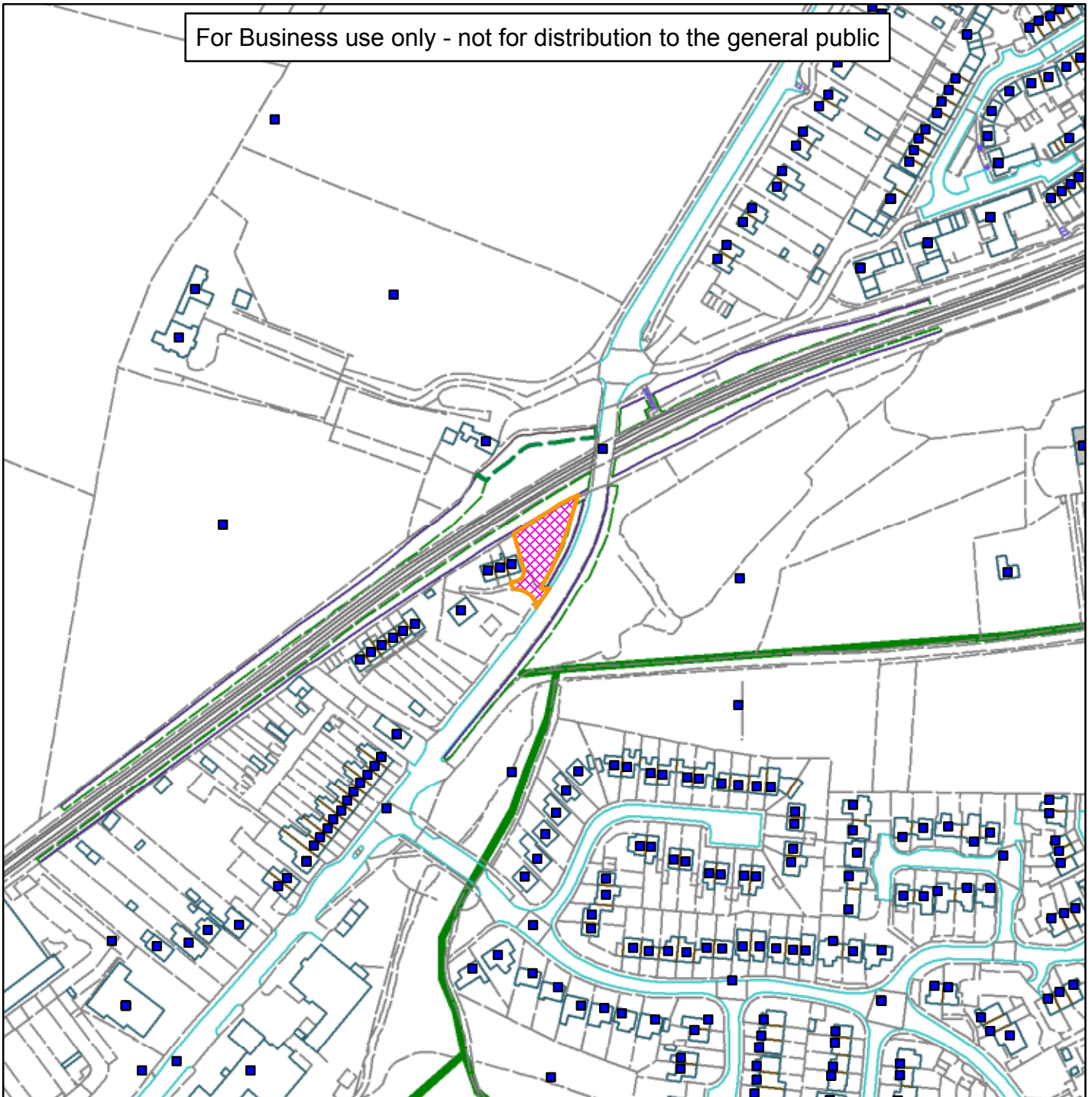
Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/0347



London Road

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	03/08/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 15 August 2017

DEVELOPMENT: Proposed part demolition of existing agricultural building and proposed conversion of remaining building to single 2 storey dwelling to include first floor balconies and associated residential curtilage and parking area.

SITE: Ridgелands, Kent Street, Cowfold, Horsham, RH13 8BB

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/17/0902

APPLICANT: **Name:** Mr T R Dickson **Address:** Ridgелands, Kent Street, Cowfold, RH13 8BB

REASON FOR INCLUSION ON THE AGENDA: The application represents a departure from local plan policy

RECOMMENDATION: To approve 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 part conversion and part demolition of an existing agricultural building to a single dwelling house with associated curtilage land and parking.

DESCRIPTION OF THE SITE

- 1.2 The site is located on an agricultural unit approximately 1.5km east of Cowfold and 800m south of the A272. The site is located outside of any built up area boundary and is therefore considered to be situated within a countryside location. The location is not close to local amenities or local transport infrastructure. The site consists of a large agricultural building formerly used for the storage of hay and machinery situated on a large hand-standing to the east of Kent Street and accessed via the existing farm track and gate.
- 1.3 The site is well screened from the road due to the dense vegetation on the boundaries of the property. Agricultural open fields lie to the north, east and west of the site with a small number of other agricultural buildings and dwellings to the south. The land rises to the rear (south) of the site and the dense boundary vegetation provides significant privacy where no other buildings are visible from within the site. The large hard-standing on which the site is located is surrounded internally by wire fencing and from the public highway by post and rail fencing.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town & 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
NPPF7 - Requiring good design
NPPF14 - Presumption in favour of sustainable development
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
HDPF1 - Strategic Policy: Sustainable Development
HDPF3 - Strategic Policy: Development Hierarchy
HDPF4 - Strategic Policy: Settlement Expansion
HDPF26 - Strategic Policy: Countryside Protection
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles

- 2.4 **Neighbourhood Plan**
No neighbourhood plan is in effect for Cowfold at the time of this report.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/1487	Prior notification to convert barn to dwelling	Prior Approval Refused 29.08.2014
DC/14/2101	Change of use of agricultural building to residential under the General Permitted Development Order 2014 (Certificate of Lawfulness)	Application Refused 31.10.2014 – Appeal Allowed 07.01.2016

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

OUTSIDE AGENCIES

- 3.2 Parish Council Consultation, consulted on the 4 May 2017. Their comments dated 1 June 2017 can be summarised as follows: No response received at the time of this report.
- 3.3 WSCC Highways – Highways, consulted on the 12 June 2017. Their comments dated 12 June 2017 can be summarised as follows: No objection, secure cycle storage condition recommended.
- 3.4 Southern Water, consulted on the 15 June 2017. Their comments dated 15 June 2017 can be summarised as follows: No objection, conditions recommended.

PUBLIC CONSULTATIONS

- 3.5 No letters of representation 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 character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The existing parking and traffic conditions in the area
- The existing trees
- The quality of the resulting residential environment for future occupiers

Principle

- 6.2 The conversion of an agricultural barn to a dwelling is permitted development subject to prior approval first being sought. A Prior Approval application for the change of use was submitted in 2014. This application was refused as the change of use was considered to represent “unsustainable development”, contrary to Paragraph 55 of the NPPF. A subsequent appeal was though allowed with the Inspector finding that the change of use to a dwelling met the relevant permitted development requirements. As such there is potential, through permitted development, to form a residential dwelling on the site.
- 6.3 The application site is within a countryside location where new housing would be restricted by Policies 3 and 26 of the HDPF, with these policies seeking to locate development within settlement boundaries unless a countryside location can be justified. There is no such justification with the application which would therefore be contrary to the above policies. However, there is an existing permission in place for the formation of a residential dwelling on the site.
- 6.4 It is therefore considered that refusal of this application due to conflict with the above policies would not prevent a dwelling being created on the site, and the principle of development and conversion in this location has been established. In this instance the fallback position provided by the existing permission is considered to outweigh any conflict with the HDPF, and the current proposal provides a greater degree of control over the detail and impact of the proposal and this is desirable given the countryside location of the site.

Character and appearance

- 6.5 Policies 26 (countryside protection) and 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.

- 6.6 The proposed dwelling would be of an identical footprint to that approved by the existing permission. The dwelling would comprise an L-shaped two storey dwelling within the existing agricultural building's frame and would be timber clad with a zinc roof. Part of the existing building frame would be utilised retaining part of the existing roof shape and overall form. The remainder of the existing structure would be demolished. A large open balcony would be created on the southern elevation at first floor with a smaller covered balcony to the northern elevation. The building would also feature some large areas of glazing at first and second floor level including a number of smaller windows and patio doors.
- 6.7 The overall form of the building would be reflective of the previous agricultural use with the mostly timber clad external appearance assisting in softening its appearance within the countryside context. Whilst the large areas of glazing and balconies are not reflected within the countryside location the site is well screened from the road. The topography of the site the development would not be significantly visible from any public vantage points, neighbouring properties or rights of way.
- 6.8 The application seeks to utilise the existing highway access currently solely serving the existing agricultural building and access to the adjacent fields. Due to the position of the proposed dwelling, topography of the site shielding views from the south and the presence of mature vegetation on the boundaries, the development would well concealed from the public realm and it is considered that the proposal would have a neutral impact on the character of the countryside location.
- 6.9 The proposed dwelling would consist of a conversion of approximately 40% of the existing building with the remaining section to be demolished and converted to residential curtilage for the parking and turning of vehicles and residential garden. The overall mass and scale of the new dwelling would be proportionate to the size of the plot in which it is proposed and the provision of parking for a number of vehicles and the facility of sufficient turning space, utilisation of the existing highway access together with the dense boundary screening is not considered to have a detrimental impact on the character of the area.
- 6.10 The curtilage is proposed to be extended to cover an area which is currently used as hard-standing around the barn. The extension to the curtilage does not include any part of an existing agricultural field and is bordered by existing wire and post and rail fencing to the sides adjacent to the field and by natural boundary screening adjacent to the road. The extension of the residential curtilage is considered to be acceptable as it utilises an existing bordered area of hardstand and would not preclude further use of the adjacent fields.
- 6.11 The visual impact of the proposal is therefore considered to accord with policies 25, 32 and 33 of the HDPF.

Impact on neighbouring amenity

- 6.12 Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of the occupiers of neighbouring properties.
- 6.13 The dwelling would be positioned in a well screened and isolated location where land levels rise fairly to the south, meaning that the neighbouring buildings to the south are at roof level of the application site. Whilst first floor balconies are proposed due to a combination of level changes, boundary screening and separation distances no intrusive views would be created by proposal. It is not therefore considered that any harm to residential amenity is likely to result from the proposal.

Highways impacts

- 6.14 The proposal is for a new dwelling accessed via the existing access on to Kent Street that serves the existing agricultural building. A driveway, hard-standing and turning area are

indicated in the proposal. The Highway Authority (HA) 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. Due to the fact that future occupants are likely to be reliant on vehicle use due to the isolated location the HA have recommended a condition for the provision of secure cycle storage. The HA 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.

Conclusion

- 6.15 The development is considered a departure from local plan policy as it would not be in accordance Policy 3 (Development Hierarchy), Policy 4 (settlement expansion) and Policy 26 (Countryside Protection) of the HDPF. There is though an existing permission on the site for a dwelling which could be created through permitted development and as such the principle of development has been established and is acceptable in this instance.
- 6.16 Therefore, whilst technically being a departure from local and national planning policy the current application is considered to enhance the immediate setting and ensure that the development is suitable for long term retention as a domestic dwelling with adequate parking and residential curtilage provided without a significant impact on the adjoining agricultural land or countryside location.
- 6.17 Conditions are recommended to ensure adequate boundary screening is enhanced or retained, detailed use of materials to be provided and a landscaping scheme to confirm all hard and soft landscaping details are appropriate for the surrounding area. A removal of permitted development rights is also recommended which also relates to boundary treatments as well as extensions, alterations and outbuildings and a further land contamination condition is recommended to ensure that the land is fit and safe for habitation.

7. RECOMMENDATIONS

7.1 To approve planning permission 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. **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: As this matter is fundamental to limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 6. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

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

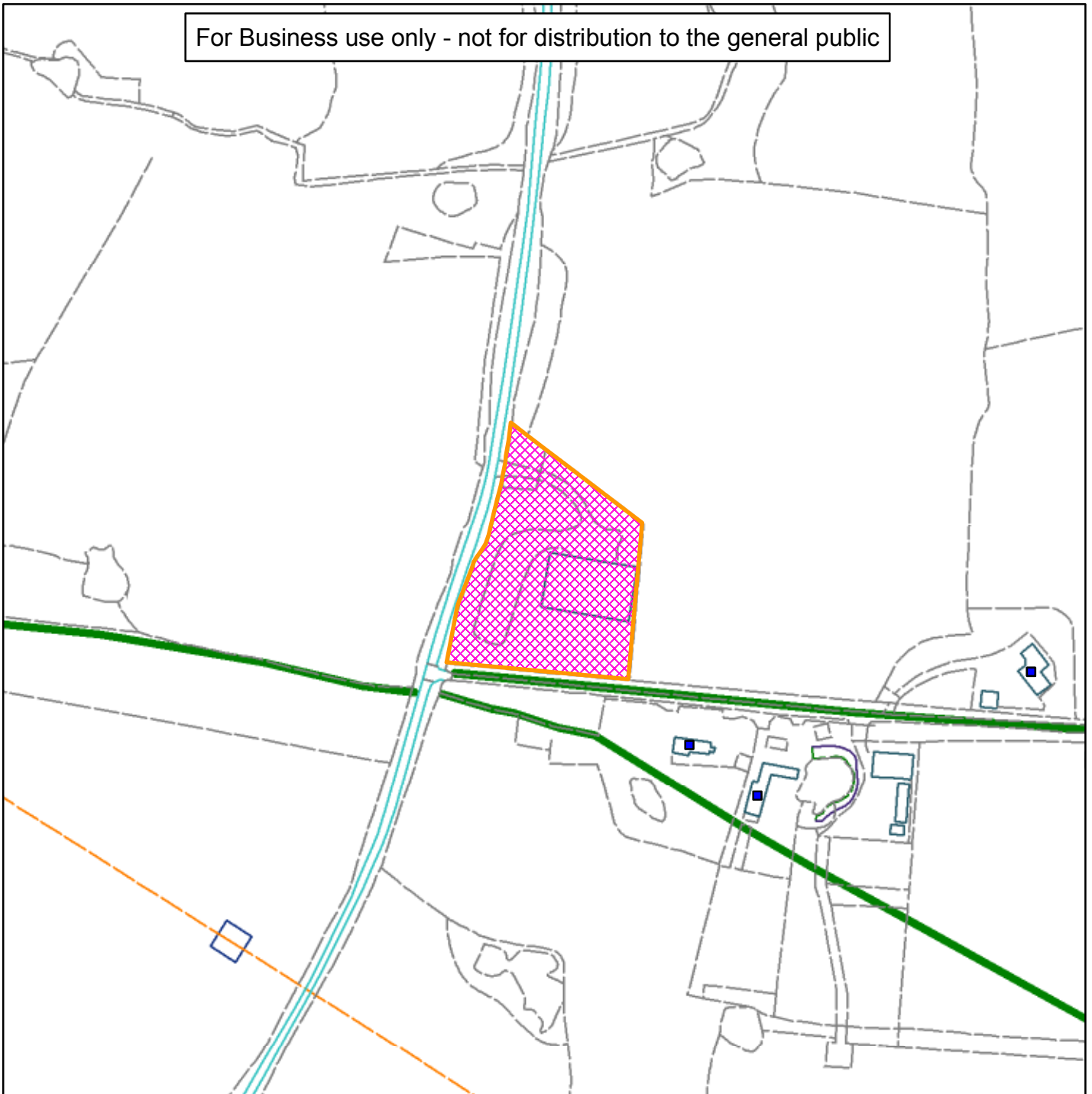
Background Papers: DC/17/0902
DC/14/2101

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Comments	Not Set
Date	03/08/2017
MSA Number	100023865

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**Horsham
District
Council**

**PLANNING COMMITTEE
REPORT**

TO: Planning Committee
BY: Head of Development
DATE: 18 July 2017
DEVELOPMENT: To remove pole barn and stables and erection of annexe to Sake Ride Farmhouse, diversion of drive and removal of steel container
SITE: Sake Ride Farm Wineham Lane Wineham Henfield BN5 9AG
WARD: Cowfold, Shermanbury and West Grinstead
APPLICATION: DC/17/0805
APPLICANT: **Name:** Mr Brian O'Connell **Address:** Sake Ride Farm, Wineham Lane, Wineham, Henfield, West Sussex, BN5 9AG

REASON FOR INCLUSION ON THE AGENDA: Member Application

RECOMMENDATION: To approve permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning consent to demolish the existing timber stable building and to erect a single storey detached annexe measuring 13.00m in length by 7.00m in width (91sqm) and 5.54m in height with a height to the eaves of 2.6m. The building is designed with a hipped roof and is sought to be constructed with slate roof tiles and grey weatherboard cladding for the elevations with white upvc window units and timber doors. The accommodation is sought to enable the care of family members close to the applicant's home. The annexe incorporates 2 bedrooms, a kitchen/living area, a bathroom and an entrance hall.

1.3 The application also seeks to re-route the existing driveway along the southern edge of the site. This would involve grassing over the current drive.

DESCRIPTION OF THE SITE

1.4 The site consists of a two storey dwelling set within a large residential plot located approximately 850m south of Wineham. It is set back from Wineham Lane beyond the neighbouring property known as 'The Dairy', which abuts the site's eastern boundary. The main house is a 2 storey structure designed with pitched roof and constructed with slate tiles and horizontal weatherboarding over brickwork elevation. The dwelling has been extended with a chalet style 2 storey addition to its southern end. In addition to the main house, the plot accommodates a timber office building towards its northern boundary and a

timber stable building approximately 17m to the east of the main house on the opposite side of a hard-standing. The site is accessed from Wineham Lane via a gravel driveway.

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:**

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF40 - Sustainable Transport

- 2.4 The Shermanbury & Wineham Neighbourhood Plan was formally 'made' at Full Council on the 21 June 2017. Of relevance to this application are policies:-

4 – Location and Setting

5 - Design

8 – Change of Use, Conversion and Redevelopment

10 - Parking

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/13/0200	Erection of a homeworking office	Application Permitted on 22.03.2013
DC/13/2113	Formation of a new vehicular access for Sake Ride Farm and erection of new entrance gates.	Application Permitted on 25.02.2014
DC/15/0163	Two storey extension to dwelling	Application Permitted on 23.04.2015
DC/15/2056	Non material amendment to previously approved application DC/15/0163 (Two storey extension to dwelling) Increase size of rear door to south elevation. Increase size of 2 windows to kitchen on west elevation and enlarge window to master bedroom to form Juliet style window	Application Permitted on 02.11.2015

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 None

OUTSIDE AGENCIES

- 3.3 Shermanbury Parish Council: No objection. Consideration should be given to ensure the neighbouring property is not deprived of natural light and conditions must be attached to ensure that strict working hours are adhered to.
- 3.4 West Sussex County Highways: No objections subject to conditions requiring access and parking to be laid out prior to first occupation, and restricting the use of the building to ancillary to the main house

PUBLIC CONSULTATIONS

- 3.4 4 representations have been received in support of the development. These highlight the benefits of the building in facilitating the applicants in looking after their elderly parents, releasing housing stock for first time buyers, and the development resulting in an improvement in the condition of the site.
- 3.5 2 objections (from the same address) have been received which raise concerns that the building will result in a loss of amenity to the neighbouring property known as the old dairy, due to its proximity and scale. There are also concerns about noise nuisance during construction.

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

Principle of Development

- 6.1 The site is located outside of the built up area, and is therefore located within the open countryside. Policy 28 of the Horsham District Planning Framework (HDPF) states that household extensions within the countryside will be supported if the development can be appropriately accommodated within the curtilage of the site, and should be in keeping with the scale and character of the existing dwelling. In regards to the outbuildings, the policy states that ancillary accommodation will only be permitted if it can be demonstrated that the need for additional space cannot be met from an existing building suitable for conversion, and should have regard to the dwelling it serves and should be grouped with the house. The use of ancillary accommodation as a separate planning unit will not be supported.
- 6.2 The proposed annexe would accommodate 2 bedrooms, a kitchen and living area, and a bathroom. While there would not be any dependency on facilities shared with the main dwelling it is considered that the scale of the annexe would remain ancillary. The site

would be served by one access and the submitted plans indicate that the curtilage would not be subdivided to create separate amenity space. These access arrangements, the shared amenity space, proximity between buildings and the relationship between occupants is considered sufficient to ensure that the annexe would not function or represent an independent dwellinghouse on the site.

- 6.3 The application does not seek permission for a separate dwellinghouse and supporting information has been submitted setting out the need / justification for an annexe in this location. A condition is recommended to ensure that the building could not be occupied as a separate planning unit, and this is considered to provide sufficient measures to ensure the building would not provide a separate planning unit. On this basis the proposal is considered to accord with Policy 28 of the HDPF.

Character of the site and Surroundings

- 6.4 Policy 33 of the Horsham District Planning Framework states that development proposals should make efficient use of land, cause no harm to amenity, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 6.5 The proposed annexe would be appreciably smaller in scale than the main dwellinghouse, and would occupy a similar, but slightly smaller footprint to the existing stable building. It is therefore considered that the annexe would be appropriately accommodated within the curtilage, whilst retaining sufficient distance from the main house to ensure it does not disturb the overall appearance of the host dwelling. The appearance of the outbuilding is considered acceptable, in that the style and composition of the annexe attempts to reflect that of the main dwelling. Furthermore, by retaining the footprint of the stable building, it is considered that the annexe will not be unduly visible from the surrounding public realm.
- 6.6 As the site benefits from generous grounds and already accommodates development of a similar scale, the overall size and design of the proposed outbuilding is considered acceptable within this rural setting, and would be well accommodated within the site's curtilage. The proposal is therefore considered in accordance with Policy 28 and 33 of the Horsham District Planning Framework.

Impact on Amenity

- 6.7 Policy 33 of the HDPF requires new development to be designed so as to avoid unacceptable harm to the amenity of neighbouring occupants and users, for example through overlooking and noise.
- 6.8 Concerns have been raised that the proposed annexe would result in a loss of amenity to the neighbouring property, known as The Dairy, due to its proximity and scale and through the creation of noise nuisance during construction. The annexe would be sited approximately 2.5m to the west of this property and would be approximately 2.94m higher than the existing stables. There are no windows within the western side of 'The Dairy' that would be impacted by the proposal. A wall with additional timber screening, in excess of 2m in height, currently separates the site from the neighbouring property. This treatment coupled with the roof form, which would slope away from the boundary line, it considered sufficient to prevent any overbearing impact or loss of light.
- 6.8 In relation to noise production, any nuisance created by the constructed of the development would be temporary, and the nature of occupation within the annexe would not be expected to generate significant or harmful levels of noise. A condition is recommended to restrict operations works to traditional daytime working hours. The proposal is deemed to be in accordance with Policy 33 of the HDPF.

Access and Highways

- 6.9 Access arrangements to the site from Wineham Lane are not proposed to be altered and the applicant has agreed to grass over the existing driveway to ensure only one access would serve the main house and annexe. This would help to address any concerns of the annexe being served by its own access in the future. The Highway Authority has been consulted and has raised no objections, as the proposal would not give rise to a material increase in the amount of trips to the site. It is however, recommended that conditions should be attached to any approval to secure the parking and turning facilities indicated on the submitted block plan, and to restrict the use of the annexe to ancillary to the main house. The proposed development is deemed to be in accordance with Policy 40 of the HDPF.

Conclusions

- 6.10 The annexe is considered to be of an appropriate scale, design and siting both in relation to the main house and other development within its curtilage, and with respect to its rural location, ensuring that it will not be detrimental to the visual appearance of the host dwelling or the surrounding landscape character. Furthermore, it will not result in significant harm to neighbouring residential amenity and will retain a use that is ancillary to the main house, sharing amenity space and access arrangements. The development is therefore deemed to be in accordance with the relevant policies of the Horsham District Planning Framework and the Shermanbury & Wineham Neighbourhood Plan.

7. RECOMMENDATIONS

- 7.1 The application is approved 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:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the submitted application form.

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

- 4 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan 230/2 submitted on 6th April 2017 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the existing driveway servicing the main house shall cease operation and be grassed over in accordance with the approved details as

shown on plan 230/02 received on 6th April 2017, and shall be thereafter retained as such.

Reason: The establishment of an additional access to solely serve the annexe would lead to an unsatisfactory relationship between the annexe and the main dwelling contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The annexe hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Sake Ride Farm as a dwelling and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

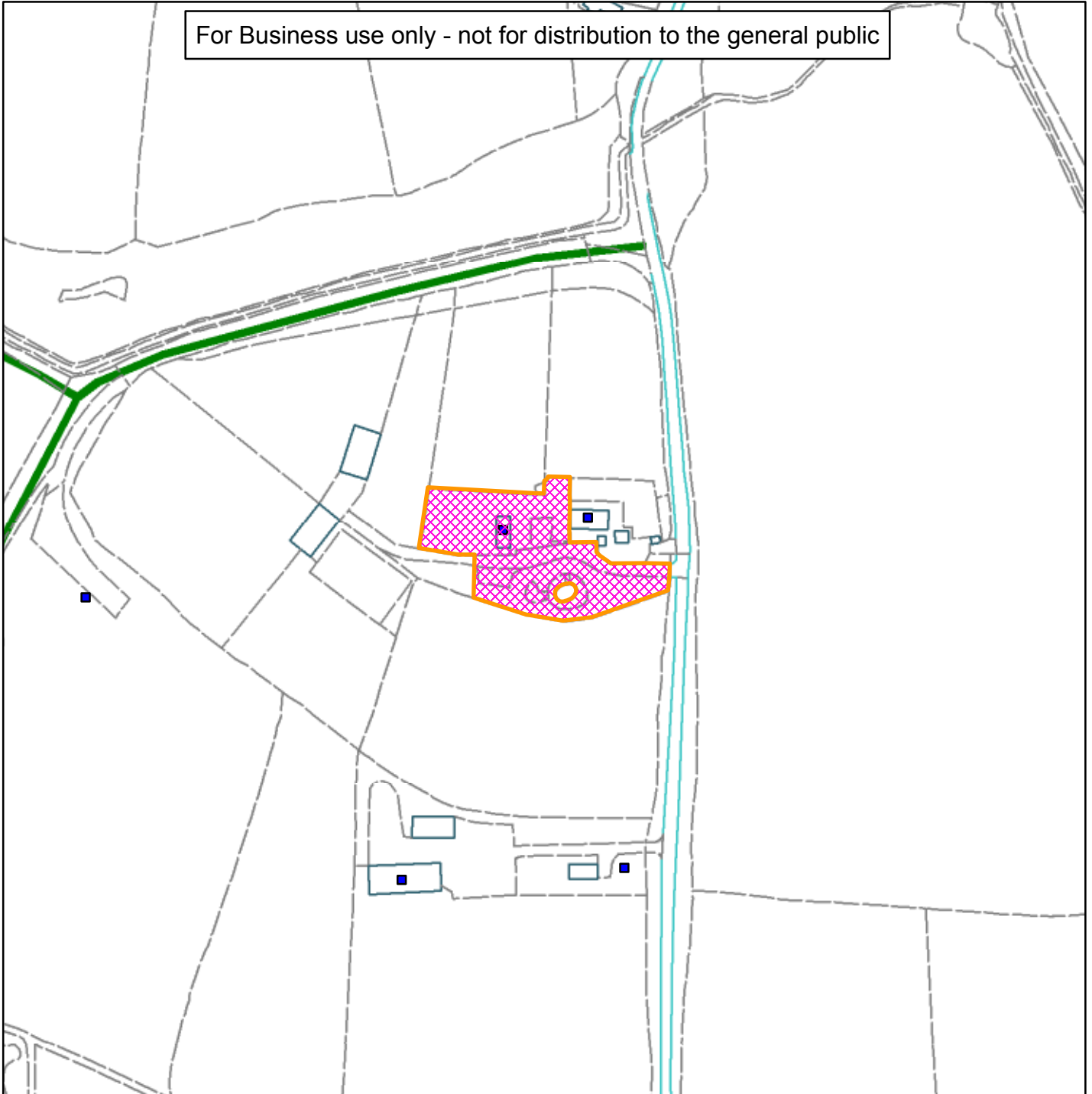
Reason: To safeguard the amenities of the neighbouring property known as 'The Dairy' in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/0805



Sake Ride Farm

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