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Planning Committee (South)

Tuesday, 19th September, 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.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	5 - 10
<p>To approve as correct the minutes of the meeting held on <i>(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></p>	
3. Declarations of Members' Interests	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. Announcements	
<p>To receive any announcements from the Chairman of the Committee or the Chief Executive</p>	

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

- | | | |
|-----|--|-----------|
| 5. | Appeals
Applications for determination by Committee: | 11 - 14 |
| 6. | DC/7/1140 - Land North of West End Lane, Henfield (Ward: Henfield)
Applicant: Mr Rob Phillips | 15 - 34 |
| 7. | DC/17/1375 - Whiteoaks, Shoreham Road, Small Dole (Ward: Henfield)
Applicant: George Corfield | 35 - 46 |
| 8. | DC/17/1374 - Land To The Rear of Pear Tree Farm, Furners Lane,
Woodmancote (Ward: Henfield) Applicant: George Corfield | 47 - 60 |
| 9. | DC/17/1240 - Catsland Farm, Bramlands Lane, Woodmancote (Ward:
Bramber, Upper Beeding and Woodmancote) Applicant: Mr Jay Scanlan | 61 - 70 |
| 10. | DC/17/1615 - Enigma, Hampers Lane, Storrington (Ward: Chantry)
Applicant: Mr Stuart Jolliff | 71 - 80 |
| 11. | DC/16/1783 - 16 Southview Terrace, Henfield (Ward: Henfield) Applicant:
Ms Suzanne Sutherland | 81 - 94 |
| 12. | DC/17/1452 - Moralee Farm, Haglands Lane, West Chilmington (Ward:
Chanctonbury) Applicant: Ms Claire Holloway | 95 - 104 |
| 13. | DC/17/1245 - Land to the rear of Crimond, Maudlin Lane, Bramber,
Steyning (Ward: Bramber, Upper Beeding and Woodmancote) Applicant:
Mr David King | 105 - 114 |
| 14. | 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)
15 AUGUST 2017

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, Ray Dawe, Brian Donnelly, David Jenkins, Liz Kitchen, Gordon Lindsay, Paul Marshall, Mike Morgan, Kate Rowbottom, Jim Sanson, Claire Vickers and Michael Willett

Apologies: Councillors: Roger Clarke, David Coldwell, Nigel Jupp, Tim Lloyd and Ben Staines

PCS/10 **MINUTES**

The minutes of the meeting of the Committee held on 20 June 2017 were approved as a correct record and signed by the Chairman.

PCS/11 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/16/2836 – Councillor Mike Morgan declared a personal and prejudicial interest in this item because he was a member of Henfield Parish Council, which was the applicant. After addressing the Committee he withdrew from the meeting during the determination of the application.

DC/17/2836 – Councillor Philip Circus declared a personal interest in this item because his wife was involved in an organisation associated with the Leisure Centre.

DC/17/0805 - Councillor Brian O'Connell declared a personal and prejudicial interest in this item because he was the applicant. He withdrew from the meeting during the determination of the application.

PCS/12 **ANNOUNCEMENTS**

There were no announcements.

PCS/13 **APPEALS**

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

PCS/14 **DC/17/1367 - TESLA ENGINEERING COMPANY LIMITED, BUILDING 9, WATER LANE, STORRINGTON (WARD: CHANCTONBURY) APPLICANT: TESLA ENGINEERING LTD**

The Head of Development reported that this application sought permission for the erection of two new industrial buildings and an ancillary storage building to the north of an existing industrial building, with associated landscaping and ancillary works. Parking spaces for 110 cars, four HGVs, 31 cycles and 12 motorbikes were proposed. The construction of the three buildings would be phased to meet the future growth requirements of the applicant.

The application site was located outside the built-up area on the north east side of Water Lane, opposite Water Lane Industrial Estate and north of Tesla's existing Unit. The site was largely undeveloped arable land, with some rough scrubland. Open countryside lay to the north and east of the site. There were residential developments 250 metres south-west and 100 metres south-east of the site, and to the south of the industrial estate.

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. Members were advised that Natural England had raised no objection to the application because the development would not have an adverse impact on the Sullington Site of Special Scientific Interest. West Sussex County Council Highway Authority had confirmed that the Transport Access Demand (TAD) contribution had been amended following confirmation of fewer estimated additional employees. The Highway Authority had also advised that this contribution could be extended to provide pedestrian improvements near the site along Water Lane.

The Parish Council raised no objection to the application. Thakeham Village Action Group objected to the use of a Greenfield site and four other letters of objection had been received. Five letters of comment had also been received, including one received after publication of the report that commented on the need for improved pedestrian and cycle links at the end of Water Lane linking the nearby footpaths. The applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development and its need in this location; alternative options and sites; impact of the development on the landscape; environmental issues; air quality; highways; and the impact on nearby residential properties.

With regards to air quality, it was confirmed that a pollution damage cost would be secured to carry out mitigation measures. Members discussed pedestrian access along Water Lane further south, between Thakeham Road and Washington Road where there was no pavement, and were advised that this could not be addressed as part of the current application.

Members noted the benefits that the applicant brought to the local economy and supported the additional employment the development would bring to the area.

The Local Member asked whether this site could be included in the Council's designated Employment Zone.

Concerns regarding flood risk were raised by the Local Member and it was agreed that Local Members would be consulted regarding the surface water drainage scheme required by Condition 7 during the determination of the application.

RESOLVED

- (i) That a legal agreement be entered into to secure: (a) pollution damage cost, (b) Total Access Demand contributions; and (c) an HGV routeing plan.
- (ii) That on completion of (i) above, planning application DC/17/1367 be determined by the Head of Development, in consultation with the Local Members. The view of the Committee was that the application should be granted.

PCS/15 **DC/16/2836 - KINGS FIELD, NORTHCROFT, HENFIELD (WARD: HENFIELD) APPLICANT: HENFIELD PARISH COUNCIL**

The Head of Development reported that this application sought permission for a new secondary access road and 32 additional car parking spaces for Henfield Leisure Centre. The new access road would be from Deer Park and run past the youth centre to a new permeable parking area along the eastern side of the leisure centre. Associated drainage ditch, fencing and lighting were also proposed.

The loss of some playing field area would be compensated by improvement works at the Memorial Field, Henfield. A legal agreement would be required to ensure that the Memorial Field improvements were undertaken prior to commencement of the development.

The application site was part of a public playing field which ran alongside the western boundary of Henfield Cemetery, between the Leisure Centre to the south and Henfield Youth Centre to the north. Dense hedges and a number of trees, including mature oaks to the north, ran along the cemetery boundary. The wider playing fields provided a full-sized football pitch or two junior pitches and there was also a skate-park.

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.

Twenty-one letters of objection and 13 of support had been received. Henfield Leisure Centre, the Football Club and Henfield Tennis Club all supported the proposal. A representative of the Parish Council spoke in support of the

application. The Local Member, Councillor Mike Morgan, addressed the Committee in support of the proposal and then withdrew from the meeting.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; impact on neighbouring amenity; impact on the character and appearance of the locality; trees; and highways.

Members considered the benefits of the proposal and noted that Condition 3 would mitigate potential harm to adjoining trees.

RESOLVED

- (i) That a legal agreement be entered into to secure the completion of improvements to the Memorial (playing) Fields prior to commencement of development.
- (ii) That on completion of (i) above, planning application DC/16/2836 be determined by the Head of Development. The view of the Committee was that the application should be granted.

PCS/16 **DC/17/0347 - LONDON ROAD, PULBOROUGH (WARD: PULBOROUGH AND 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. A total of three parking spaces were proposed.

The application had been considered by the Committee in June 2017 when it had been deferred to allow for a site visit by Local Members and Officers of the Highway Authority to assess the highways impact and review the proposed on-site parking provision and access (Minute No. PSC/8 (20.06.17) refers).

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.

Members were referred to the previous report which contained details of the site location, relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal. Two members of the public addressed the committee in objection to the application.

A site visit had taken place and Members considered the comments that had subsequently been received from the Highway Authority regarding: on-site parking provision; visibility and ways to improve sightlines; and access.

Members considered the proposal in the context of the extant permission for one dwelling, and discussed the limited on-site parking provision and access at this location onto the London Road. Members noted the additional and amended conditions and concluded that these did not overcome concerns regarding on-site parking provision and highway safety caused by overdevelopment of the site.

RESOLVED

That planning application DC/17/0347 be refused for the following reason:

That the proposal would lead to overdevelopment of the site with insufficient parking.

PCS/17 **DC/17/0902 - RIDGELANDS, KENT STREET, COWFOLD (WARD: COWFOLD, SHERMANBURY AND WEST GRINSTEAD) APPLICANT: MR T R DICKSON**

The Head of Development reported that this application sought permission for the part conversion and part demolition of an agricultural building into a two storey dwelling with first floor balconies, residential curtilage and parking area.

The application site was located outside the built-up area about 1.5 kilometres east of Cowfold and 800 metres south of the A272. There was a large agricultural building accessed along a farm track to the east of Kent Street. The site was well screened from the road by dense vegetation. Open fields lay to the north, east and west of the site with a small number of other agricultural buildings and dwellings to the south.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. In particular the change of use of agricultural building to residential, under the General Permitted Development Order 2014 (DC/14/2101), which had been granted on appeal in January 2016, was noted.

The responses from statutory external consultees, as contained within the report, were considered by the Committee. The Parish Council had not commented on the application and no letters of representation had been received in response to the public consultation.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character and appearance of the proposal; neighbouring amenity; and highways.

Members noted that the principle of development had been established with the allowing of DC/14/2101, and in the light of the recommended conditions, which would secure adequate landscaping and boundary screening and the removal

of permitted development rights, Members concluded that the proposal was acceptable.

RESOLVED

That planning application DC/17/0902 be granted subject to the conditions and reasons as reported.

PCS/18 **DC/17/0805 - SAKE RIDE FARM, WINEHAM LANE, WINEHAM, HENFIELD**
(WARD: COWFOLD, SHERMANBURY AND WEST GRINSTEAD)
APPLICANT: MR BRIAN O'CONNELL

The Head of Development reported that this application sought permission for the removal of a pole barn and timber stable building and the erection of a 2-bedroom single storey annexe to Sake Ride Farmhouse. The annex would enable the care of family members. The building would be 13 metres by seven metres with weatherboard cladding and a slate tiled roof. The re-routing of the driveway along the southern edge of the site and removal a steel container was also proposed.

The application site was located outside the built-up area set back from Wineham Lane, and comprised a two storey dwelling in a large residential plot. There was a timber office building towards the northern boundary. A residential property, The Dairy, was adjacent to the site's eastern boundary. The stable building that would be demolished had a slightly larger footprint than the proposed annex.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The consultation response from the Highway Authority, as contained within the report, was considered by the Committee. The Parish Council raised no objection to the application. Two letters of objection from the same address, and four of support had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character of the site and its surroundings; impact on the amenity on neighbouring residents; and access and highways.

Members noted that Condition 6 required the annex to remain ancillary to the main house and concluded that the scale, design and siting of the annex were acceptable.

RESOLVED

That planning application DC/17/0805 be granted subject to the conditions and reasons as reported.

The meeting closed at 4.05 pm having commenced at 2.30 pm



Planning Committee (South)

Date: 19th September 2017

Report on Appeals: 03/08/17 to 06/09/17

1. Appeals Lodged

HDC 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
EN/17/0008	Land South West of Martins The Street Thakeham West Sussex	8/8/17	Enforcement Notice	
DC/17/0338	Land Between The Paddocks and Fuchias West End Lane Henfield West Sussex	11/8/17	Refuse	
DC/17/0790	Rock Cottage Common Hill West Chiltington Pulborough West Sussex RH20 2NS	14/8/17	Refuse	
DC/17/0791	Rock Cottage Common Hill West Chiltington Pulborough West Sussex RH20 2NS	14/8/17	Refuse	
DC/17/1161	Fringe Cottage Mouse Lane Steyning West Sussex BN44 3LP	5/9/17	Refuse	

2. Live Appeals

HDC 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/17/0025	St Josephs Monastery Lane Storrington Pulborough West Sussex RH20 4LR	Fast Track	22/8/17	Refuse	

3. Appeal Decisions

HDC 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
EN/17/0511	Dukes Copse Coolham Road Thakeham West Sussex	Written Reps	Part Permitted	Enforcement Notice	
DC/16/1904	Chestnut Cottage Water Lane Storrington Pulborough West Sussex RH20 3LY	Written Reps	Dismissed	Refuse	
DC/16/1905	Chestnut Cottage Water Lane Storrington Pulborough West Sussex RH20 3LY	Fast Track	Dismissed	Refuse	
EN/15/0369	Mobile Home Coolham Manor Coolham Road Coolham Horsham West Sussex RH13 8QE	Written Reps	Dismissed	Enforcement Notice	
DC/16/1619	St Josephs Abbey Greyfriars Lane Storrington West Sussex RH20 4GJ	Written Reps	Dismissed	Refuse	
DC/16/2769	Morley Manor Brighton Road Shermanbury Horsham West Sussex RH13 8HQ	Written Reps	Dismissed	Refuse	
DC/17/0243	Woodhill House Broadford Bridge Road West Chiltington Pulborough West Sussex RH20 2LD	Fast Track	Dismissed	Refuse	
DC/14/1515	St Josephs Hall Greyfriars Lane Storrington Pulborough West Sussex RH20 4HE	Written Reps	Dismissed	Refuse	
DC/16/2922	Singers Farm Henfield Road Cowfold Horsham West Sussex RH13 8DU	Written Reps	Dismissed	Refuse	
DC/16/1963	High Chaparral London Road Washington Pulborough West Sussex	Written Reps	Dismissed	Refuse	Refuse

	RH20 3BP				
DC/16/2719	Chates Cottage Henfield Road Cowfold Horsham West Sussex RH13 8DU	Written Reps	Dismissed	Refuse	

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Development Manager

DATE: 19th September 2017

DEVELOPMENT: Proposed re-plan of northern parcel to provide 75 dwellings (increase of 12 dwellings from previously approved development), together with associated car parking, landscaping and access.

SITE: Land North of West End Lane Henfield West Sussex

WARD: Henfield

APPLICATION: DC/17/1140

APPLICANT: **Name:** Mr Rob Phillips **Address:** Barratt David Wilson House Walnut Tree Close Guildford GU1 4SW

REASON FOR INCLUSION ON THE AGENDA: Departure from the Development Plan & Number of Representation Letters contrary to Officer Recommendation

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager, subject to completion of new legal agreement and/or a deed of variation to approved application DC/13/0787 and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the proposed development of the northern part of the development previously allowed on appeal DC/13/0787 for 160 houses on land to the north of West End Lane, Henfield. The application site of DC/13/0787 was divided into two distinct areas, to the north and the south of a public right of way that crosses the site. This application proposes an alternative development on the northern parcel. The proposed development would provide 75 dwellings, a net increase of 12 dwellings from the previously approved development on the northern part of the site, together with associated car parking, landscaping and access on the northern part of the site.

1.3 The houses on the southern part of the site are currently being built under the previous consent and some completed houses have now been occupied.

1.4 The proposed development maintains a similar layout to the approved development with the additional 12 units accommodated by with the exception that the built form of the

development would extend further to the north by 6 metres. There would be no increase in the area of built form to the south and the central amenity open space and greenway route; local equipped area of play (LEAP); 'trim trail' and allotments would still be provided in relation to the original approval.

- 1.5 The building line of houses comprising plots 117-122 and 139-144 would be moved northwards and the alignment of the frontages would be straightened to align approximately with the gable end of plot 160. The landscape buffers to the, east and west of the development will be maintained as permitted. These buffers provide screening of the site from the surrounding open land. The northern perimeter buffer would be reduced and the swales would be re-aligned to accommodate the extended footprint of the residential development. However a significant buffer to the north would still be maintained.
- 1.6 In comparison to the approved application, this proposal would incorporate a higher proportion of smaller 2 and 3 bedroom semi-detached houses within the central portion of the site. The revised housing mix for 75 dwellings on the northern part of the site is set out below.

House Type	Northern parcel as proposed
1 Bed Flat	8
2 Bed Coach House	2
2 Bed House	24
3 Bed House	23
4 Bed House	18
5 Bed House	0
Total	75

- 1.7 The proposed development would include the provision of 7 No. 2 storey dwellings with habitable space in the lofts served by dormer windows and rooflights (Plots 118-121 and 140-143) on northern edge and 9 No. 2 storey dwellings with habitable space in the lofts served by dormer windows and rooflights (Plots 128-131 and 150-154) along the southern edge of the development which would replace 2 storey dwellings within the approved development. Plots 118-121, 130-131 and 150-154 would have a ridge height of 10.5 metres and an eaves height of 6.3 metres. Plots 140-143 and plots 128-129 would have a ridge height of 10.3 metres and an eaves height of 6.3 metres. The remaining dwellings would remain as per the approved development, without accommodation in the loft spaces.
- 1.8 Parts of the development including the western quarter (plots 98-108), the north-east corner (plots 157-167) and sections in the central Mews area have not been amended and remain as approved. Other parts of the scheme incorporate more minor revisions with the same house types being moved a small distance and/or their parking and surroundings being slightly amended.
- 1.9 The proposal would provide 1 additional affordable unit of accommodation in comparison to the approved scheme, resulting in a total of 33 affordable units in the northern part of the site. 32 affordable units have been secured on the southern part of the site in relation to the approved scheme. The total of 65 affordable units across the entire development of 172

dwellings would equate to 38% affordable housing provision, incorporating a mix of rented and shared ownership. The previous permission secured a total of 64 affordable units, which equated to 40% of the permitted 160 dwellings.

- 1.10 The proposal of 172 houses across the 7.3 ha site (including the southern parcel) would provide a housing density of just over 23 dwellings per hectare. The previously approved scheme of 160 houses across the 7.3 ha provided a housing density of 22 dwellings per hectare.
- 1.11 The site would be accessed via the newly formed vehicular access from West End Lane and the spine road leading through the southern part of the development. The proposed development of 75 dwellings provides 181 car parking spaces. These consist of 123 allocated residential spaces, 32 spaces in garages and 26 unallocated and visitor spaces.
- 1.12 The proposal would include the provision of a new footpath link to connect the Public Right of Way 2524 to the South Downs Link at the north-east corner of the site as per the approved scheme. As part of this revised scheme the Developer has also agreed to provide an off-road cycle access to link the development's access road at the north-east corner of the development site to the South Downs Link.

DESCRIPTION OF THE SITE

- 1.13 The application site lies to the west of the village of Henfield and is located on the northern side of West End Lane. The application site forms the rectangular northern parcel of the larger development site approved under DC/13/0787 and has an area of 2.16 hectares, all of which is outside of the built-up area boundary of Henfield.
- 1.14 To the east of the site lies the residential development of Staples Barn Lane and to the south that of Hollands Road. To the west the site is bounded by Stonepit Lane which serves a number of detached dwellings and the former Stonepit Kennels. Open countryside abuts the northern boundary of the site.
- 1.15 The South Downs Link recreational route and a disused railway line lies immediately to the east of the site. Public footpath no.2524 crosses the middle of the site in an east to west direction and then along the eastern boundary of the site. Public Footpath no. 2530 follows Stonepit Lane to the west of the site.
- 1.16 Construction works on the southern part of the site which is being built under the approved scheme are at an advanced stage with some of the dwellings occupied. The formation of the access road into the southern part of the site from West End Lane has been constructed and some landscaping to the sites southern frontage has been undertaken.

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 6 – Delivering a wide choice of high quality homes

NPPF 7 – Requiring good design

NPPF 8 – Promoting healthy communities
 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 HORSHAM DISTRICT PLANNING FRAMEWORK (HDPF 2015)

Policy 1: Strategic Policy: Sustainable Development
 Policy 2: Strategic Policy: Strategic Development
 Policy 3: Strategic Policy: Development Hierarchy
 Policy 4: Strategic Policy: Settlement Expansion
 Policy 10: Rural Economic Development
 Policy 15: Strategic Policy: Housing Provision
 Policy 16: Strategic Policy: Meeting Local Housing Needs
 Policy 17: Exceptions Housing Schemes
 Policy 24: Strategic Policy – Environmental Protection
 Policy 25: Strategic Policy: The Natural Environment and Landscape Character
 Policy 26: Strategic Policy: Countryside Protection
 Policy 31: Green Infrastructure and Biodiversity
 Policy 32: Strategic Policy: The Quality of New Development
 Policy 33: Development Principles
 Policy 35: Strategic Policy: Climate Change
 Policy 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
 Policy 42: Strategic Policy: Inclusive Communities
 Policy 43: Community Facilities, Leisure and Recreation

2.4 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

NEIGHBOURHOOD PLAN

2.5 The site is within the Parish of Henfield. An application was made to the High Court for judicial review of the Henfield Neighbourhood Plan which was heard in High Court in October 2016. The Henfield Neighbourhood Plan was subsequently quashed on 13 October 2016. Henfield Parish Council are currently in the process of reviewing sites which will inform a new Neighbourhood Plan. As such, there is currently no Neighbourhood Plan in place in this area and no relevant draft Neighbourhood Plan Policies to consider in the determination of this application.

2.6 PLANNING HISTORY

DC/13/0787	Development of 160 residential dwellings (comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping, open space and access	Allowed Appeal 02/06/2014
DC/16/0368	Non material amendment to previously approved DC/13/0787 (Development of 160 residential dwellings (comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping,	Permitted 08/03/2016

open space and access) Alterations to approved plots 20/21 to split originally approved pair of semi-detached with the relocation of one of the garages in between the two plots; and alterations to the garage roof in plot 1.

DC/16/1877 Removal of condition 15 under DC/13/0787 (Development of 160 residential dwellings comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping, open space and access) Relating to pre-commencement requirement for traffic calming scheme Permitted 20/12/2016

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.horhsam.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 **HDC – Housing:** No objection. Whilst the overall reduction in the percentage of affordable housing proposed with the updated scheme is disappointing, the amended numbers, 65 affordable dwellings out of 172 total dwellings is in excess of the 35% required in accordance with HDPF. The one additional two bedroom affordable dwelling also reflects current demand.
- 3.3 **HDC – Drainage Officer:** No adverse comments or observations to make with regards the evidence submitted (Ref; Drainage Statement – SW/15-161-08 dated 16th May 2017) concerning accommodating the additional dwellings within the previously agreed drainage strategy.
- 3.4 **HDC – Environmental Health:** No objection subject to the conditions attached to the previous consent.
- 3.5 **HDC – Refuse Collections Officer:** No objection.
- 3.6 **HDC – Policy Section (EIA Assessment):** A formal Screening Opinion was sought for this application and it was considered that an Environmental Impact Assessment (EIA) would not be required for this proposal.
- 3.7 **HDC – Policy Section (Strategic):** No objection. The principle of development has already been agreed by the previous appeal decision of 2 June 2014 (DC/13/0787). The Case Officer should assess whether the scheme would accord with Policies 33, 35, 36, 37, 40, and 41.
- 3.8 **HDC – Leisure Services:** No objection subject to an additional contribution to compensate for the additional people generated by this proposal.
- 3.9 **HDC – Landscape Officer:** Following the submission of amended planting plans and cross sections it is noted that the proposed planting plans shows that additional trees have been added for instant impact. Concerns that the increase in height of the proposals will take a further 10 years to mitigate in parts have been confirmed. Whilst not desirable, it is appreciated that views from the public footpath are now seen in the context of the southern part of the development (which is under construction and already impact the views) and that other benefits are to be considered on the planning balance that may outweigh the

landscape harm identified above. Requested landscaping conditions attached to any recommendation for approval.

OUTSIDE AGENCIES

- 3.10 **West Sussex County Council – Highways**: No objection provided that the development is built in accordance with the submitted plans. There would be no highway safety or capacity objection to the proposed increase or change in the type of units.
- 3.11 **West Sussex County Council – Public Rights of Way**: No objection. As all cycle access to the development on the approved scheme is on-road access. WSCC consider that the re-planning of the northern parcel of land provides an opportunity to reconsider cycle access to and from the development.

Given the scale of the development and the likely demand for cycling for leisure, recreation and utility purposes, off-road cycle access should be provided to link the Downs Link to the development's access road at the north-east corner of the development site. The alignment and specification for this link and any other alterations to the public right of way should be agreed with the Public Rights of Way Team prior to construction starting on the northern parcel of land.

- 3.12 **West Sussex County Council – Lead Local Flood Authority (LLFA)**: No objection. The LLFA are aware that adjacent land/carriageway has been subject to historic flooding in the past. Any existing surface water flow paths across the site must be maintained, a wholesale site level rise via the spreading of excavated material should be avoided and any excavated material kept on site should be located in areas designed and designated for that purpose.

The proposed development site is at low risk from groundwater flooding and therefore the risk and appropriate mitigation should be considered in any future designs especially with regard to underground structures and utilities. The LLFA request that finalised surface water drainage designs/calculations and a site-specific maintenance manual of the SUDs system are submitted and approved. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

- 3.13 **Coastal West Sussex Clinical Commissioning Group** No additional contributions required given the small number of additional houses proposed on this application. The CCG and Henfield Surgery will be seeking to drawdown the paid contributions for NHS capital infrastructure works in relation to application DC/13/0787.
- 3.14 **Southern Water**: A public water trunk main is located within the site and its exact position must be determined on site before the layout of the proposed development is finalised. It is further advised that there is currently inadequate capacity in the local network to provide a water supply and foul sewage disposal to service the proposed development. Therefore additional off-site mains and sewer infrastructure or improvements to the existing systems will be required. Due to the vibration, noise and potential odour generated by sewerage pumping stations, no habitable rooms should be located closer than 15 metres to the boundary of a proposed pumping station site.

PUBLIC CONSULTATIONS

3.15 **Henfield Parish Council:** The Parish have strongly objected to this application on the following grounds which are summarised below:

- The original application was won on appeal because HDC could not demonstrate a rolling 5 year land supply. This is no longer the case. The proposal is therefore contrary to the policies set out within the HDPF (in particular policies 1, 3, 4 and 26).
- The development would be an urban intrusion into the countryside if permitted and would harm the rural character and historic landscape character of the area.
- The site is not a brownfield site and good agricultural land would be lost if this application is approved.
- HDC refused an application (DC/14/0588) for the building of 72 dwellings on land at Sangate Nursery. The reason for refusal included over development of the site. Therefore this application should also be refused for the same reasons.
- The proposal does not promote sustainable transport and will exacerbate traffic congestion, pollution and issues of highway safety in the village
- There is no evidence to suggest that the proposed development will generate any long term employment opportunities and the additional housing would put further strain on available employment.
- Proposal would increase already over-stretched parking provision within Henfield.
- Additional pressure on the existing infant, junior and secondary schools in area
- The existing health care centre is already at capacity and any additional dwellings would only exacerbate the already overstretched situation.
- There is inadequate capacity in the local network to provide foul sewerage disposal to service the proposed development. To mitigate the above deficiencies, upgrading the existing pumping station and sewerage system would be necessary.
- There is currently inadequate capacity in the local network to provide a water supply to service the proposed development.

3.16 67 letters have been received objecting to the application on the following grounds:

- The original permission was granted when Horsham District Council did not have its 5 year housing supply. Horsham can now demonstrate a 5 year housing land supply so this application should be refused.
- Overdevelopment of the site
- The development would put additional pressure on local services and infrastructure which are already overstretched (including roads, doctors surgeries, schools, water supply, sewerage capacity and gas supply)
- Loss of public footpath east-west that avoids West End Lane
- Increase in volume of traffic as a result of the development down West End Lane, Church Street / Nep Street Town Road and into Bishops Close
- The applicant is being disingenuous in their description of the land in question as Brown Field as the site has not been redeveloped.
- Proposed housing does not meet local housing need for small homes in the district
- Level of affordable housing should be increased as per the 20% rule of Policy 16 of the HDPF
- The section 106 funds for the existing development are not sufficient to cover the impact on Henfield. Should the number of houses increase, the financial benefit to Henfield will be small.

- Traffic calming measures should be introduced in Nep Town to mitigation the impact of construction traffic
- The development would exacerbate existing parking problems within the village
- There are no sustainable methods of transport to the development and most people who live in the village have to drive so additional development will exacerbate the problem
- Urbanisation of the village and loss of countryside
- Safety of roads for pedestrian users during the construction phase
- Existing pedestrian safety on West End Lane and the negative impact of more development. The site is accessed from West End Lane, this is narrow, regularly floods and has no pavements.
- The proposed storm water drainage pond will be a hazard to children
- Negative impact on migrating birds including the Turtle Dove and Nightingale
- The Henfield Neighbourhood Plan sets out the wishes of the local community. This site was not found to be suitable for the neighbourhood plan and as such it should not be approved. Although the plan has to be revisited over technical issues, it is representative of the views of the community.
- Existing development is causing vibration, noise and dirt to the nearby houses. More development will only exacerbate the problem.
- Increase in air pollution due to more traffic will have negative health impacts for local residents
- The Sandgate Nurseries application was refused and therefore this development should also be refused
- Impact to residents of nearby neighbouring dwellings
- Risk of flooding and safety of residents
- Poor design of development
- Emergency access to the village is already at risk and will be exacerbated by additional development

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 This proposal is a stand-alone application for full planning permission relating to the northern parcel of the development site to provide 75 dwellings (amendments to increase by 12 dwellings compared to the previously approved development), together with associated car parking, landscaping and access. The principle of development on the site has been permitted by the original permission in relation to the wider development site on land north of West End Lane. As such, the only matters for consideration now are the

acceptability of the proposed amendments taking into account any changes to national or local planning policy and any other material considerations.

Principle of Development:

- 6.2 This application site lies in the countryside and outside the built up area of Henfield. A proposal for housing development in the countryside is not one of the forms of development which the Horsham District Planning Framework 2015 (HDPF) would normally permit in such a location. However, the planning history on this site that forms a material consideration relating to the principle of residential development on the site.
- 6.3 Planning permission was previously allowed on appeal for 160 dwellings on the land north of West End Lane in 2013 (DC/13/0787). At the time, the Council could not demonstrate a 5 year housing land supply and the Planning Inspector attributed considerable weight to the early provision of new homes in this circumstance of a local housing shortfall. The Inspector considered this to outweigh some of the identified adverse environmental impacts including the loss of open countryside, changes to local and long distance views and failure to preserve the open setting of the Grade II Listed Building, Camellia Cottage to the south-west of the site.
- 6.4 The current application relates to the northern parcel of the site previously considered under the 2013 application whereby planning permission for 63 dwellings was granted, and this is a strong material consideration when assessing the current proposal. Under the current application, consent is sought to replace these units with 75 dwellings, an increase in 12 units. Within the whole development site, this would increase the total number of residential units on this site to 172.
- 6.5 As a result of planning permission being granted on appeal, the 160 dwellings permitted by DC/13/0787 are now included in the HDPF's target to provide at least 16,000 new homes in the period to 2031, with Policy 15 stating that this target includes homes that are already permitted or agreed for release, and those that were completed in the 2011-2015 period. Although Policy 4 of the HDPF precludes development outside of built-up area boundaries unless the site is allocated for development, Policy 16 confirms that the principle of implementing extant permissions is acceptable. Therefore, the main consideration on this application is the acceptability of the additional 12 dwellings which are now proposed within the site, in addition to the 160 which are in compliance with Policy 16, and whether the additional 12 dwellings would have a materially different impact in planning terms in comparison to the permitted scheme, and whether those differences are harmful or conflict with established Local and National planning policies.
- 6.6 In terms of changes to the development in comparison to the approved development, overall, the scheme retains a similar overall layout and design to the area approved for 63 dwellings. The main changes comprise the increase in housing density, change to the housing mix which incorporates more 2 and 3 bedroom dwellings, the moving of the northerly central part of the residential development 6 metres further north and reduction in the northern landscape buffer. The layout of dwellings in the central portion of the site has been subject to most change in order to accommodate the increase in dwellings.
- Housing Mix and Infrastructure Provision
- 6.7 One of the additional 12 units on the northern part of the site would be affordable which would result in 33 dwellings out of 75 dwellings being affordable. On the southern part of the site the approved development provided 32 affordable dwellings. Cumulatively, the entire site would provide 65 affordable dwellings and 38% affordable provision in comparison to the approved development which provided 40%, which accorded with the superseded Core Strategy Policies in relation to affordable housing. The current Development Plan, the HDPF, has a revised affordable housing requirement of 35% for a development of this size set out in Policy 16. This proposal would exceed the 35%

affordable requirement in the current adopted Policy 16 of the HDPF. The affordable housing tenure mix on the amended northern part of the development is shown below.

Rented	Shared Ownership
8 x 1 Bed Maisonettes	2 x 2 Bed Coach Houses
11 x 2 Bed Houses	5 x 2 Bed Houses
	7 x 3 Bed Houses
Total: 19 units	Total: 14 units

- 6.8 All of the contributions relating to the approved development have been paid with exception of the Highways contribution. In order to mitigate the impact of the additional 12 units proposed as part of the current application additional community contributions proportionate to the increase in the number of units towards education, transport, fire services, libraries, open space sport & recreation and community centres/halls will be secured by a Legal Agreement.
- 6.9 In accordance with the NPPF there is a requirement to plan for a mix of housing types. Within this context, Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). In November 2016, Chilmark Consulting Ltd undertook a Market Housing Mix Assessment of Crawley and Horsham. The assessment indicates that in the Horsham District there is a good spread of market housing choice at present. However, there is a need to refine and maintain the market mix to ensure that choice and access to appropriate housing remains in future. In conclusion, the assessment states that there is a need to maintain a spread of choice in market housing sizes, especially for smaller units.
- 6.10 The approved scheme for the northern part of the site proposed a mix of 22 x 2 bed units and 10 x 3 bed units. The proposed scheme for 75 units proposes a mix of 26 x 2 bed units and 23 x 3 bed units. This results in an increase of smaller 2 and 3 bed units and a reduction in the larger detached 4 bedroom units on the site. The higher proportion of 2 and 3 bed units in the proposed development would contribute to the need for smaller homes in the District and meet the current requirements relating to market housing mix, in accordance with Policy 16.
- 6.11 In conclusion on the matter of housing mix and planning obligations, subject to completion of a satisfactory Legal Agreement to secure the affordable housing and infrastructure contributions, the proposed amended scheme does not conflict with Policies 16 and 39.

Appearance and Layout

- 6.12 The proposed development retains a very similar layout to the approved scheme, with the detached and semi-detached dwellings overlooking the landscaped areas of the development more informally arranged, separated by driveways and set-back garages between the dwellings. Within the centre, the short rows of terrace housing have narrower frontages and more defined terraced streets. On the approved scheme the Planning Inspector considered this approach was acceptable and had regard to its context and local distinctiveness.
- 6.13 The revised layout has shifted 7 central dwellings positioned to the northern perimeter a further 6 metres further to the north, yet the dwellings have retained their front gardens and front parking areas in terms of their street scene appearance. The housing density would also increase to 23 dwellings per hectare across the 7.3 ha site as opposed to a housing density of 22 dwellings per hectare across the 7.3 ha as approved on the previous scheme. Given the relatively small increase in housing density on the northern part of the site and retention of the landscaped buffer around the residential development, it is considered that the revised layout would not result in the development having a materially different impact

on the character and appearance of the site and locality in comparison to the approved scheme. In addition, the proposed development would not appear cramped or out of character when compared to the housing on the southern part of the site and the estate development within the surrounding roads of Staples Barn Lane, Staples Barn and Station Road, some of which generally have shorter front gardens and less planting along their roadside frontages than within the proposed development.

- 6.14 The dwellings as amended would retain a traditional appearance with a mix of detached and semi-detached two-storey houses. The dwellings would be in red brick and plain red/orange roof with some dwellings incorporating either dark stained weather-boarding or white painted render to their external elevations. The amendment to the design and layouts of the dwellings would match the appearance of dwellings approved in the southern part of the site and would fit in with the context of development on the site as a whole.

Landscape Value & Visual Effects

- 6.15 The visual impact of the proposed residential development on the landscape and views of the development from the Public Right of Ways (PROW) surrounding the site was an important issue that was considered by the Planning Inspector in respect of the approved application. The principle of residential development on this site and impact on the surrounding landscape and views has been established by the previous permission. In the consideration of the previous scheme, the retention of the existing hedging and additional planting comprising the northern, eastern and western landscape buffers around the proposed residential development were key components of the mitigation scheme to the limit the impact of the development in terms of close views of the development from the surrounding footpaths.
- 6.16 This revised scheme would retain the landscape buffers to the north, east and west of the site. The shifting of the residential development further north within the site would reduce the northern landscape buffer by approximately 6 metres in the central section of the boundary opposite a line of mature trees situated on the edge of the approved site, and there would be a 2 metre increase in the height of the 7 dwellings (Plots 118-121 and 140-143) along the northern perimeter of the site. As originally submitted, the proposals did not incorporate additional planting to the landscape buffer to mitigate the impact of this additional height and closer proximity of dwellings to the landscape buffer, including when viewed from the PROW 3509. An amended planting scheme has been submitted which includes more mature trees between the sparser areas of the existing hedge along the northern boundary which would provide further instant screening of the higher dwellings. Additional cross section drawings have been submitted through the centre of the development which show that in parts views of the dwellings would be possible above the northern landscape buffer from the public footpath and open fields to the north in the shorter term. In the longer term (10 years) views of the dwellings would be completely screened.
- 6.17 It is acknowledged that the proposed revised layout would have some impact on the northern landscape buffers capacity to screen the increased height of the 7 dwellings along the northern perimeter of the development. However, given that views from Public Right of Way 3509 can now be seen in the context of the southern part of the development and that additional planting has been secured along the northern boundary for instant impact, it is considered that the revised layout would not cause any significant additional harm to views of the development from the surrounding footpaths in comparison to the approved scheme.

Impacts upon nearby and future residents:

- 6.18 Policy 31 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers and users of nearby properties and land. As the dwellings in the western part of the development would remain unchanged by the revised

proposal and would be set a significant distance from the nearest existing neighbouring properties to the west of the site they would not result in a significant impact on the amenity of any adjacent properties. Given the layout, the scheme would not result in any loss of light or increased enclosure for the respective residents of the houses.

- 6.19 In accordance with the original approval for the site, the houses would not benefit from any permitted development rights for extensions or outbuildings. This would ensure that no extensions or roof additions can be built without the benefit of planning permission. This will also protect the amenity of the future residents of the houses.

Highway Impacts:

- 6.20 The amendment would not alter the main road layout within the site. The vehicle access to the houses and the main spine road access through the southern part of the site from West End Lane would remain unaltered. The proposed development of 75 dwellings would provide 181 car parking spaces, comprising 123 allocated residential spaces, 32 spaces in garages and 26 unallocated and visitor spaces. The level of parking is slightly above the required County Council levels and is appropriate for the development.
- 6.21 The revisions to the dwellings would lead to a marginal increase in terms of the overall traffic levels previously considered to be acceptable in relation to site access and highway capacity. On this basis, West Sussex County Council Highway Authority has not raised any objections to the proposal. The proposal is therefore in accordance with Policies 40 and 41 of the HDPF. The Highways Authority has also commented that they would support additional traffic calming measures and improvements to the rights of way in the vicinity of the site. This is subject to details to be agreed as part of the deed of variation.
- 6.22 The Developer has also agreed to the provision of an off-road cycle access to link the development's access road at the north-east corner of the development site to the South Downs Link. These improvements have been brought forward in discussion with WSCC Rights of Way Officer and would provide a safer and direct access for cyclists from the development to the South Downs Link to encourage journeys by sustainable modes of transport, as well as providing opportunities for leisure and recreation cycling.. Details of the off-road cycle path would be secured through the deed of variation and/or new S106 agreement.

S106 Obligations and Off-Site Highway Improvements

- 6.23 In addition to the affordable housing, community infrastructure and cycle link referred to above, the deed of variation/new legal agreement will also secure amendment of the total Highways Contribution which is to be paid in relation to the approved application DC/13/0787 and will exclude reference to the Traffic Calming Works and Footpath Improvements.
- 6.24 All of the financial contributions in respect of the previous S106 agreement have been paid, with exception of the Highways contribution. The Highways contribution was allocated to footway improvements, bus stop improvements, a scheme of traffic calming, local community bus services and travel vouchers. Following discussion with the County Council for the Highway works, it has been agreed that the Developer would carry out the footway improvements themselves. Condition 15 of planning consent DC/13/0787 relating to the submission and approval of a traffic calming scheme was removed under application DC/16/1877. The deed of variation attached to this planning approval did not however update the Highways contribution to reflect the removal of the traffic calming scheme. A further deed of variation will therefore be secured in relation to this application which would formally amend the definition of the Highways Contribution by excluding reference to the Traffic Calming Works and Footpath Improvements, amending the total Highway

Contribution sum which is to be paid in relation to the approved application DC/13/0787 and requiring the footway improvements to be carried out by the developer.

- 6.25 As the scheme results in an additional 12 units on site, in accordance with Policy 39 of the HDPF, consideration is given to the infrastructure needs of the proposal and it is considered that additional contributions are required to mitigate the impact of the additional units. A deed of variation and/or new S106 agreement relating to this application and the approved application would secure 1 additional affordable housing unit proposed, the new housing mix and the uplift in West Sussex County Council and Horsham District Council financial contributions.
- 6.26 West Sussex County Council has commented that additional contributions would be required for education (primary, secondary and sixth form), libraries and fire and rescue. In accordance with the Council's SPD on Planning Obligations, this then leaves contributions for health improvements in the area and District Council contributions. The Coastal West Sussex Clinical Commissioning Group have confirmed that they would not be seeking any further financial contributions for the 12 additional dwellings proposed.
- 6.27 In terms of District Council contributions, contributions are normally required to mitigate the impact of additional residential units for amenity open space, LEAPs, indoor and outdoor facilities and community centres and halls. An area of central open space, trim and trail equipment and a LEAP was secured as part of the approved planning consent and the additional 12 units do not materially increase the amount of open space required within the development itself. A contribution towards Community Centre & Halls and off-site Open Space, Sport & Recreation would be sought in the deed of variation and/or new S106 agreement relating to the uplift of 12 dwellings.

Conclusions

- 6.28 As set out under the heading 'Principle of Development', the development under construction and permitted by DC/13/0787 complies with Policy 15 of the HDPF, but by reason of the location of the site outside of the built-up area boundary, the proposed development of an additional 12 dwellings is contrary to Policy 4. However, , the proposal in the context of the development of this site as permitted, the proposed amendments to provide an additional 12 dwellings do not result in any additional harm over and above the permitted scheme. The proposal is acceptable in terms of design and is appropriate with respect to potential impact on the landscape, residential amenity and highway safety. On balance therefore, it is considered that the conflict with the Development Plan is outweighed by the benefit of delivering an additional 12 dwellings within the confines of the existing development site. The proposed Departure from the Development Plan is therefore considered to be acceptable and justified in this case.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager, subject to completion of a Deed of Variation and/or Legal Agreement and appropriate conditions:
1. List of approved plans and documents.
 2. Standard 3 Year Time Limit

Pre-Commencement Conditions:

3. 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).

4. No external lighting street lighting or flood lighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be retained 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).

5. 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).

6. No development shall commence until an Arboricultural Method Statement detailing measures to protect and the retained trees and hedges within the northern landscape buffer has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees and hedging. The development shall be implemented strictly in accordance with agreed details.

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

7. No development shall commence 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 soft landscaping scheme on Drawing No. 5822/ASPD001 Rev O submitted on the 4th August 2017 and the Arboricultural Method Statement submitted pursuant to condition 4. The development shall thereafter be carried out in accordance with the approved details.

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 Policy 33 of the Horsham District Planning Framework (2015).

8. 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
- 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 residential amenity during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. 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).

10. 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).

11. i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

Pre-Occupation Conditions:

12. Prior to the first occupation of any part of the development on the site, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

13. Prior to the first occupation of any part of the development a detailed tree planting plan shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape scheme shall then be fully implemented in accordance with the detailed tree

planting plan to be submitted and the Planting Overview Plan 5822/ASPD001 Rev O received on the 4th August 2017 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).

14. Prior to the first occupation of any part of the development hereby permitted, full details of the hard landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved hard landscaping scheme shall be fully implemented in accordance with the approved details.

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).

15. Prior to the first occupation of any part of the development hereby permitted, a landscape management plan (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 communal landscape 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).

Regulatory Conditions:

16. The facilities for the storage of refuse/recycling bins shall be fully implemented, and shall thereafter be permanently retained, in accordance with the refuse strategy and details shown on Information Layout Plan 021711-BAR-SC-02 Rev A dated the 18th July 2017.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17. 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 and H of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front or to the side of any proposed building which faces a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

19. During the construction period the burning of any materials from site clearance or from any other source shall not take place within 10 metres of the furthest extent of the canopy of any tree, group of trees, or hedgerow, targeted for retention on the site or on land adjoining.

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

20. Any visibly contaminated or odorous material encountered on the site during the development work must be investigated. The Local Planning Authority must be informed immediately in writing of the nature and degree of contamination present.

Reason: 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).

21. No deliveries to and from the site in connection with the construction of the development shall take place outside of the following times:

Between 07:30 hours and 17:30 hours on Mondays to Fridays;

Between 08:00 hours and 13:00 hours on Saturdays

And none shall take place on Sundays or Public Holidays

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

22. The dwellings comprising plots 113-116, 118-121, 123-126, 130-131, 135-138, 145-148, 150-154 & 166-169 hereby permitted shall not be occupied until the first floor side bathroom windows have been fitted with obscured glazing. No part of those windows that are 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 adjacent neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

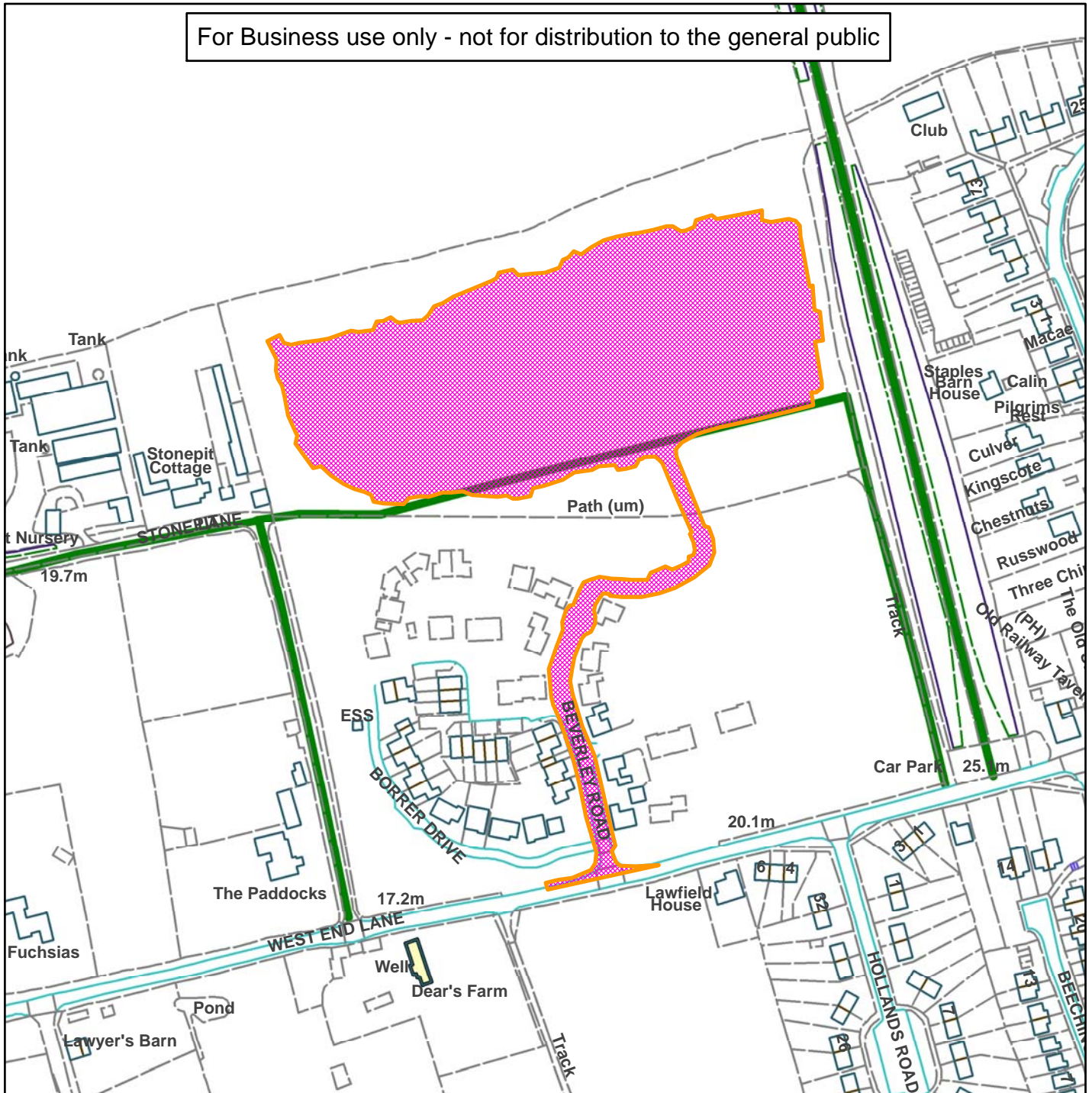
Background Papers: DC/10/1314, DC/12/0841, DC/15/1242, DC/16/0871, DC/16/2835

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Land North of West End Lane

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Organisation	Horsham District Council
Department	
Comments	
Date	07/09/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 19 September 2017
DEVELOPMENT: Full application for a proposed settled gypsy accommodation site
SITE: Whiteoaks Shoreham Road Small Dole Henfield West Sussex BN5 9SD
WARD: Henfield
APPLICATION: DC/17/1375
APPLICANT: **Name:** George Corfield **Address:** c/o Agent (PROwe Planning Solutions, Melton Lodge, Rusper Road, Newdigate, Dorking, RH5 5BX)

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation.

RECOMMENDATION: To approve planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks to change the use of the land to provide 2no. settled gypsy pitches, along with an adjoined pair of utility buildings, which would be have a combined footprint of 10m x 5m with a ridge height of 3.5m. These utility buildings would provide a 'dayroom' with bathroom, and would be provided with windows and door openings on southern and northern (rear) elevations.

1.3 The pitches would each provide sufficient space to accommodate a static / mobile home, a touring caravan and parking area, on plots which would be some 20m x 30m with a parking strip some 9m in depth.

DESCRIPTION OF THE SITE

1.4 The application comprises an area of land approximately 130m back from the highway (Shoreham Road) and set behind a natural tree belt. The proposal concerns an area of land some 40m x 45m, aligned alongside the northern site boundary. The application site lies in open countryside but is located behind a ribbon development of residential properties with warehouse and light industrial uses in close proximity and Horton Golf Course located to the north-east of the site. To the northern boundary, the application site adjoins the former brick works site, currently occupied by 'Sweepstech'.

- 1.5 There was previously a detached dwelling at the front of the site 'Whiteoaks' which suffered severe fire damage a number of years ago, and where there is extant permission to rebuild a replacement dwelling (DC/16/0741). To the rear of the residential plot, and accessed by way of the same vehicular driveway, is a sizable barn that was formerly a chicken farm and has since been used sporadically for some storage purposes, and which is largely obscured by an earthen bund and a significant amount of vegetation. Additionally, the rear area of land adjacent to the application site also belongs to the applicant and includes two modestly-proportioned barns apparently used in association with business at another site, and an area of outside storage area. A gravel area of surfacing also appears to have been formed leading from the shared access up to the barns and further into the application site.
- 1.6 The open lands to the east of 'Whiteoaks' are open apart from a central line of trees which run east-west on the site, and it is bounded by a reasonable degree of screening on east, south and northern sides. There are no protected trees on the site or on adjacent land. There is also a culvert running north-south through the wider site and what would appear to be a pond close to the south-eastern corner of the application site.
- 1.7 The site lies in a rural area as it is not within any defined built-up area boundary. Small Dole lies some 620m to the south and Henfield lies about 1.7km to the north of the application site. The vehicular access to the site runs past Whiteoaks to the south and alongside another vehicular access to the north, serving a group of storage buildings that are part of the northern residential property 'Sunnydene'.

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
- 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
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF21 - Strategic Policy: Gypsy and Traveller Sites Allocations
- HDPF22 - Gypsy and Traveller Sites
- HDPF23 - Strategic Policy: Gypsy and Traveller Accommodation
- HDPF24 - Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF31 - Green Infrastructure and Biodiversity
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF35 - Strategic Policy: Climate Change
- HDPF36 - Strategic Policy: Appropriate Energy Use
- HDPF37 - Sustainable Construction
- HDPF38 - Strategic Policy: Flooding

HDPF39 - Strategic Policy: Infrastructure Provision
HDPF40 - Sustainable Transport
HDPF41 - Parking
HDPF42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

2.4 The Henfield Neighbourhood Plan has been quashed following a High Court ruling, and so far, there has been no further action on the Neighbourhood Plan.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1396	Prior approval for a Change of Use from B8 (storage or distribution centre) to dwellings (C3 Use Class)	Prior Approval Required and REFUSED on 07.08.2017
DC/16/0741	Proposed new dwelling, to replace the existing fire damaged/ derelict property.	Application Permitted on 20.05.2016
DC/15/1560	Proposed new dwelling, to replace the existing fire damaged/ derelict property	Application Permitted on 17.09.2015
DC/06/1945	Demolition of existing dwelling and outhouse and the erection of 2 dwellings (Outline)	Application Refused on 09.10.2006
HF/39/93	Use of building for repair of lawnmowers Site: Cedaridge Farm Woods Mill Henfield	Application Permitted on 06.08.1993
HF/7/81	C/u of chicken farm building to warehouse. (From old Planning History)	Withdrawn Application on 10.02.1981

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 Strategic / Policy: Comment:-

- The site was not put forward under the call for sites in May 2016;
- Work continues on the Council's Site Allocation Development Plan Document and therefore, the Council is currently unable to demonstrate an up-to-date 5-year supply of deliverable sites – Policy HDPF21;
- The site's location would be heavily reliant on car-based modes of transport for most journeys to local services and community facilities – Policy HDPF23;
- The proposal would need to be weighed accordingly in terms of the favourable provision of the additional gypsy pitches against the potential impact on a rural location and distance from nearest educational and community facilities – Policy HDPF23.

OUTSIDE AGENCIES

3.3 Southern Water: No objection.

3.4 West Sussex Highways: No objection, conditions / informatives are suggested concerning car parking spaces being secured in line with the submitted plan and details required to demonstrate the on-site provision of a waste collection / fire service turning space.

PUBLIC CONSULTATIONS

3.5 Parish Council Consultation: Objection, contrary to a number of Local Plan policies, including policies 1, 3, 4, 21, 22, 23, 25, 26, 32 and 33

3.6 19 letters of objection has been received raising the following concerns:

- No sewage to mains - diverts to culvert which feeds river Adur;
- Site was previously a waste tip - adjacent Sweeptech site;
- Loss of habitat;

- No footpaths;
- On a blind bend - a number of accidents in last 3 years including several fatalities;
- Cars travelling at 60mph - large turning vehicles pose additional risks;

- Inappropriate for quiet residential area of Small Dole;
- Set a precedent for development behind existing line of ribbon development;
- Out of character with prevailing line of houses fronting road;
- Increasing urbanisation between settlements;

- Site not identified for gypsy pitches - premature to permit pitches prior to Gypsy and Traveller site DPD being finalised;
- Already an existing gypsy site about 1 mile further north - question of need for additional sites in area;
- Contrary to policy;
- Query over whether applicant meets 'gypsy / traveller' criteria.

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 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites, stating that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. The PPTS states, at Paragraph 27, if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

6.2 The Horsham District Planning Framework (HDPF) through Policy 21, Gypsy and Traveller Site Allocations, makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017. Policy 21 also states that the Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Site Allocations DPD. A call for Gypsy, Traveller and Travelling Showpeople sites was

undertaken early in 2016. The Council is in the early stages of developing its Site Allocations document and is actively assessing sites and accommodation needs within the District.

- 6.3 It is noted that the site has not been submitted in support of a particular identified familial need and the site does not lie adjacent to, or close to, another such housing site. The accommodation needs of the applicants or end users are therefore not known. However, a number of sites allocated through Policy 21 of the HDPF have yet to come forward and the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites. This is a significant consideration which weighs in favour of granting planning permission for the proposed development, subject to compliance with other relevant policies of the HDPF.

Sustainable Development

- 6.4 Policy 23 of the HDPF requires that sites are served by safe and convenient pedestrian and vehicular access, and should not result in significant hazard to other road users. Furthermore, there is an expectation that sites are located in or near existing settlements, within reasonable distance of a range of local services and community facilities, such as schools and essential health services.
- 6.5 The site lies approximately 620m north of the settlement of Small Dole where there are some limited services, and approximately 1.7km from the outer edge of Henfield to the north, where more services would be available. As a result of this location it is acknowledged that most journeys would most likely be by car and there is no pedestrian access to either north or south from the site. The application site is not however considered to be particularly isolated owing to the level of activities taking place in the locality, either of a residential or commercial nature. In addition there is an existing and direct vehicular access onto Shoreham Road which would provide direct vehicular access to neighbouring settlements. The location of the site and nature of the proposed development is therefore considered to comply with the relevant criteria of the HDPF.

Character of the Area

- 6.6 The importance given to the continued protection of rural areas remains a key policy criteria in assessing new gypsy and traveller sites. The PPTS states that Local Planning Authorities should 'very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'. Furthermore, it advises that any sites in rural areas respect the scale of and do not overdominate, the nearest settled community.
- 6.7 In this instance whilst the application site lies in open countryside it forms a small section of a larger site within the same applicant ownership, but which is surrounded on three sides by dense and vegetated boundaries. There are no public rights of way on or near the site and the parcel of land subject of the current application is located behind the ribbon development that lines the western side of Shoreham Road in this location, and a number of light industrial of various natures are also noted within the area, including an adjacent cluster of storage buildings immediately to the east of the site, a former chicken shed to the south within the wider site, and a number of barns also within the site, to the east.
- 6.8 The location of the site, by virtue of natural screening and existing development, including the extant permission to re-build the former property to the front of the site, would be well-screened from the public realm. The proposed change of use and development associated with the proposed settled gypsy site would therefore be reasonably well sited in terms of limiting the resulting impact on the wider rural character of the immediate area, including any long distance views of the site.

- 6.9 The nearest 'settled community' would be the ribbon-like residential development along Shoreham Road, leading into the small settlement of Small Dole, some 620m to the south and accessed along the main Shoreham Road highway. The proposed level of the development would be of a small scale compared to the wider development along Shoreham Road. Whilst comments are noted regarding potential future development, it must be noted that the current proposal only seeks permission for a small 40m x 45m section of the land. Any subsequent development on the site would require further planning permission, with any such submission needing to be considered on its own merits.
- 6.10 Policy 23 of the HDPF: 'Strategic Policy: Gypsy and Traveller Allocations' confirms in relation to any planning applications for non-allocated sites that there must be no significant barriers to development that exist in terms of flooding, drainage and ground stability; that the site is served by a safe and convenient vehicular and pedestrian access; that the site has essential services; that the site is located in or near to existing settlements and that the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties.
- 6.11 Paragraph 26 of the PPTS advises LPAs to attach weight to the following matters when considering new gypsy site proposals:
- a) effective use of previously developed (brownfield), untidy or derelict land;
 - b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
 - c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
 - d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 6.12 The application site is considered to represent an opportunity for appropriate additional screening and landscaping with these improvements potentially 'positively enhancing the environment and increasing its openness'; with a landscaping scheme secured through condition.
- 6.13 The proposal, given its setting and wider context along with the well-screened nature of the site and low-density scale being proposed, would be appropriate to the wider pattern of residential and other forms of development along Shoreham Road. Furthermore, the proposal is not considered to undermine the overall rural character of the countryside. The proposal would therefore accord with the wider criteria of the PPTS, and with HDPF policy 23.

Impact on Neighbouring Properties

- 6.14 Policy 33 of the HDPF echoes this and requires that development is designed to avoid unacceptable harm to occupiers of nearby land and property, for example, through overlooking or noise.
- 6.15 With regard to the impact of the proposed development on neighbouring occupiers, there are two residential properties close to the site. The residential house at 'Sunnydene' lies some 130m to the east of the site whilst the host property, although yet to be re-built, would lie some 80m to the east. Further afield, Oakwood lies some 85m to the south-east of the site and is separated by the vegetated field boundaries. It is considered that these distances along with the screening and other intervening landscaping features would assist in mitigating any direct loss of neighbour amenity arising as a result of the two proposed settled gypsy pitches on the site. As such no harm to neighbouring amenity is envisaged.

Highways

- 6.16 The section of public highway from which this site accessed is subject to a national 40mph speed restriction, with the existing and established vehicular access previously having served a small-holding and the existing barns which are still in some form of use. The level of proposed development would not be expected to result in a significant increase in the degree of use of this access and no harm to highway safety is envisaged. The Highway Authority has not raised any objections to the proposal, recommending conditions relating to the layout and turning space. The conditions are included within the recommendation and there are no highway concerns relating to the proposal.

Conclusion

- 6.17 The Council cannot currently meet the identified gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF. It is also recognised that the Council is still in the early stages of developing its Site Allocations document and is actively assessing sites and accommodation needs within the District, by way of the forthcoming DPD.
- 6.18 The site is located in a wider rural area but adjacent to other residential and commercial development, accessed by way of a main distributor public highway where the anticipated additional impact of the vehicular movements of the proposed 2no. settled gypsy pitches would not be 'severe'. The resulting scale of development would not overdominate the wider pattern of development along Shoreham Road and the wider site could be appropriately enhanced with the existing level of screening maintained to ensure the wider harm to the overall rural setting is minimised.
- 6.20 Overall, there is some concern regarding the location of the site in relation to the wider rural setting and the distances to settlement boundaries and the provision of community facilities. However it is considered that there is a significant benefit of providing gypsy / traveller accommodation within the District, which help meet the identified shortage of sites. Given the proposed scale of the development currently being proposed, this would not lead to any adverse harm to the landscape character and environmental quality of the countryside.
- 6.21 The proposal is therefore considered to be in line with local and national planning policies and is therefore recommended for approval subject to the conditions shown.

7. RECOMMENDATIONS

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

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

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

- 3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 4 **Pre-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 a Arboricultural Method Statement detailing measures to protect and retain trees to be retained on site and adjacent the site has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. The development shall be implemented strictly in accordance with agreed details.

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

- 5 **Pre-Commencement Condition:** No development shall commence until the two mobile homes currently stored on site have been removed from the land.

Reason: As this matter is fundamental in the interest of visual amenity and impact on the rural area in accordance with Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until 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).

- 7 **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, including fences, gates and areas of hardstanding, 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 Policies 23, 25, 31 and 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling has been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** Prior to first occupation (or use) of any part of the development hereby permitted, a plan shall be submitted to and approved in writing by

the Local Planning Authority, showing the location of a vehicle turning space sufficiently sized to accommodate waste/recycling vehicle, or that of the emergency / fire services. The details shall be implemented / constructed as approved and this space shall thereafter be retained at all times for its designated use.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation on site for the stated vehicles clear of the public highway and in the interests of road safety, in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No more than 2 caravans (of static or mobile home type), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

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

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.

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

- 14 **Pre-Occupation Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

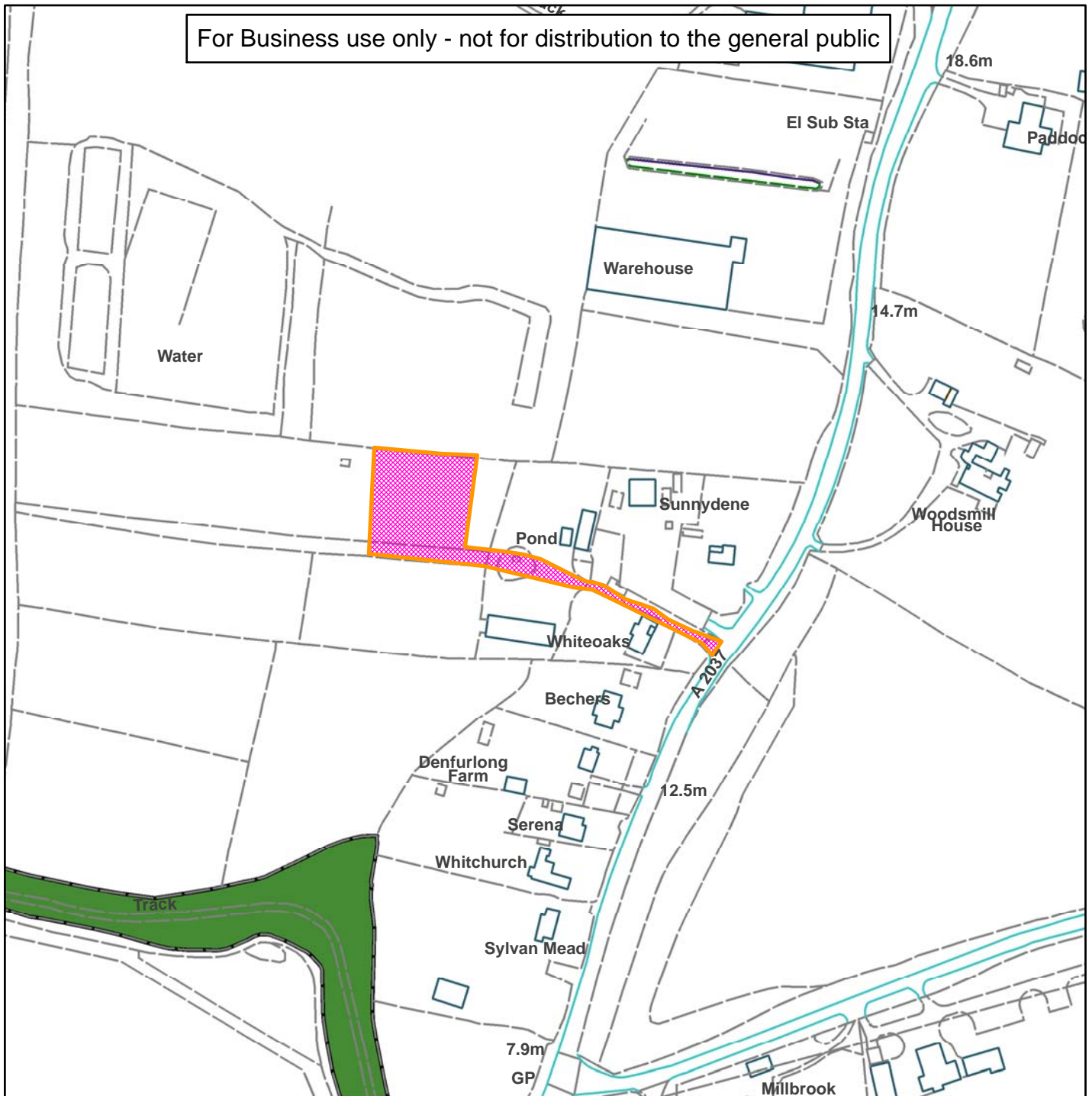
Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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Whiteoaks, Shoreham Road

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South
BY: Development Manager
DATE: 19th September 2017
DEVELOPMENT: Proposed settled gypsy accommodation site comprising 3 pitches and associated utility building
SITE: Land To The Rear of Pear Tree Farm Furners Lane Woodmancote West Sussex BN5 9HX
WARD: Henfield
APPLICATION: DC/17/1374
APPLICANT: **Name:** George Corfield **Address:** c/o Agent (PROwe Planning Solutions, Melton Lodge, Rusper Road, Newdigate, Dorking, RH5 5BX)

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation.

RECOMMENDATION: To approve planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks consent for the subdivision of the site, which was formerly in agricultural and equestrian use, to form 3 gypsy pitches, including the erection of three utility buildings. These utility buildings would provide a 'dayroom' with bathroom, and would be provided with windows and door openings.

1.3 The proposal has been amended as part of the application process to reduce the proposal from 4 to 3 pitches and to retain a 15m wide buffer strip alongside the eastern boundary to provide a buffer with the adjacent Ancient Woodland.

1.4 Vehicular access would be retained as per the existing arrangement and site parking for vehicles and touring vans would be provided along the southern side of the site, where the existing access track enters the site in the south-western corner.

1.5 As part of the proposal, the existing stables on the site would be removed.

DESCRIPTION OF THE SITE

1.6 The application site comprises a level area of land that is set in a rural area, some 850m east of the Henfield Built-Up Area Boundary. The site is accessed off a single-track lane that serves a number of other residential and farm properties, and which is also a

designated public footpath (2540). It would appear that Furners Lane is a private track, with the County Council maintained area extending approximately up to the Henfield Built Up Area boundary line (BUAB). An overhead line passes directly overhead across the site in a north-south direction, with a pylon being sited on land to the south of the site.

- 1.7 Planning history indicates that the site has an agricultural history having been used in association with an orchard. More recently, two stable buildings comprising a tack room and 5no stables was erected on the site in 1999, stated to be in a location similar to the former agricultural barn that stood on site in connection with the orchard. Retrospective permission was granted for the new stable blocks subject to a number of conditions including that they be used for private / domestic use only and not for commercial equestrian purposes (HF/37/99).
- 1.8 Access into the site passes through a yard that is currently known as 'Pear Tree Farm' which is used for tyre storage and is occupied by a green profile-sheet barn, set directly to the south of the vehicular site access. The application site and adjoining fields are fenced with rustic post and rail fences and divided into paddocks, which appears to be part of the adjacent residential property at Turnham's Gill.
- 1.9 The site is currently occupied by two timber stable buildings and shipping containers set around a circular gravel driveway. The site has recently been used by a number of touring caravans which are to accommodate workers currently employed at the RAMSAR site, due to be removed in October 2017, when the works are expected to be completed.
- 1.10 The eastern edge of the site extends into an area of Ancient Woodland, and 142m to the east is a Grade II listed building Little Bylsborough.

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
 - 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
 - HDPF21 – Strategic Policy: Gypsy and Traveller Sites Allocations
 - HDPF22 – Gypsy and Traveller Sites
 - HSPD23 – Strategic Policy: Gypsy and Traveller Accommodation
 - 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

HDPF35 - Strategic Policy: Climate Change
 HDPF36 - Strategic Policy: Appropriate Energy Use
 HDPF37 - Sustainable Construction
 HDPF38 - Strategic Policy: Flooding
 HDPF39 - Strategic Policy: Infrastructure Provision
 HDPF40 - Sustainable Transport
 HDPF41 - Parking
 HDPF42 - Strategic Policy: Inclusive Communities

RELEVANT NEIGHBOURHOOD PLAN

2.4 The Henfield Neighbourhood Plan has been quashed following a High Court ruling, and so far, there has been no further action on the Neighbourhood Plan.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1401	Prior Approval for Change of Use falling within Class B8 (storage or distribution centre) to dwellings (C3 Use Class)	Prior Approval Required and PERMITTED on 31.08.2017
DC/07/2006	Change of use of approx 180 square metres of agricultural land to hardstanding for private equestrian use of site (Retrospective)	Application Permitted on 24.10.2007
DC/07/0675	Change of use of agricultural land to provide hardstanding for private equestrian use (retrospective)	Application Refused on 03.05.2007
HF/103/02	Certificate of lawful development relating to the commercial storage of up to 600 used tyres for subsequent distribution	Application Permitted on 12.05.2003
HF/29/01	Certificate of lawful use relating to the commercial storage of up to 600 used tyres for subsequent distribution	Application Refused on 23.10.2001
HF/37/99	Retention and completion of 5 stables and tack room	Application Permitted on 15.06.1999

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 Strategic Planning: Comment:-

- The site was not put forward under the call for sites in May 2016;
- Work continues on the Council's Site Allocation Development Plan Document and therefore, the Council is currently unable to demonstrate an up-to-date 5-year supply of deliverable sites – Policy HDPF21;
- The site's location would be heavily reliant on car-based modes of transport for most journeys to local services and community facilities – Policy HDPF23;
- The proposal would need to be weighed accordingly in terms of the favourable provision of the additional gypsy pitches against the potential impact on a rural location and distance from nearest educational and community facilities – Policy HDPF23.

OUTSIDE AGENCIES

3.3 Southern Water: No objection.

3.4 West Sussex Highways: No objection, conditions / informatives are suggested concerning car parking spaces being secured in line with the submitted plan and details required to demonstrate the on-site provision of a waste collection / fire service turning space

3.5 Woodland Trust: No objection (following revisions):-

- The reduction to 3 pitches ensures retention of previously advised 15m buffer zone alongside Ancient Woodland, in order to maintain adequate distance between the Ancient Woodland and the 'development' minimising the risk of lopping/ felling or reduction of the woodland canopy, thus securing a long-term retention of trees.
- Ensuring development stays outside of the buffer zone would reduce threats arising from increased surface water run-off and other changes to the hydrology
- Conditions to secure the buffer zone remain clear from any development, including hard-standing would be encouraged
- In the event of this area being used for grazing then adequate fencing and a landscaping buffer strip to prevent animals straying into the woodland would be advised.

PUBLIC CONSULTATIONS

3.6 Parish Council Consultation (Henfield): Objection. The proposal would be contrary to HDPF policies 1, 3, 4, 21, 22, 23, 25, 26, 32 and 33

3.7 Parish Council Consultation (Woodmancote): Objection:-

- The site would be inadequate for the type of development on account of its location about a mile down a country lane that is privately owned, well used and narrow;
- Potential health problems for prospective occupants as site lies under a high-voltage power cable
- No support for policy-based support for proposal as the allocated sites have all been assessed accordingly;
- Must be considered against application DC/14/1401 (conversion of barns to form 3no dwellings).

3.8 55 letters of objection has been received raising the following objections and concerns:-

- Concern if both the proposed gypsy site and conversion of barns adjacent site to dwellings are allowed - resulting in 7 units of accommodation on the site (DC/17/1401);
- Site not allocated in DPD - therefore no evidence of need;
- In conflict with HDPF23;
- Site located 1.5km from centre of Henfield;
- Residents have better knowledge of highways impact arising from both proposals being granted than highways;
- Narrow lane, a no-through road and used by walkers, dog-walkers, cyclists and horse riders - unsuited to large vehicles and trailers;
- Increased congestion from motorists using Furners Mead as an alternative to Henfield Hall to avoid parking charges;
- Previously, access to Manor Way development along Furners Lane was rejected on highways grounds;

- Increasingly busy along Furners Lane, especially where it leads onto High Street;
 - Maintenance and repair implications of additional traffic on both council-maintained and private sections of lane;
 - Resulting increased use over private access track (Furners Lane) likely to exceed the scope of the right of access conferred in 1990, and interferes with other users' rights of access - potentially therefore there is no right of access over the access;
- No details of surface water run-off;
 - No bat survey / ecological survey;
 - Potential unauthorised loss of and felling within adjacent ancient woodland;
 - Impact on wildlife along lane;
 - Health impact arising from living directly under high-voltage power lines;
 - Pollution and contamination of small stream into which sewage would discharge;
 - Increased noise;
 - Potential difficulty in future 'policing' of site in planning terms;
- Loss of hedging arising as a result of DC/17/1401 - resulting in greater visual prominence of site;
 - Caravans are white plastic and therefore not suitable to a rural area
 - Impact on countryside;
 - Mitigation not possible to offset design which is not 'sensitive' to location;
 - Impact on 'quiet and rural' location;
- One letter has been received responding to a number of comments made and confirming that some trees within the woodland have been removed only to gain access in order for UK Network Power to repair a damaged cable.

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 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites, stating that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. The PPTS states, at Paragraph 27, if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.2 The Horsham District Planning Framework (HDPF) through Policy 21, Gypsy and Traveller Site Allocations, makes provision for 39 net additional permanent residential pitches for

Gypsies and Travellers within the period 2011-2017. Policy 21 also states that the Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Site Allocations DPD. A call for Gypsy, Traveller and Travelling Showpeople sites was undertaken early in 2016. The Council is in the early stages of developing its Site Allocations document and is actively assessing sites and accommodation needs within the District. This site was not put forward as part of that exercise.

- 6.3 A number of sites allocated through Policy 21 of the HDPF have yet to come forward and the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites. This is a significant consideration which weighs in favour of granting planning permission for the proposed development, subject to compliance with other relevant policies of the HDPF.

Sustainable Development

- 6.4 Policy 23 of the HDPF requires that sites are served by safe and convenient pedestrian and vehicular access, and should not result in significant hazard to other road users. Furthermore, there is an expectation that sites are located in or near existing settlements, within reasonable distance of a range of local services and community facilities, such as schools and essential health services.
- 6.5 The site is approximately 830m outside of the settlement edge of Henfield, where there are a good range of public services available including schools, shops and some public transport (measured along the route of Furners Lane). At less than 1km the distance is considered to be walkable and within 'sustainable' guidelines. Whilst the existing lane may not be provided with pavements the level of traffic is considered to be of a moderate level, with the lane noted as being a designated public right of way / footpath, anticipating a level of foot traffic. The private lane is not a through road, thus potentially limiting the traffic using the lane to that connected with the properties and lands accessed off the lane, rather than general through-traffic.
- 6.6 In this instance, given the location of the site, the nature of the lane, the designation as a public footpath and the existing private stable and storage uses at the application and wider Peartree Farm site, the proposal is, on balance, considered to comply with the overall criteria set out under policy 23 of the HDPF.

Character of the Area

- 6.7 The importance given to the continued protection of rural areas remains a key policy objective in assessing new gypsy and traveller sites. The PPTS, at paragraph 25, states that Local Planning Authorities should 'very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'. Furthermore, it advises that any sites in rural areas respect the scale of, and do not overdominate the nearest settled community.
- 6.8 In this instance, the nearest 'settled community' would be that of the village of Henfield, 840m to the west of the site. The intervening Lane includes a number of residential and farm properties. The scale of the proposal, amounting to 3 pitches, would not be considered to overdominate the wider character of the area, which as existing is marked by sporadic residential development.
- 6.9 Policy 23 of the HDPF: 'Strategic Policy: Gypsy and Traveller Allocations' confirms that for planning applications on non-allocated sites there must be no significant barriers to development that exist in terms of flooding, drainage and ground stability; that the site is served by a safe and convenient vehicular and pedestrian access; that the site has essential services; that the site is located in or near to existing settlements and that the

development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties.

- 6.10 It is recognised, taking account of the associated 'development' required to provide each pitch with the necessary elements of open space, privacy, amenity blocks, space for touring vans / trailers, cars and other domestic accoutrements, that the level ground conditions and the open boundaries which exist at the application site would become more enclosed as a result of the proposed development. This would change the character of the site from what currently appears as a rural stable yard to a more 'developed' site.
- 6.11 The site is, however, set back from public views by distances of approximately 107m to Furners Lane in the south and approximately 140m to the public footpath to the east, with intervening landscaping features, sloping topography and built development. There is considerable scope to enhance soft landscaping around the site to reduce the visual impact of the development, and details of a scheme are proposed to be secured through condition.
- 6.12 Paragraph 26 of the PPTS advises Local Planning Authorities to attach weight to the following matters when considering new gypsy site proposals:
- a) effective use of previously developed (brownfield), untidy or derelict land;
 - b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
 - c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
 - d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- 6.13 The proposal would broadly accord with the above criteria. It is considered that as a result of the existing use and development at the site, the modest level of accommodation being proposed and the inconspicuous nature of the site and immediate surroundings would mitigate the visual impact such that there would only be limited harm to the prevailing character of the countryside.
- 6.14 It is noted that a grade II listed building 'Little Bylsborough' is sited some 132m to the east of the application site. However, owing to the intervening band of trees, some 30m wide, and other landscaping features, there would be a limited direct visual link between the application site and the listed property. As such there would be no adverse impact on the setting of Little Bylsborough and there is no conflict with Policy 34 of the HDPF.

Impact on Neighbouring Properties

- 6.15 Policy 33 of the HDPF requires that development is designed to avoid unacceptable harm to occupiers of nearby land and property, for example, through overlooking or noise.
- 6.16 With regard to the impact of the proposed development on neighbouring occupiers, it is noted that the nearest residential property Turnham's Gill is some 80m to the west of the site. Although the wider lands of this property adjoin the application site, the actual property outlook is screened by a reasonably dense row of vegetation some 54m west of the application site boundary. It is therefore considered that the proposed development would lead to limited visual harm occurring to the outlook of the occupants of the nearest neighbouring residential property.
- 6.17 Reference is made to the southern part of Peartree Farm, where Prior Notification has recently been approved for the conversion of the storage barns to form 2x2-bed dwellings and 1x3-bed dwelling. At part of the Prior Notification approval, there is no indication of

private amenity spaces, defined curtilages or parking provision for the proposed conversion.

It is considered that limited consideration can be given to the potential impact on the resulting residential amenities of the converted barns as this development has not yet commenced on site.

- 6.18 It is acknowledged that there are further properties which share the private access track Furners Lane, but the proposal would yield limited direct and detrimental harm in terms of loss of light, outlook and privacy on neighbouring residential amenities.

Highways

- 6.19 The site would be accessed from an existing vehicular access off Furners Lane which currently serves the property and the 'host' site Pear Tree Farm, and which lies off a privately maintained single-track lane with occasional passing places formed by field and property entrances. The proposed development is considered to generate a low trip rate which would not be deemed as having a 'severe' impact on the highways network. The Local Highway Authority has therefore raised no objection to the proposal and there are no reasons to take a different view.

Other Matters

- 6.20 The reduction to the proposed number of pitches at the site has allowed the creation of a buffer zone along the edge of the ancient woodland, resolving concerns of the Woodland Trust. A condition is recommended to secure the future retention of this 'buffer zone'.
- 6.21 Concerns have been raised by members of the public and by the Parish Council regarding the potential health impacts of living under a high-voltage power line. This matter is not a regulatory issue that the Council can control or comment on and at the present time there is no guidance or restrictions on development / residential proximity to overhead power lines.

Conclusion

- 6.22 The Council cannot currently meet the identified gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF. It is also recognised that the Council is still in the early stages of developing its Site Allocations document and is actively assessing sites and accommodation needs within the District, by way of the forthcoming DPD.
- 6.23 The site is located in a rural area, but is subject to a current level of 'development' on the site comprising two stable blocks and being adjacent to a commercial storage use. Although accessed via a private single-track lane and a designated public right of way / footpath the anticipated vehicular movements of the proposed 3no. settled gypsy pitches is not considered to result in a 'severe' impact on the public highway network, with accesses onto Furners Lane already established and functioning.
- 6.24 The resulting scale of development, given the siting and separation of the location from immediate adjoining properties and public views, would not over-dominate the wider pattern of development along Furners Lane. It is also considered that appropriate screening and landscaping could be used to enhance the site and its rural setting.
- 6.25 Overall, whilst there is some concern regarding its location in the countryside, approximately 830m from Henfield, no highway objections have been raised to its location. It is considered that there would be a significant benefit of providing r gypsy / traveller accommodation within the District which would help meet the identified shortage of sites. Given the proposed scale of the development currently being proposed this would

lead to limited harm to the landscape character and environmental quality of the countryside. It is therefore considered that the need for the gypsy/traveller site is outweighed by the harm.

- 6.26 The proposal is therefore considered to be in line with local and national planning policies and is therefore recommended for approval subject to the conditions shown.

7. RECOMMENDATIONS

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

1 A list of the approved plans.

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

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

3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

4 **Pre-Commencement Condition:** No development shall commence until existing storage containers, mobile homes / caravans and stable buildings have been removed from the land.

Reason: As this matter is fundamental in the interest of visual amenity and impact on the rural area in accordance with Policies 23, 25, 26, 32 and 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 a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

6 **Pre-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, including fences, gates and areas of hardstanding, 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 Policies 23, 25, 31 and 33 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling has been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Prior to first occupation (or use) of any part of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority, showing the location of a vehicle turning space sufficiently sized to accommodate waste/recycling vehicle, or that of the emergency / fire services. The development shall be implemented in accordance with the agreed details and shall thereafter be retained at all times for its designated use.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation on site for the stated vehicles clear of the public highway and in the interests of road safety, in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** No more than 3 caravans (of static or mobile home type), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), shall be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

Reason: In the interests of amenity and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policies 25, 26 and 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

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

- 14 **Pre-Occupation Condition:** There shall be no development, creation of hardstanding(s) or siting of caravans or other vehicles or structures within a 15m wide buffer strip alongside the eastern site boundary with the adjoining Ancient Woodland. In the event of this area of land being used for grazing or paddock land then fencing shall be provided to prevent straying into the adjacent woodland.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of an area of Ancient Woodland in accordance with Policies 23, 25, 31 and 33 of the Horsham District Planning Framework (2015).

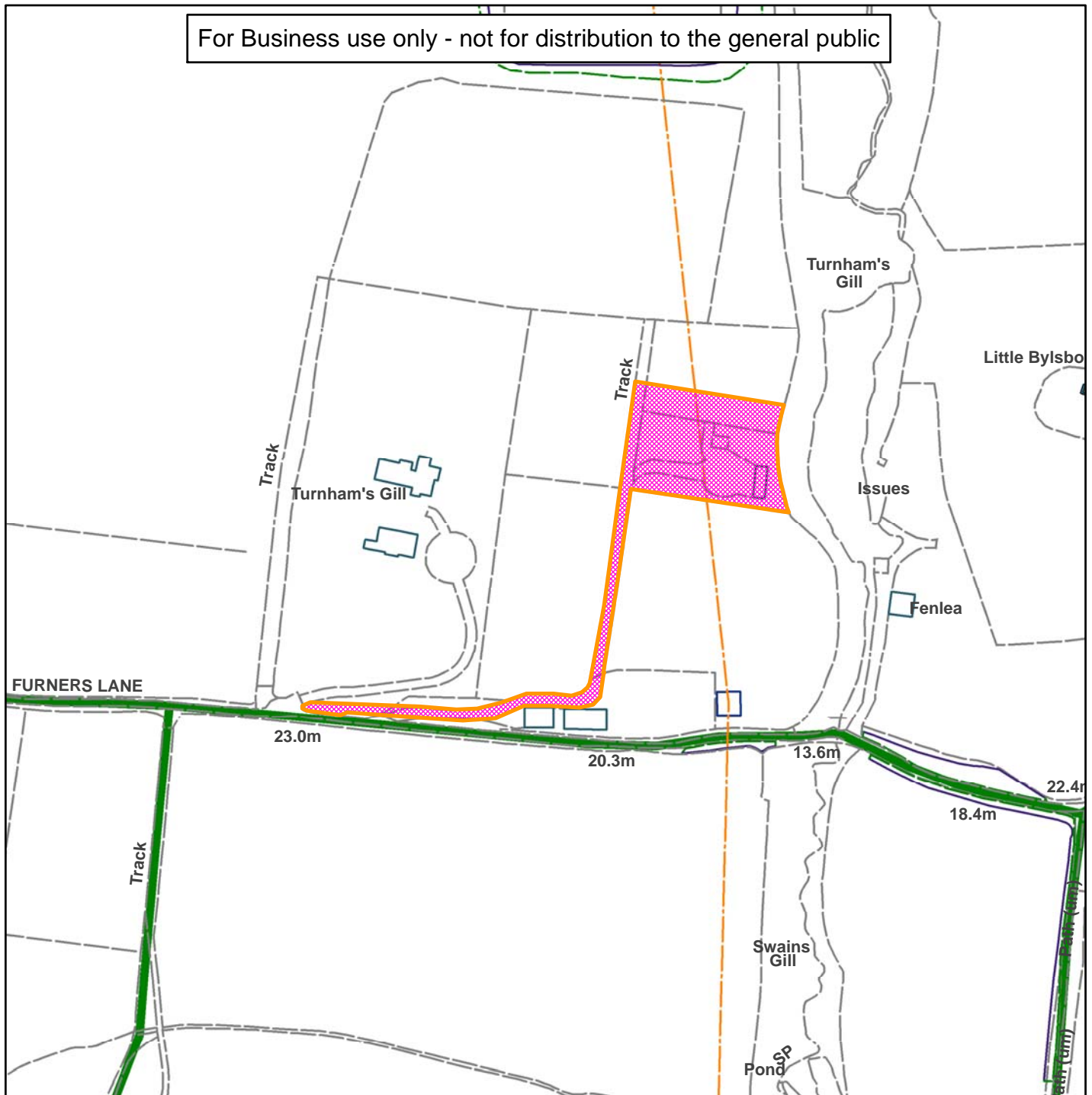
Background Papers: DC/17/1375

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Land to the Rear of Pear Tree Farm

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	07/09/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING REPORT

COMMITTEE

TO: Planning Committee South

BY: Development Manager

DATE: 19 September 2017

DEVELOPMENT: Proposed erection of a single storey detached commercial office

SITE: Catsland Farm Bramlands Lane Woodmancote West Sussex BN5 9TG

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/17/1240

APPLICANT: **Name:** Mr Jay Scanlan **Address:** 57 Tongdean Avenue Hove BN3 6TN
UK

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received contrary to Officer recommendation.

RECOMMENDATION: Approve application subject to 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 a purpose-built commercial building. The proposed building would be positioned to the south of the existing converted barn, which houses 3 x office units, within a triangular unkempt area of the site.
- 1.2 The building would be oriented to face west, and would measure to a length of 6.4m and a depth of 7m, and would incorporate a pitched roof extending to a height of 6m. The proposal would provide a gross internal floor area of approximately 53.9sqm, with office accommodation within the ground floor and roof space.
- 1.3 The proposed building would include full height glazing and entrance to the western elevation, with roof lights to the northern and southern elevations. The proposed building would be finished in dark stained timber cladding, with metal roofing to match the existing building adjacent.

DESCRIPTION OF THE SITE

- 1.4 The application site is located within a farm complex positioned to the west of Bramlands Lane, outside of the designated built-up area. The site is surrounded by agricultural fields with a number of sporadic residential dwellings positioned to the north and south of the site.

- 1.5 The site is accessed via a private track that extends from Bramlands Lane, which forks to the south at the entrance to the site. The site includes an area of hardstanding to the west, with other barn buildings positioned directly to the north and west (some of which have undergone conversion to office and storage use). The site is bound by mature hedging to the south, with post and rail fencing to the north and closeboarded fencing to the west.
- 1.6 The site is a farm which in the recent past has undergone a number of conversions of farm buildings to commercial use. The change of use from agricultural to light industrial B1 use was first permitted on a temporary and personal basis for the elongated building to the south of the access track under planning approval HF/62/90, with permanent planning permission later approved under application HF/60/92. A Certificate of Lawfulness was later approved for part of the barn to the north of the access track under application reference DC/06/1998. A previous application under planning reference DC/16/2566 was refused for a larger commercial building. As part of this it was considered that the proposal, which would have resulted in the addition of 2 x purpose built commercial buildings of a considerable scale would have represented in an unsustainable addition resulting in unacceptable harm to the countryside location.

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
- NPPF3 - Supporting a prosperous rural economy
- NPPF4 - Promoting sustainable transport
- NPPF11 - Conserving and enhancing the natural environment
- 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
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF 4 – Strategic Policy: Settlement Expansion
- HDPF7 - Strategic Policy: Economic Growth
- HDPF9 - Employment Development
- HDPF10 - Rural Economic Development
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF30 - Protected Landscapes
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF40 - Sustainable Transport
- HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 Henfield Neighbourhood Development Plan

Following a court decision on 13 October 2016, Henfield Neighbourhood Development Plan has been quashed. The Parish Council is currently considering how they will move

forward. Henfield Parish continues to be covered by the Horsham District Planning Framework, and this plan remains the current and up to date plan for the area.

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/04/1441	Unrestricted B1 (Business) use and new access	Application Refused on 27.08.2004
DC/04/2271	Unrestricted B1 (Business) use of former agricultural building	Application Permitted on 16.03.2005
DC/04/2273	B1 (Business) use of two former agricultural buildings and formation of access road	Application Refused on 10.12.2004
DC/06/1998	Use of part of the ground floor of Barn B for storage use only (Lawful Development Certificate - Existing)	Application Permitted on 11.12.2006
DC/16/2566	Erection of 2 proposed commercial buildings for business enterprise and 'start-up' companies	Application Refused on 12.01.2017

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Access Forum -: The proposed WC would need to conform with part M of Building Regulations.
- 3.2 Public Health And Licensing (Env. Health): No objection, subject to a working hours condition.

OUTSIDE AGENCIES

- 3.3 South Downs National Park Authority: No objection.
- 3.4 County Council - Highways: No objection.

PUBLIC CONSULTATIONS

- 3.5 Woodmancote Parish Council: No objection subject to the boundary hedging being retained and that a personal condition imposed.
- 3.6 Henfield Parish Council: Objection as the proposal does not comply with Policies 1, 2, 3, 4, 10, 25, 26, 32, and 33 of the HDPF.
- 3.7 42 letters of objection have been received from 23 separate households. These can be summarised as follows:

- Access is unacceptable;
- Inadequate sewage facilities;
- Loss of light to unit 3;
- Overdevelopment of the site;
- Inappropriate and inadequate car parking;
- Unacceptable development within the countryside location;
- Impact upon amenities through noise and light pollution;
- Safety implications to users of land;
- Impact on existing trees and hedging;
- Detrimental impact on South Downs National Park.

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the erection of an office building.

Principle of Development

- 6.2 Policy 26 of the Horsham District Planning Framework (HDPF) states that development outside of built-up boundaries must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas. Proposals must be of a scale appropriate to its countryside character and location, and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside. In addition, development should protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character of the area.
- 6.3 In addition, policy 10 states that development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must: contribute to the diverse and sustainable farming enterprises within the district, or contribute to the wider rural economy and/or promote recreation in, and the enjoyment of the countryside; and either be contained within suitably located buildings which are appropriate for conversion; within the existing boundaries of the estate; or result in substantial environmental improvement and reduce the impact on the countryside. New buildings or development in the rural area will be accepted provided that it supports sustainable economic growth towards balanced living and working communities.
- 6.4 The Design & Access Statement advises that the former farm yard was sold with the established B1 building and the proposal would allow the relocation of an existing business to the site. The site is already host to several small companies, including an interior design company, roofing contractor, and a media company. The proposal would create an office unit with no additional vehicle movements or noise anticipated beyond the travel to and from the office. The proposal would not therefore be expected to generate a significant increase in the level of activity within the Countryside, as required by Policy 26 of the HDPF.
- 6.5 The proposed office building would contribute to the economic development of the rural location within the District, providing additional accommodation within an established commercial complex. Whilst the site is located some distance from the built-up area given the nature and scale of the proposed building this is not considered to lead to a level of activity or frequency of movements that would result in unacceptable harm to the countryside location. The proposed development is considered to contribute to the wider rural economy and is considered to be of a scale appropriate for the countryside character and location to which it forms a part. As such, the proposal is considered to accord with Policies 10 and 26 of the Horsham District Planning Framework (2015).

Character of the site and visual amenities of the street scene

- 6.6 Policies 25, 32 and 33 of the HDPF promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings. Development should protect, conserve and enhance the landscape character, taking account of the nature environment, landscape and landform pattern to which it forms a part.
- 6.7 The proposed building would be positioned 2 metres to the south of the existing converted barn, within a triangular unkempt area of the site. The building would be oriented to face west, and would measure to a length of 6.4m and a depth of 7m, and would incorporate a pitched roof extending to a height of 6m. The proposal would be finished in dark stained timber cladding and metal sheet roofing to match the existing buildings on the site.
- 6.8 The proposal is considered to be of a modest scale that would sit comfortably within the context of the existing building and existing foliage that surrounds it; given its proposed siting it would not appear prominent within the wider landscape. Whilst the proposal would result in an additional, purpose built office building at this site, it would be of a scale, form and appearance that would relate sympathetically to the character and context of the site. In this regard the proposal would not detract from the setting of the rural countryside location.
- 6.9 The South Downs National Park adjoins to the south of the application site. In views from the national park the proposed development would be partly screened by planting and when seen the building would be viewed against the backdrop of existing development. The modest scale of the building would not therefore have any adverse impact on the setting of the nearby South Downs National Park. There are minimal window openings on the building and this would minimise the potential for harmful light spillage; a condition is recommended to prevent external lighting. The National Park Authority has raised no objections to the proposal.
- 6.10 For the reasons outlined it is considered that in design terms the proposal would accord with Policies 25, 30, 32, and 33 of the Horsham District Planning Framework (2015).

Amenities of the occupiers of adjoining properties

- 6.11 It is noted that a number of objections have been raised in respect of potential impact upon neighbouring properties, particularly relating to noise and light pollution. Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.12 The application seeks permission for a B1 Office use. This use, by its very nature, is defined as having limited impact upon the function and amenity of surrounding properties/uses, and is considered to be acceptable within a residential area. The neighbouring properties are positioned at a considerable distance from the site, with the closest residential property sited at a distance of approximately 125m to the east. The nature of the site and its isolated setting in relation to neighbouring residential dwellings is considered sufficient to prevent any harm to the amenities of surrounding occupiers. The siting of the development would not harm any openings to adjoining commercial units, and their future viability would not be impacted by the proposal. As such, the proposal is considered to accord with Policy 33 of the Horsham District Planning Framework (2015).

Existing Parking and Traffic Conditions

- 6.13 A number of objections have been received in respect of potential traffic intensification, safety of the access to the site, and the frequency of movements. Policy 40 of the Horsham District Planning Framework development that encourages and supports an

improved and integrated transport networking, with a re-balancing in favour of non-car modes as a means of access to jobs, homes, services and facilities will be supported.

- 6.14 The proposal seeks to erect a B1 Office building, which would provide accommodation for office staff in association with a maintenance business. The proposal would utilise the existing access to the site which runs from the west of Bramlands Lane into the site. The site itself is serviced by a single width access track, with the existing building to the east positioned directly adjacent to the track.
- 6.15 The nature of use of the building, providing an administrative function, would not result in a significant increase in level of vehicle activity or frequency of movement. WSCC Highways have raised no objection to the proposal. It is acknowledged that the proposal would result in additional vehicular movements beyond the existing, but this is not considered to be of a capacity or frequency that would harm the function, safety, or use of the existing track. The site currently provides 24 parking spaces which is considered sufficient to accommodate the parking demand of the existing uses and that proposed by this application. As such, the proposal is considered to accord with policies 40 and 41 of the Horsham District Planning Framework (2015).

Other Considerations

- 6.16 Representations have been received raising concerns in respect of sewage disposal and a condition is recommended to secure further details prior to the commencement of development.

Conclusion

- 6.15 The proposed development is considered to be acceptable in principle, contributing to the sustainable rural economic development of the countryside, with the proposed building considered to be of a scale, mass and siting that would relate sympathetically to the character of the site and surroundings. The proposal is not considered to materially harm the amenities of neighbouring properties, and is considered to provide sufficient parking, suitable for all users. As such, the proposal is considered to accord with Policies 10, 26, 32, 33, 40 and 41 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions.

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

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

- 3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. 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 complies with the current Building Regulations as well as Policy 38 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the plan reference JB 385/planning 05A received 01.06.2017.

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).

- 5 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for Class B1(a) purposes only, and not for any other purpose without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the countryside location and nature of adjoining uses under Policies 26 and 33 of the Horsham District Planning Framework (2015).

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

Reason: In the interests of the amenities of the locality and in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** The premises shall not be in use except between the hours of 07:30 and 18:00 Monday to Friday; 08:00 and 13:00 on Saturdays and Sundays.

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

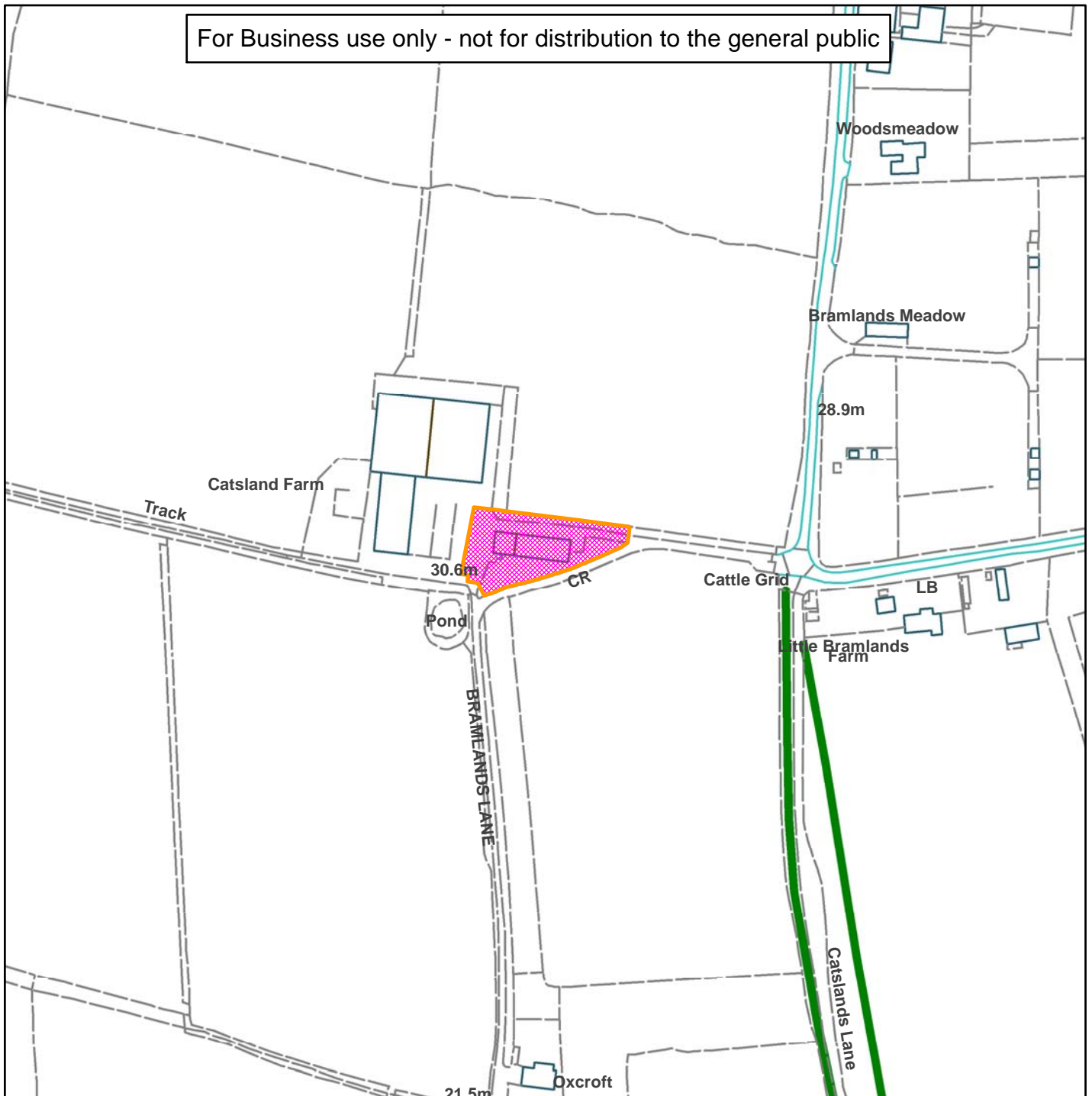
Background Papers: DC/17/1240

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Catsland Farm, Bramlands Lane

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Comments	
Date	07/09/2017
MSA Number	100023865

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**Horsham
District
Council**

**PLANNING COMMITTEE
REPORT**

TO: Planning Committee South

BY: Development Manager

DATE: 19 September 2017

DEVELOPMENT: Demolition of existing 4 bedroom detached bungalow and detached garage. Erection of replacement 4 bedroom chalet bungalow with integral double garage, floor to ceiling windows on west and east elevations with associated hardstanding, parking and landscaping

SITE: Enigma Hampers Lane Storrington Pulborough West Sussex RH20 3HU

WARD: Chantry

APPLICATION: DC/17/1615

APPLICANT: **Name:** Mr Stuart Jolliff **Address:** Woodlands Worthing Road Horsham RH13 9AT

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation.

RECOMMENDATION: To approve planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks to demolish the existing bungalow and outbuildings and erect a chalet bungalow, with the first-floor set within the roof-slope served by dormer windows and two glazed gable-end features. The property would be provided with an integral double garage with vehicular access maintained in its current position.

1.3 The replacement dwelling would have a stepped footprint with a feature glazed porch element to the north-eastern side facing over the new driveway and turning area, and rear double-height glazed gable-end facing south-east over the garden area. The new dwelling would provide 4/5-beds and would have a ground floor footprint of some 218sq.m. Externally, the proposed replacement dwelling would include brick elevations with clay roof tiles timber doors and window sub-frames with powder coated aluminium frames with aluminium 'heritage' rainwater goods. The dwelling would incorporate a series of sliding screens / doors with the main habitable rooms benefitting from full-height and full-width glazed openings facing west and south.

1.4 The replacement dwelling would have a lower ground floor level than the existing property, with a ridge height that would be some 3m higher than the existing roofline of the bungalow

- 1.5 There are two known areas of Japanese Knotweed located to the western side of the central pond, with the submitted details including remediation works to clear the site of the invasive species.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises a corner plot of Hazelwood Close and Hampers Lane, both of which are private roads. The site lies within the Heath Common area within the Built-Up Area Boundary of Storrington. Neighbouring properties comprising detached houses of varying styles and dates of construction leading to a variation of materials and architectural features, with no over-riding sense of style
- 1.7 The existing layout and style of the property is a low-rise timber-constructed bungalow with wrap-around elevated veranda which utilises ground levels, which drop around 1m along the western side of the house and a further 3m into the garden area. The site's eastern boundary to Hampers Lane is some 2.5m above the existing floor level of the house and marked by dense planting and trees. The northern boundary is defined by a significant level of screening and tree coverage with a 2m high close-boarded fence. The existing visual impact of the property is therefore very unassuming as the roofscape provided by the house and garage is only slightly visible from the site's north-eastern corner where the vehicular access is sited.
- 1.8 The existing property is about 13.5m off the site's eastern boundary and has a separating distance to the southern neighbour 'Fernbank' of around 10m, and some 32m to the western neighbour 'Mulberry'.
- 1.9 Vehicular access currently comes off Hazlewood Close to the north, close to the junction with Hampers Lane, a private road which is heavily used to access a great many other properties and the wider network of lanes in the Heath Common area. The property currently has a gravelled driveway with two flanking garage structures.

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
NPPF6 - Delivering a wide choice of high quality homes
NPPF7 - Requiring good design
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
HDPF3 - Strategic Policy: Development Hierarchy
HDPF15 - Strategic Policy: Housing Provision
HDPF31 - Green Infrastructure and Biodiversity
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles

HDPF35 - Strategic Policy: Climate Change
HDPF36 - Strategic Policy: Appropriate Energy Use
HDPF40 - Sustainable Transport
HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 The Storrington, Sullington and Washington Neighbourhood Plan is currently subject to pre-submission consultation and therefore has limited weight.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

T/6/99	Double garage Site: Enigma Hampers Lane Storrington	Application Permitted on 12.03.1999
T/32/60	Demolition of existing bungalow and erection of bungalow and garage (From old Planning History)	Application Refused on 02.11.1960
T/19/60	Demolition of existing timber and asbestos bungalow and erection of 2 bungalows and garages (From old Planning History)	Application Refused on 27.07.1960
T/10/84	Porch and bedroom extension (From old Planning History)	Application Permitted on 05.04.1984

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 None.

OUTSIDE AGENCIES

3.3 Southern Water: No Objection.

3.4 West Sussex Highways: No Objection. The proposal is not anticipated to generate an increase in vehicular trips over and above the existing arrangements. The provision of on-site parking spaces is adequate to provide for the needs of a dwelling this size.

PUBLIC CONSULTATIONS

3.5 Parish Council Consultation (Washington) – No Objection. It is requested that planning conditions be added to any grant of approval to restrict on-site burning and the cover the hours of construction works, along with the size of construction vehicles on the narrow lanes.

3.6 11 letters of objection have been received raising the following concerns:

- Additional traffic from heavy lorries during construction phase along Hampers Lane and at junction to Rock Road;
- Increased noise and disruption during construction;
- Concern over parking and access in Hazelwood Close during construction;
- Hampers Lane not wide enough to accommodate construction traffic - increased size of dwelling will result in more traffic and longer construction period;

- Damage to hedging and verges from large vehicles along Hampers Lane;
- Hazelwood Close is a private road, therefore access to property must be from Hampers Lane;
- Who will be responsible for paying for any damage to private road surface;
- Although it is welcomed to see construction traffic park within site (phasing plan) concern over timings and frequency of traffic arriving and departing;
- Existing property is not currently a 4-bed house - proposed design is out of keeping
- Impact on adjoining privacy;
- Heath Common has remained a secluded residential estate with sympathetically built properties - proposal would change this with proposed floor to roof glazed section;
- Glare and reflection from full-height glazing;
- Increased population density - larger than average for the lanes - contrary to Heath Common Design Statement;
- Replacement larger homes on plots in lanes is slowly spoiling character of 'country lanes';
- Maximum capacity of lanes was declared some 10 years ago;
- Would not reflect the traditional style of heath common;
- Frontage would be out of character;
- Proposed footprint is consistent with existing building although overall floor area seems significantly larger to existing and neighbouring properties;
- Lack of dimensions given;
- Concern over the potential for Japanese Knotweed to spread as it is present on development site - confirmation that all Knotweed has been removed including any within the pond area;
- Trees on application site have previously caused powercuts to properties in Hazelwood Close - seek assurances that trees will be cut back to avoid this happening again - whilst still maintaining adequate screening;
- Do not want any toads re-locating to neighbouring properties as a result of works to pond;
- Do not agree with the promotion of bat habitats at the property as this is more appropriate in a nature park;
- Seek assurances that proposal will not lead to increased surface water drainage issues.

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:

- 6.2 The application site is located within the built up area of Storrington which is classed under Policy 3 of the Horsham District Planning Framework (2015), within the category of 'Small Towns and Larger Villages'. Development under Policy 3 is permitted within towns and villages provided it is of an appropriate scale and nature to maintain the characteristics and functions of that settlement according to the hierarchy of Policy 3. The proposal seeks a direct one-for-one replacement dwelling with an increase in footprint of some 53sq.m and a net gain of one additional bedroom / study. The principle of the proposal would therefore accord with the provisions of local and national planning policies.

Character and appearance

- 6.7 Policy 32 of the HDPF requires new development to '*complement locally distinctive characters and heritage of the district*', and '*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
- 6.8 The proposed dwelling and garage would reflect rather than replicate the siting of the existing buildings on the site. There would remain considerable separation from the site boundaries with the remaining openness around the building sufficient to preserve the prevailing character of the site and surroundings. The proposed footprint, although larger than the existing, would be comparable to surrounding development, with the site in a location where dwelling form and scale varies significantly.
- 6.9 The site does not have a strong visual relationship with neighbouring houses, and with the wider context including bungalows, chalet dwellings and two-storey houses. As such there is no objection to the increased height of the proposed replacement dwelling, which would not appear out of scale or incongruous in this location. The proposed development would utilise materials which complement the adjacent properties, which are noted to vary in terms of architectural styles and massing, along with the use of various external materials found in the vicinity.
- 6.10 The submitted plans allow for retention of a significant number of trees on the site, and although not formally protected these trees do contribute to the overall character and appearance of the site and wider surroundings. A condition is recommended to ensure the protection of trees within the site that are intended to be retained.
- 6.11 The proposal is therefore considered to result in a form of development which respects the wider character, in accordance with local and national policies.

Impact on residential amenity

- 6.12 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity of occupiers and users of nearby property and land.
- 6.13 The proposed layout would retain distances to neighbouring buildings of some 10.17m to Fernbank (south) and 29.6m to Mulberry (west). These distances would be sufficient to ensure no adverse impacts arise in terms of overlooking / loss of privacy or reduction in light levels. Representations have been received raising concerns regarding potential overlooking from the full-height glazed gable-end. This is approximately 19m and 21m from the southern and western site boundaries, which is a sufficient distance to mitigate against any immediate, adverse and undue levels of overlooking.

- 6.14 The proposal seeks to retain a large extent of the existing tree coverage to the site and this would assist in providing an element of screening between neighbouring properties.
- 6.15 The proposal is therefore considered to accord with the requirements of Policy 33 of the HDPF.

Highways and Traffic:

- 6.16 Policy 40 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'.
- 6.17 The proposal seeks consent for a replacement dwelling (and a net gain of one bedroom) which would not be expected to generate an increase over and above the existing potential vehicular movements to and from the site. The Local Highway Authority has advised that the level of on-site parking (two spaces) would accord with the WSCC parking demand calculator. A construction management plan is secured through condition to minimise the impact of site traffic, deliveries and staff /delivery parking.

Ecology

- 6.18 A habitat survey carried out at the property has revealed no evidence of bats on site, with the existing building providing only a negligible potential to support bats and bat roosts. An existing pond on-site was found to be uninhabited by Great Crested Newts and any future works involving the central pond would not be expected to result in a loss of protected species or its habitat.
- 6.19 The applicant has submitted a scheme of works relating to removal of the invasive Japanese Knotweed, as set out within the Environment Agency Japanese Knotweed Code of Practice (Environment Agency, 2013).

Other considerations

- 6.20 Concern has been raised regarding protection of the overhead line along the site's northern boundary and ensuring that no trees affect this in the future. It is suggested that this be covered by way of an Informative. Concern has also been raised with regard to the construction phase of the development. A condition is proposed requiring a Construction Management Plan to be submitted.

Conclusion

- 6.21 The proposal would lead to an acceptable form of development within the built-up area boundary and would not lead to material harm in terms of its impact on the residential amenities of neighbouring properties or the character of the surrounding area. The proposal therefore accords with the relevant policies of the HDPF.

7. RECOMMENDATIONS

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

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

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

- 3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding, where appropriate
- v. the provision of wheel washing facilities if necessary
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of neighbouring residents and on the functions of a private lane during construction and in accordance with Policy 33 and 40 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing number 228-PL-04 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 31 and 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 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-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 plans 220-PL-04 (proposed site plan) and 228-PL04 (proposed ground and first floor plans), 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).

- 7 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved elevations plan 228-PL05.

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).

- 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, or E of Part 1 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 and due to the site context in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

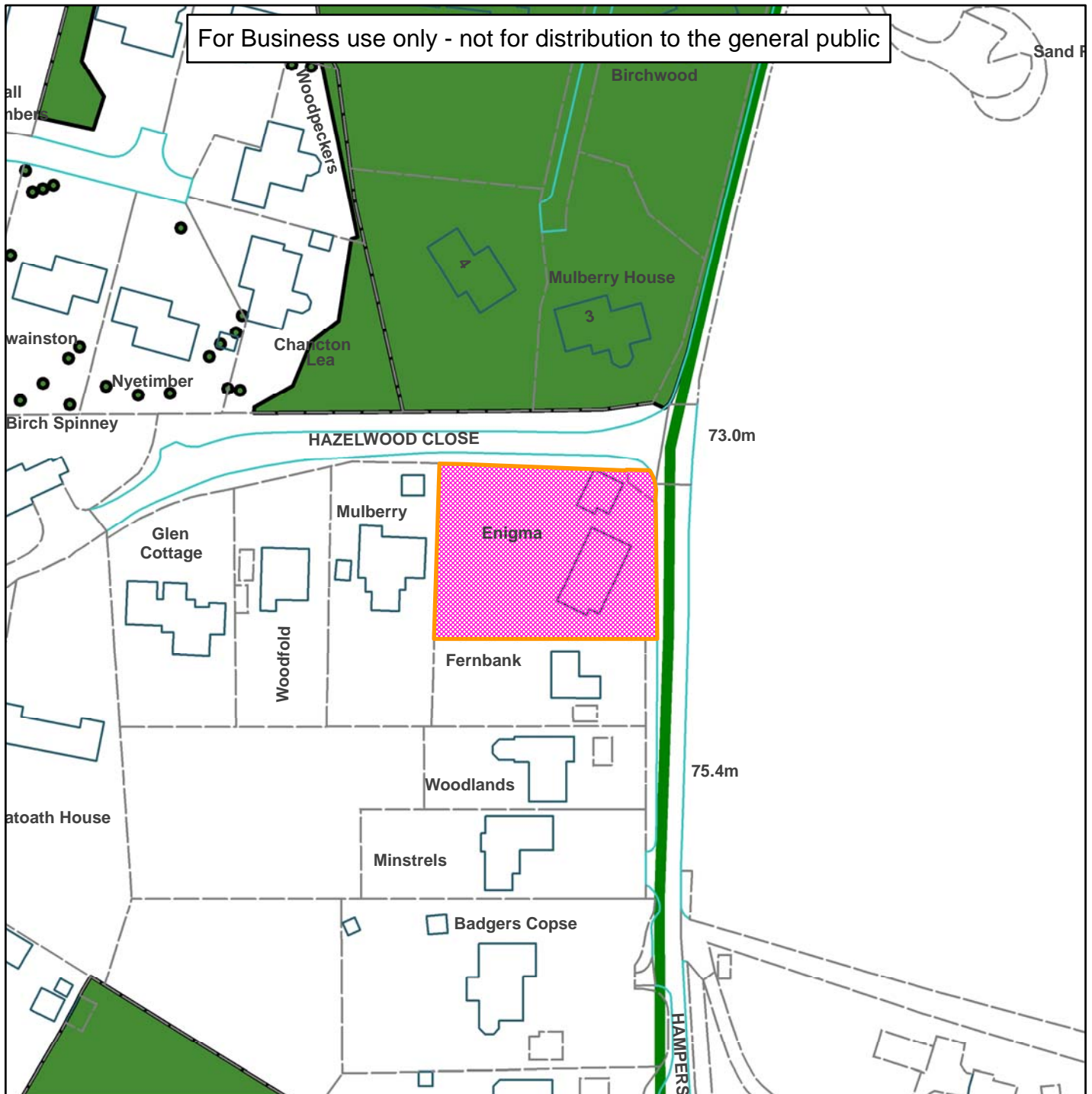
Reason: To safeguard the amenities of nearby residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/1615



Enigma, Hampers Lane

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**Horsham
District
Council**

**PLANNING
REPORT COMMITTEE**

TO: Planning Committee South
BY: Development Manager
DATE: 19 September 2017
DEVELOPMENT: Erection of 1 x end of terrace dwelling
SITE: 16 Southview Terrace Henfield West Sussex BN5 9ES
WARD: Henfield
APPLICATION: DC/16/1783
APPLICANT: **Name:** Ms Suzanne Sutherland **Address:** 16 South View Terrace
Neptown Henfield BN5 9ES

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

RECOMMENDATION: Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

- 1.1 This application was originally considered at Planning Committee North on 21 March 2017. At the committee meeting Members deferred determining the application to allow for further information to be gathered and considered in respect of parking for the proposed dwelling.
- 1.2 The previous committee report is appended to this report.

2. BACKGROUND

- 2.1 In response to the previous Committee resolution amendments have been received which allow for the creation of 2 no. parking spaces proposed to the south of the row of dwellings along Southview Terrace. The parking spaces would require engineering works to level the area of land to provide a flat surface for parking, with the addition of a retaining wall and guard rail to the perimeter of the parking area. The amended plans have been subject of further public consultation, as set out below.

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 **WSCC Public Rights of Way:**

PUBLIC CONSULTATIONS

- 3.5 **Henfield Parish Council:** Objection as the proposal fails to accord with Policies 33, 34, and 41 of the Horsham District Planning Framework (2015).
- 3.6 55 letters of objection have been received from 40 separate households. These can be summarised as follows:

4. PLANNING ASSESSMENTS

- 4.1 The proposal would now incorporate 2 no. allocated parking spaces to be used for the new dwelling on Southview Terrace. These parking spaces would measure 2.5m x 4.8m and would be positioned parallel to one another, facing north/south. Due to the sloped nature of the topography, engineering works would be undertaken to build-up the area to provide a level surface. This would involve an increase in ground level at the most southern point by approximately 1.3m.
- 4.2 The proposal would provide 2 no. parking spaces to be used in conjunction with the proposed dwelling. These would sit on the other side of the row of terraces, which would follow the same format as other parking already provided along this road. The proposal would require the ground levels to the southern section of the parking area to be built up in order to provide level ground. Whilst this would alter the landscape character of the wider area, given the residential character of the street and the location of the site within the built-up area of Henfield, the alteration is not considered to result in any demonstrable harm to the prevailing character and appearance of the locality.
- 4.3 It is noted that concern has been raised in respect of the position of the proposed parking and the adjoining Public Footpath. The submitted plans indicate that the proposed car parking spaces would be positioned to the south of the public right of way. Whilst a line is used to denote the location of the Public Footpath, from the site visit it is clear that this footpath is informal in nature with no clear delineation between the footpath and the road.
- 4.4 Public Rights of Way generally require development to be positioned no closer than 1.5m to a public footpath. Following revisions to the location of the proposed parking spaces, these would be positioned outside of this encroachment area; in addition, given the informal nature of the public footpath it is considered that any user could still utilise the footpath without severe obstruction. As such, it is considered that the parking could be implemented without harm to the function of the public footpath.
- 4.5 In conclusion, the proposed 2 no. parking spaces are considered sufficient to meet the future requirements of dwelling. The Highway Authority raised no objection to the proposal as originally submitted and the provision of parking spaces would not alter this view.

5. RECOMMENDATIONS

- 5.1 To approved the planning permission subject to the following conditions:-

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

4 **Pre-Commencement Condition:** No development shall commence until a 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).

5 **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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

- 9 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until the parking spaces have been provided in accordance with the plans hereby approved (as shown on plan reference 1533-111B received 30.08.2017) and the parking spaces shall thereafter be retained solely for that purpose [and solely in connection with the development].

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

- 10 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

- 11 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until screening has been erected to the ground floor roof terrace in accordance with drawing no. 1533-210 (B). The screening shall thereafter be retained in strict accordance with the approved plans.

Reason: To safeguard the amenities of the residents of 16 Southview Terrace in accordance with Policy 33 of the Horsham District Planning Framework (2015).



TO: Planning Committee
BY: Development Manager
DATE: 21 March 2017
DEVELOPMENT: Erection of 1 x end of terrace dwelling
SITE: 16 Southview Terrace Henfield West Sussex BN5 9ES
WARD: Henfield
APPLICATION: DC/16/1783
APPLICANT: Ms Suzanne Sutherland

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received contrary to Officer recommendation

RECOMMENDATION: To permit application subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for an end of terrace dwelling to the west of the existing row of terraces. The proposed dwelling would extend to a width of 4.7m and a total depth of 20m on the lower ground floor, with the ground floor above extending to a depth of 14.8m, with terrace extending to an additional 2.5m. The proposal would extend across four floors, and would measure to an overall height of 9.3m to match the ridge height of the adjoining properties.
- 1.3 A two storey bay window feature would be positioned to the front of the proposed dwelling, extending to a height of 7.1m, with the single storey projection to the rear extending to a height of 3.9m to provide a first floor terrace.
- 1.4 The proposal would be finished in matching materials to the adjoining properties, and would provide a master bedroom with ensuite, dining/kitchen room to the lower ground floor; an entrance hall, w.c, study and living room on the ground floor; living area/kitchenette, bedroom with ensuite on first floor; and bedroom on second floor.

DESCRIPTION OF THE SITE

- 1.5 The application site lies on the north side of Southview Terrace, a private lane, within the built-up area and designated Conservation Area of Henfield. The site is set to the rear of a

number of dwellings positioned to the south of Nep Town Road, with access provided off of Weavers Lane, and on street parking provided to the south of the street.

- 1.6 The site itself incorporates a single storey side garage with balcony over, which is bound with a close-boarded fence to the east, and a public right of way which extends adjacent to the boundary. The site is positioned at the end of a row of terraced dwellings of similar size and appearance, all of which include small rear gardens.
- 1.7 All of the neighbouring properties are slightly stepped up from the street, with a basement level provided.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF12 - Conserving and enhancing the historic environment

NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF4 - Strategic Policy: Settlement Expansion

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

HDPF34 - Cultural and Heritage Assets

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 **Henfield Neighbourhood Development Plan 2015 – 2035**

Following a court decision on 13 October 2016, Henfield Neighbourhood Development Plan has been quashed. The Parish Council is currently considering how they will move forward. Henfield Parish continues to be covered by the Horsham District Local Plan, and this plan remains the current and up to date plan for the area.

PLANNING HISTORY

HF/69/81	Garage. (From old Planning History)	PER
DC/06/2976	Removal of existing garage roof and formation of roof terrace and conservatory	REF

DC/07/0617	Removal of existing garage roof to create roof terrace	PER
DC/12/1793	Two storey side extension to replace existing single storey garage with roof terrace (Full Planning)	PER
DC/16/2623	To create a self-contained flat in the lower ground floor of an existing house	PCO

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 **Design and Conservation Officer:** No Objection

OUTSIDE AGENCIES

- 3.3 **West Sussex Highways:** No objection subject to conditions.

- 3.4 **West Sussex Public Rights of Way:** No Objection

- 3.5 **Southern Water:** No Objection, subject to conditions.

PUBLIC CONSULTATIONS

- 3.6 **Parish Council:** Objection on the grounds of insufficient parking provision.

- 3.7 73 letters of objection were received from 38 households, and these can be summarised as follows:

- Out of character – size and frontage
- Lack of parking provision
- Detrimental impact upon access provision
- Issues with construction traffic
- Safety implications on construction, parking provision, and neighbouring properties
- Out of keeping with Conservation Area
- Impact upon adjacent public footpath
- Overdevelopment of plot
- Possible subsidence and need for retaining wall
- Overlooking from canted bay window
- Impact on public footpath
- Overdevelopment of site

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for a two storey (plus basement and attic level) end of terrace dwelling.

Principle of Development

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.3 The site is positioned within the built-up area of Henfield which is categorised as a “Small Town and Larger Village” under policy 3 of the HDPF. These settlements are defined as having a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services. The settlements act as hubs for small villages to meet their daily needs, but also have some reliance on large settlements/each other to meet some of their requirements.
- 6.4 The site is located within the built-up area, where there is a presumption in favour of development, subject to any infilling demonstrating that it is of an appropriate nature and scale to maintain characteristics and function of the settlement. As such, the principle of the development is considered acceptable, subject to all other material considerations.

Character of the site and surroundings

- 6.5 Policies 25, 32 and 33 of the Horsham District Planning Framework promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.6 The street scene is characterised by a row of Victorian terrace dwellings that are positioned along a continuous build line. The row of terraced dwellings is of uniform appearance, albeit with a number which have been individually painted. The proposed form and appearance of the proposed dwelling has been amended to reflect the remainder of the terrace row. The proposed height and bay window features would positively reflect that of the surrounding built form, with the proposed dwelling appearing as a continuation of the terrace.
- 6.7 The proposal has been amended as part of the application process to better reflect the character, appearance and vernacular of the existing terrace. The resulting building is considered to represent a sympathetic addition which would be in keeping with the built surroundings. Whilst the width of the plot and proposed dwelling would be slightly different than adjoining properties this is not considered to be of a manner which would detract from the overall character and appearance of the site and surroundings. As such, the proposal is considered to relate sympathetically with the build pattern, character and distinctiveness of the site and surroundings, in accordance with Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

Amenities of the occupiers of adjoining properties

- 6.8 Policy 33 of the Horsham District Planning Framework states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.9 The proposal would mirror the depth of the adjoining terrace from ground level and above, with this arrangement considered to prevent any harmful loss of light or outlook for the adjoining property (no. 16), with the resulting relationship reflective of the wider terrace. The additional projection at basement level would be partly excavated into the ground and this would reduce the height and massing along the shared boundary with no. 16, such that no harm to light or outlook to adjoining windows at basement level would result.
- 6.10 The neighbouring properties are positioned along a continuous build line, all of which sit on similar ground level, with the adjacent properties to the north stepped down from the site. The layout of the proposed windows are considered to be similar to the established layout of neighbouring properties, and it is therefore considered that views from the proposed dwelling itself would result in no further harm to the amenities of neighbouring properties. High level windows would be incorporated within the side elevations of the single storey basement projection with overlooking to the adjoining property prevented by the proposed garden arrangement.
- 6.11 It is recognised that objection has been raised by neighbours over the possible outlook and loss of privacy caused by the canted two storey bay window to the front elevation. However, following amendments this window has been omitted and replaced with a bay to match the remainder of the terrace. Given surrounding properties include a similar style window this is not considered to result in any further harm or overlooking to the neighbouring properties than that already established within the wider terrace.
- 6.12 The proposal would incorporate a rear terrace that would extend to a depth of 2.5m and a width of 3.7m, extending 2m above the highest ground level of the neighbouring property. In response to officer concerns the terrace has been reduced in size and scale with privacy screening proposed along the shared boundary with the neighbouring property. The inclusion of this screen, which is secured through condition, is considered sufficient to reduce the potential overlooking and loss of privacy, with the use of obscure glazing ensuring that a level of light is still able to diffuse through the site.
- 6.13 It is considered that amendments secured as part of the application have resulted in a scheme which reduces the impact on neighbouring properties and ensures that no significant harm upon the amenities and sensitivities of neighbouring properties would result. As such, the proposal is considered to accord with Policy 33 of the Horsham District Planning Framework (2015).

Existing Parking and Traffic Conditions

- 6.14 Policy 41 of the Horsham District Planning Framework states that development should provide safe and adequate parking, suitable for all anticipated users.
- 6.15 A number of objections have been raised to the application based upon the parking arrangement proposed. These objections state that there is insufficient parking along the lane to provide for the existing dwellings, with the addition of another dwelling considered to further strain the parking, traffic and access arrangements. Furthermore, it is highlighted that the highway is a private lane owned by the Southview Terrace Residents Association, and therefore the land proposed for parking is not owned by the applicant.
- 6.16 The existing dwelling of 16 Southview Terrace currently includes an attached garage and parking space to the front, which would be demolished to accommodate the new dwelling.

The removal of this parking area will lead to an increase in parking requirements, not only for the new dwelling, but also the existing. It is noted from the representations received that the lane benefits from 8 x parking spaces with any additional vehicles required to park elsewhere in neighbouring roads.

- 6.17 It is proposed to provide 2 x parking spaces to the front of the dwelling, and these would be positioned parallel to the terrace of dwellings. Following amendments, these parking spaces would utilise an area of land to the frontage, and it is noted that part of the site would need to be cleared to provide this parking area. The clearance of the site does not raise any concerns with regards the character or appearance of the site or wider surroundings, with the allocation for parking considered an appropriate measure of mitigation (which can be secured through condition).
- 6.18 Given the location of the site within the built-up area, in reasonably close proximity to the centre of Henfield, the site is considered to be in a sustainable location that has good public transport services. The need for a private vehicle would be reduced with the possibility of using other methods of transportation available. Although it is acknowledged that the introduction of an additional dwelling would lead to further pressure given the existing situation (with uncontrolled street parking available in the vicinity of the site) any impact is not considered to be of such significance as to warrant refusal of the application.
- 6.19 For the reasons outlined the proposed parking arrangement is considered to be acceptable and is not considered to result in harm to the function and safety of the highway network, in accordance with policies 40 and 41 of the Horsham District Planning Framework.

Conclusion

- 6.20 The proposed development is considered to be of a form and appearance that would relate sympathetically to the build pattern, character and distinctiveness of the street scene, whilst of a scale, siting and orientation that would not materially harm the amenities and sensitivities of neighbouring properties, in accordance with Policies 25, 32, 33 and 41 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

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

- 1 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 take place, including any works of demolition, unless there is available within the site provision for the storage of materials and equipment associated with the building works; all in accordance with precise details to be approved by the Local Planning Authority in writing before development commences. The approved facilities shall be retained and available for use throughout the period of work required to implement the development hereby permitted unless alternative details are agreed in writing by the Local Planning Authority.

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

- 4 **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 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).

- 5 **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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

- 9 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

- 10 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until the parking spaces have been provided in accordance with the plans hereby approved (as shown on plan reference 1533-101B received 19.12.2016) and the parking spaces shall thereafter be retained solely for that purpose and solely in connection with the approved development.

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

- 11 **Regulatory Condition:** The dwelling hereby approved shall not be occupied until screening has been erected to the ground floor roof terrace in accordance with drawing no. 1533-210 (B). The screening shall thereafter be retained in strict accordance with the approved plans.

Reason: To safeguard the amenities of the residents of 16 Southview Terrace in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewerage system in order to protect the development from potential flooding.

NOTE TO APPLICANT

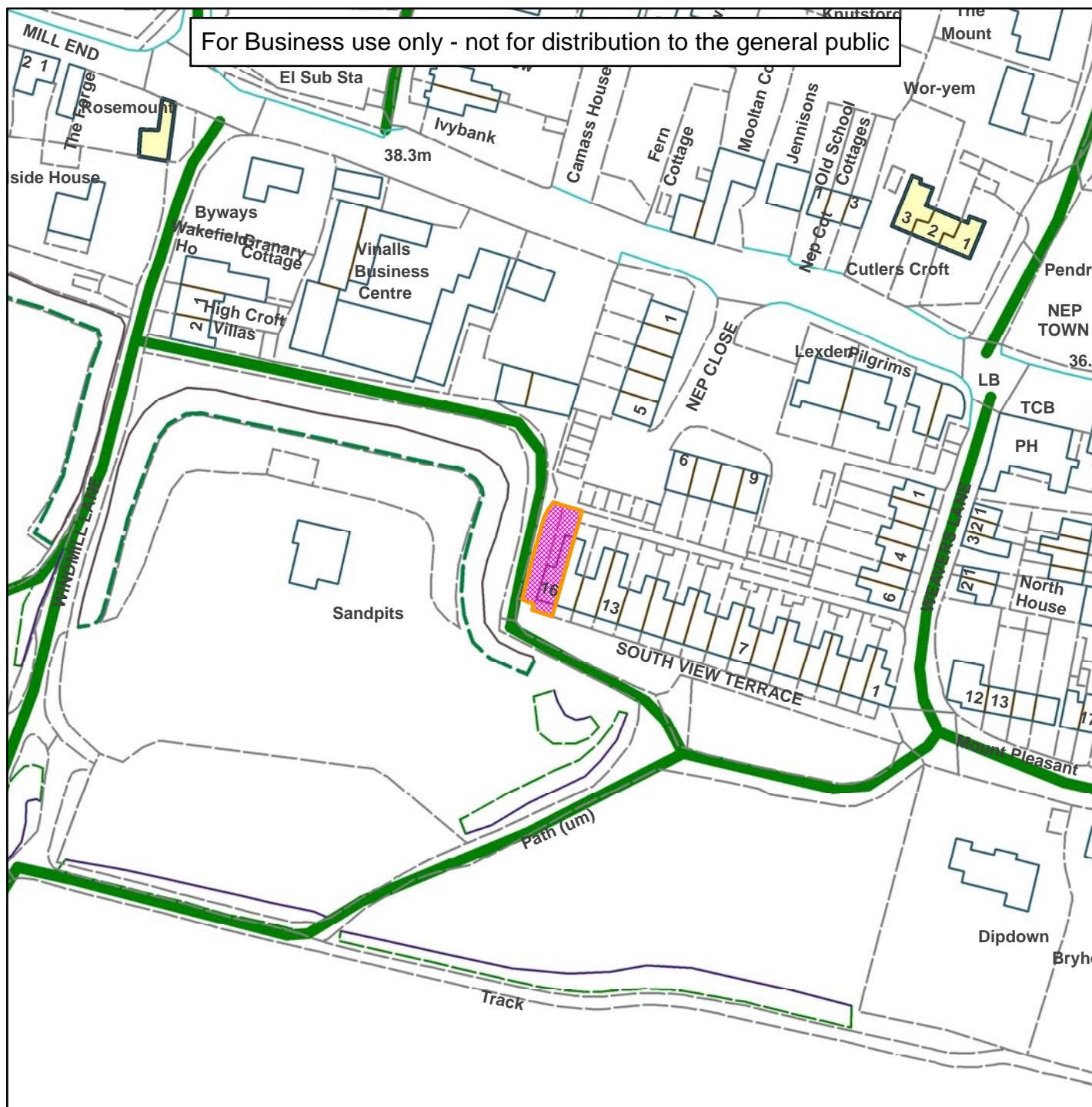
Should any building works, demolition or construction encroach upon the PROW then a Temporary Path Closure Order may be required, for which an application must be made to WSCC's RoW Team. Planning permission does not confer consent for such a closure, which requires a separate application to WSCC's RoW Team. Access along the PROW by contractor's vehicles, deliveries or plant is only lawful if the applicant can prove they have a vehicular right. Neither the applicant nor their contractor has a right to obstruct the PROW with parked vehicle(s). Any alteration to, or replacement of, the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with WSCC's RoW Team to ensure the legal width of the footpath is maintained and there is no unlawful encroachment. If the footpath surface is considered damaged as a result of the development then the applicant will be required to make good the surface to a standard satisfactory to WSCC's RoW Team.

Background Papers: DC/16/1783



16 Southview Terrace

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	07/09/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Development Manager

DATE: 19 September 2017

DEVELOPMENT: Proposed siting of temporary rural workers dwelling and erection of 270sqm agricultural building (Revised scheme to previously approved application DC/16/1866)

SITE: Moralee Farm Haglands Lane West Chiltington West Sussex RH20 2QS

WARD: Chanctonbury

APPLICATION: DC/17/1452

APPLICANT: **Name:** Ms Claire Holloway **Address:** c/o agent

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation.

RECOMMENDATION: Grant planning permission, subject to the completion of a s106 agreement (or the receipt of a unilateral undertaking) as set out in the report

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the siting of a temporary dwelling for a rural worker, and the erection of a general purpose agricultural building. The application follows the granting of planning permission (at Planning Committee South in April 2017) for a comparable scheme, ref: DC/16/1866. In comparison to the existing permission the current application would re-orientate the approved rural workers dwelling and re-site the agricultural building 30 metres to the east.
- 1.2 The proposed agricultural barn would be 12 metres deep, 22.5 metres wide and 7.4 metres in height to the ridge. It would be constructed with timber boarding to the walls and grey profiled fibre cement sheeting to the roof with translucent panels. The building would be used as a fodder/feed and equipment store, implement store, farm workshop and for sick/nursing animals, shearing and veterinary attention when required. The building would also be used in connection with the proposed vineyard.
- 1.3 The proposed temporary rural workers dwelling would be a one bedroom flat roofed unit with a decked area to the east and west. The unit would be 8.2 metres wide, 6.7 metres

deep and 3.3 metres in height. The unit would have timber boarding to the walls and a glass fibre/sedum roof.

- 1.4 The proposed temporary dwelling and agricultural barn are required to support an emerging agricultural business on the site. The agricultural business to be formed on the site would result when fully established in 75 alpaca on the holding, which would include 25 breeding females plus cria (young alpaca), yearlings, wethers and stud males. The applicant already owns 13 breeding females which are at present retained at another breeders premises pending the outcome of the current application. The applicant also seeks to convert 1.6 ha of the site into a small vineyard.

DESCRIPTION OF THE SITE

- 1.5 The application site is situated in a rural location on the northern side of Haglands Lane. This section of Haglands Lane has the character of a country lane with hedgerow planting and trees on the boundary to the application site. To the west of the site is Old Haglands, which is a grade 2 listed building in use as a dwellinghouse. Also to the western boundary of the site is a public footpath which branches to the east, to the north of the site. To the north of the site open views across grassland are present with the land sloping away from the road.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

Section 3: Supporting a prosperous rural economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Horsham District Planning Framework (HDPF 2015)

HDPF1 - Strategic Policy: Sustainable Development

HDPF10 - Rural Economic Development

HDPF20 - Rural Workers Accommodation

HDPF24 - Strategic Policy: Environmental Protection

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF34 - Cultural and Heritage Assets

HDPF40 - Sustainable Transport

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 The West Chiltington Neighbourhood Plan went out to consultation in accordance with the Neighbourhood Planning Reg. 14 and concluded on the 21 June. The Parish Council are

currently collating all representation received and will make further changes to the plan as necessary.

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1708	Prior Notification for improvements to a farm track/public footpath	Objection on 26.08.2016
DC/16/1866	Siting of temporary rural workers dwelling; erection of agricultural building; alterations to access.	Application Permitted on 26.04.2017

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 Public Health and Licensing – No comments to make on application.
- 3.3 Property Services (Drainage) - No comments to make on application.

OUTSIDE AGENCIES

- 3.3 WSCC Highways – No objection subject to conditions
- 3.4 Southern Water - The applicant is advised to contact the Environment Agency with regards to the use of a septic tank. It may be possible for the development to be connected to a nearby public sewer, further detail should be sought from Southern Water. The development would lie within a Source Protection Water Zone and the application should ensure the protection of the public water supply source.

PUBLIC CONSULTATIONS

- 3.5 West Chiltington Parish Council: Object to the application on the following grounds:-

- The applicant's main argument in the original application was the need for an agricultural tied dwelling and this current application seeks to remove this need before business has begun.
- Conditions 10 and 11 should remain in place and should not be changed
- The NPPF states that new homes should not be built in open countryside and this application contravenes Policy 26 of the HDPF.
- The proposed re-siting of the barn would mean that all the farming activity would be seen from the road, having a detrimental effect on the street scene.
- The original application was passed on the premise that it would be impossible to move the barn to the bottom of the field as it was claimed that it is a flood zone by Reading Consultants. This has now been proven not to be the case.
- The buildings should be moved to the lower part of the field where it would be more in sympathy with the terrain and would not affect the significant views as highlighted in West Chiltington Draft Neighbourhood Plan.
- We would like to make the case officer aware that the landscaping both hard and soft and the planting of poplar trees has already begun without planning permission, some on the verge/roadside.

- A temporary dwelling without an agricultural tie would contravene the HDPF on this site – Policies 20 and 26.

3.6 Fifty three letters (16 of which have come from 7 addresses) have been received objecting to the application on the following grounds:-

- Overdevelopment of site
- Restriction regarding occupancy should remain
- Loss of amenity
- Highway concerns
- Repositioning of barn would move the building closer to the road, and block more views from the lane
- New position more evident and dominating in the streetscene
- Planting of poplars would obscure view and are not required for use of land
- Revised scheme allows possibility of non-agricultural purposes
- Village infrastructure insufficient
- Vines poorly planted
- Car dumped on site
- Proposal in rural area and contrary to West Chiltington Neighbourhood Plan

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 This application seeks full planning permission for the construction of an agricultural barn, and the positioning of a temporary agricultural workers dwelling. The principle of development on the site was established under application ref: DC/16/1866. As part of this existing permission it was accepted that the proposed barn would be reasonably required for the purposes of agriculture on the unit, and that a temporary agricultural workers dwelling would be realistically required for the welfare of the livestock on the unit. There are no reasons to take a different view as part of the current application and the principle of the proposed development remains acceptable in this instance.

6.2 In respect of the existing planning permission the current application proposes a revised location for the barn, 30 metres to the east, and a re-orientation of the dwelling.

Agricultural Barn

6.6 As noted in the previous application on the site, the use of the land for agricultural purposes is acceptable and in itself would not require planning permission. The current application would re-site the approved barn 30 metres to the east of its previously approved position. The building would be used as a fodder/feed and equipment store, implement store, farm workshop and for sick/nursing animals, shearing and veterinary attention when required. The building would also be used in connection with the proposed vineyard.

- 6.7 The Council's Agricultural Consultant visited the site as part of the previous application and advised that the agricultural barn was suitable for its proposed use, and that the storage of equipment, and fodder would be required. It was therefore concluded under DC/16/1866 that the agricultural barn was reasonably necessary for the purposes of agriculture. The proposed barn would be the same size and would be utilised for the same function as the previous application. It is therefore considered that the principle of a barn, of the size and design proposed is acceptable.
- 6.8 The repositioning of the barn 30 metres to the east would move the proposed building further from the neighbouring property Old Haglands, and would retain the open views at the entrance to the site. The applicant is seeking to provide additional landscaping to the western boundary, and further planting is proposed to the boundary to Haglands Lane to further mitigate views into the site. It is therefore considered that the proposed development would comply with policy 10, 26 and 34 of the Horsham District Planning Framework.
- 6.9 It should be noted that approval of the current application would create a new planning permission for a barn on the site in addition to the barn already approved under ref: DC/16/1866. It is therefore recommended that a s106 agreement, or unilateral undertaking, be required to ensure only one of the permissions (for a barn) can be implemented. This approach would be sufficient to prevent the proliferation of buildings in the countryside.
- 6.10 A condition was placed on DC/16/1866 which required in the event of the agricultural building ceasing to be used for agricultural purposes, that it must be removed from the land and the land, be restored to its condition before the development took place. There are however no concerns regarding the impact of the barn on visual or residential amenity, with the HDPF supporting the re-use of redundant agricultural buildings to enable the sustainable development of the countryside. It is therefore considered that a condition requiring the possible future removal of the barn would not be necessary, relevant to the development to be permitted, or reasonable. It should be noted that alternative, non-agricultural use of the barn would require further planning permission and this provides a degree of control over any future use.

Temporary Workers Dwelling

- 6.11 The current application also seeks temporary planning permission for the siting of a one bedroom mobile home for occupation by an agricultural worker for a period of three years. The proposed mobile home would be situated in a similar position to that previously approved but would be orientated north south rather than east west. The scale and design of the dwelling would remain as previously approved. The principle of a temporary rural workers dwelling was established under reference DC/16/1866. As such the only issue of consideration is whether the design changes would have an adverse impact on the rural character of the area.
- 6.12 As a result of the size and height of the proposed dwelling it would have a limited impact on the street scene, particularly given the retained hedgerow. It is also considered that due to its siting and single-storey form it would not have an adverse impact on the amenities of neighbouring properties through overlooking or loss of privacy. The proposed temporary unit is also not considered to cause harm to the setting of the nearby listed building due to the nature of the boundary treatment and the retention of the open views from the access to the site. It is therefore considered that the proposed development complies with policy 33 and 34 of the HDPF.
- 6.12 A condition was placed on DC/16/1866 restricting the occupation of the dwelling to '*a person solely or mainly working, in agriculture at Moralee Farm, or a widow or widower of such a person, and to any resident dependants only*'. As part of the current application the

applicant has advised that this approach, which links the dwelling to a specific farm, is contrary to Government advice and model conditions. This view is accepted and requiring the dwelling only be occupied in connection with Moralee Farm, contrary to standing advice of the Government, would be an extremely difficult position to defend at appeal.

- 6.13 A condition is therefore recommended limiting occupancy of the dwelling to a person solely or mainly working in agriculture (or forestry). This approach would ensure the dwelling was only used in connection with agriculture, and that the dwelling is kept available to meet the needs of other farm or forestry businesses in the locality if it is no longer needed by the original business, thus avoiding a proliferation of dwellings in the open countryside. As with the existing permission, a condition is recommended to require the dwelling be removed from the site after 3 years (from the date of the permission). The combination of these two conditions would provide sufficient control over the future presence of a rural workers dwelling on the site.

Highways

- 6.14 The Highways Authority has carefully considered the application and do not consider that the proposal would have a 'severe' impact on the operation of the Highway network. Paragraph 32 of the NPPF states that '*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'. Consequently, it is considered that there are no transport grounds to resist the proposal, the principle of which was established under DC/16/1866.

Ecology

- 6.15 Concerns were raised with regards to the presence of protected species (Hazel Dormice) on an adjoining site during the consideration of the earlier application. The Councils ecologist was consulted on the previous application and raised no objection subject to a condition.

Conclusion

- 6.16 The current application seeks to amend the agricultural barn and temporary rural workers dwelling approved in April 2017 under DC/16/1866. It is considered that the proposed changes to the approved scheme would not have an adverse impact on the rural character of the area or the amenities of neighbouring properties. The proposed development would be required for the operation of a fledgling business for the breeding of alpacas and a small vineyard, which would support the rural economy. It is considered from the information provided that the proposed works would be required for the agricultural needs of the unit and that the dwelling would be essential for the management of the business. It is therefore considered that the application complies with policy 10, 20, 26, 33 and 34 of the HDPF.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted subject to the completion of a s106 agreement, or receipt of an appropriate unilateral undertaking, to ensure that only one barn is erected on the site, and 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 **Standard Time Condition:** The temporary workers dwelling hereby permitted shall be removed and the land shall be restored on or before the 20 September 2020 to its former condition as grassed agricultural land unless otherwise agreed in writing by the Local Planning Authority.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policy 33 of the Horsham District Planning Framework.

- 4 **Pre-Commencement Condition:** No development shall commence until an ecological mitigation and enhancement plan indicating how provision will be made for Hazel Dormice and their habitats has been submitted to and approved by the Local Planning Authority in writing. The approved provisions shall be implemented before development commences and shall thereafter be retained and maintained in accordance with the approved details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 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 (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).

- 7 **Pre-Occupation Condition:** The landscape scheme on drawing no. MF-LS shall be fully implemented in the first planting season following the first occupation of any part of the hereby approved 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:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number MF-BPP. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **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 MF-BPP 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).

- 10 **Regulatory Condition:** The occupancy of the hereby approved temporary dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants only.

Reason: The site lies in an area where, in accordance with Policy 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

- 11 **Regulatory Condition:** The existing hedgerow to the southern boundary of the site, adjacent to Haglands Lane, shall be retained in accordance with the approved landscaping scheme set out on drawing no. MF-LS.

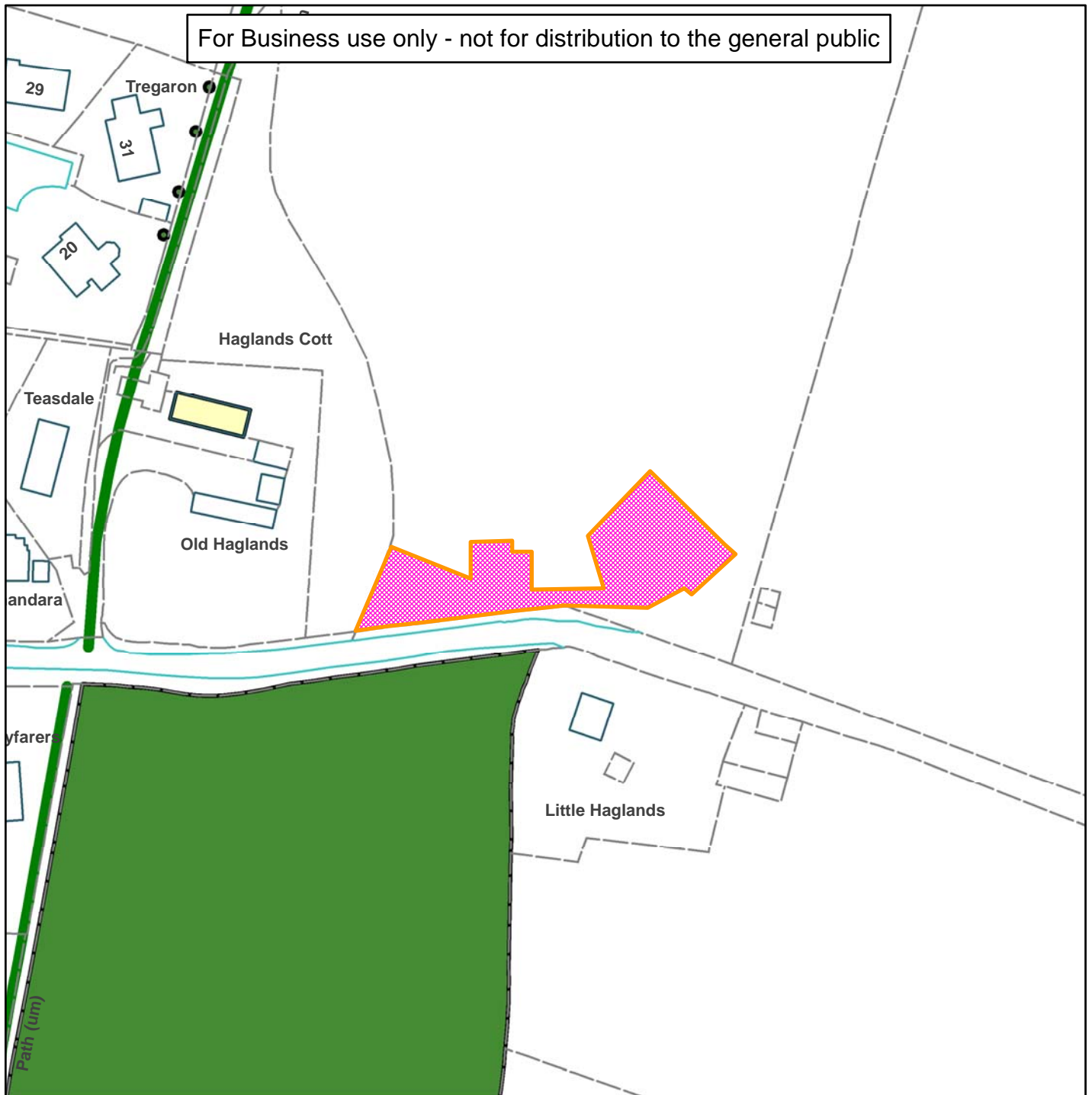
Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/1452
DC/16/1866



Moralee Farm, Haglands Lane

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Comments	
Date	07/09/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Development Manager

DATE: 19 September 2017

DEVELOPMENT: Proposed erection of a single two storey dwelling (Amendments to previously approved application DC/16/1088)

SITE: Land To The Rear of Crimond Maudlin Lane Bramber Steyning West Sussex BN44 3PR

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/17/1245

APPLICANT: **Name:** Mr David King **Address:** Annington Cottage, Maudling Lane Bramber BN44 3WB West Sussex

REASON FOR INCLUSION ON THE AGENDA: More than eight letters of representation contrary to the Officer's recommendation have been received.

RECOMMENDATION: Grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of a detached two storey four bedroom dwelling house, with attached garage and associated access onto Clays Hill. The proposed dwelling would be 11.7 metres wide (including the garage), 12.25 metres deep and 7.8 metres in height to the ridge. The proposal has been amended as part of the application process to reduce the height and footprint of the dwelling, and to increase the separation from the shared eastern boundary of the site. These amendments have been re-consulted upon.
- 1.2 The application has been submitted following the approval of application DC/16/1088 in April 2017 for the construction of a detached dwelling on the site. The current application would essentially amend the siting, design and scale of the previously approved dwelling. The proposed dwelling would be wider than that previously approved dwelling being 8.5 metres wide (11.7 metres when including the garage) compared to 7.1 metres, would be of a similar depth (12.2 metres) and 0.4 metres higher to the ridge. The proposed dwelling would be sited 2 metres from the boundary with Hill View to the east, and 4.5 metres from the front boundary of the site.

DESCRIPTION OF THE SITE

- 1.3 The application site is situated within the built-up area boundary of Steyning on the southern side of Clays Hill. The application site previously formed part of the garden area of Crimond and the neighbouring property Whindene. Crimond, which is accessed from Maudlin Lane, is at a higher level than the application site with views to the north and north east. To the east of the application site is a two storey dwelling known as Hill View.
- 1.4 Clays Hill rises up as it enters Steyning and the application site is therefore at a higher level than the neighbouring property to the east, Hill View. There is a pedestrian access from Clays Hill into the site with the boundary being formed of a low stone wall and hedging.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

- NPPF1 - Building a strong, competitive economy
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF14 - Presumption in favour of sustainable development

Horsham District Planning Framework (HDPF 2015)

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF4 - Strategic Policy: Settlement Expansion
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF40 - Sustainable Transport
- HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 Steyning was designated as a Neighbourhood Plan Area in September 2014. Work is being undertaken to progress the plan to regulation 14 stage.

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

BM/12/57	Bungalow and garage (From old Planning History)	Application Permitted on 06.11.1957
BM/9/00	Single dormer window Site: Crimond Maudlin Lane Bramber	Application Permitted on 04.04.2000
DC/15/2488	Raising of roof height of dwelling, change from hipped roof to gabled and garage conversion	Application Permitted on 23.12.2015
DC/16/1081	Erection of Car Port at front of house	Application Refused on 20.06.2016
DC/16/1088	Erection of 1 x dwelling	Application Permitted on 26.04.2017

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 None.

OUTSIDE AGENCIES

- 3.3 Southern Water: No objection. A formal application would be required for connection to the public foul sewer.
- 3.4 West Sussex County Council Highways – Amended comments are awaited.

PUBLIC CONSULTATIONS

- 3.5 Bramber Parish Council: Object for the following reasons:-

- Plans should be a new application not an amendment;
- The scale of the house is far too large for the site especially as it is located on a slope;
- Plans show house will sit much higher than the neighbouring dwelling and would be very visible in Clays Hill;
- Concern regarding seepage from septic tank onto the public highway;
- Concern regarding access to the site during construction works;
- No measurements for house on the amended plans;
- Gap between the proposed dwelling and the neighbouring house seems misleadingly wide.

- 3.6 Five letters have been received objecting to the amended plans noting that:-

- The original objections remain valid;
- Ridge height is significantly higher than Hill View;
- Overdevelopment of plot;
- Loss of privacy and light to Hill View;
- Previous application placed development further away from Hill View;
- The septic tank would be within 5 metres of the water main, Southern Water would not allow soakaways within 5 metres or planting. Planting would be required for the soakaway;
- Rear building line exceeds that of adjacent properties;
- Access has been relocated.

- 3.7 Five letters have been received objecting to the original application on the following grounds:-

- Sewage treatment plant requires trees and plants to take up treated sewage, treatment plant not suitable in this location;
- Building higher, larger and in a different location to previous application;
- Access has been relocated;
- Objections remain valid from DC/16/1088;
- Proposal would cause loss of privacy to neighbouring properties;
- Overdevelopment of site;
- Loss of sunlight and privacy to neighbouring property.

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

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.2 The application site is situated within the built-up area boundary of Steyning, which has been designated within the Development Hierarchy as a small town or large village which are settlements that have a good range of services and facilities. The scale of the development is appropriate to the settlement and the proposal is therefore considered acceptable in principal, subject to detailed considerations. The principle of development has also been accepted on the site following the approval of DC/16/1088 in April 2017.

Character of the area

- 6.3 The size of the proposed plot is comparable to surrounding development and is within a location of variable plot sizes. The application site is within a location where property style and design varies considerably, with little consistency between buildings. The proposed dwelling would primarily be viewed alongside existing properties on Clays Hill, with the proposed design reflective of a traditional Sussex vernacular. This approach is considered to represent a significant improvement from the existing planning permission.
- 6.4 The proposed dwelling would be located on rising land and would be taller than the neighbouring property, Hill View. The proposed dwelling has been increased in height from that previously approved by approximately 0.4 metres. It is considered that the proposed development, although taller than that previously approved, would not result in the building appearing overly dominant in the streetscene, with the arrangement reflecting changing ground levels and the stepped nature of adjoining properties.
- 6.5 It is considered that the proposed siting, which respects the immediate building line, would sufficiently reflect adjoining properties with the development not appearing visually cramped. The proposal would not therefore harm the prevailing character or appearance of the site or immediate surrounding area. It is therefore considered that the proposal would comply with policy 32 and 33 of the HDPF.

Amenities of Neighbouring Properties

- 6.6 The proposed dwelling would be located approximately 2 metres from the boundary of Hill View and would respect the front and rear building lines of this adjoining property. It is considered that although the distance to the boundary has been reduced from that previously approved (from 3.6 metres to 2 metres) the proposal would still maintain the amenities of neighbouring properties. The proposed dwelling would have a landing window at first floor level with a toilet window at ground floor level on the eastern elevation. It is considered that provided the window at first floor level is obscure glazed the proposal would not result in undue overlooking or loss of privacy. The proposal seeks to provide two rooflights within the western elevation to light a bathroom and en-suite. To the rear elevation would be two bedroom windows at first floor level. It is considered that the location of the windows would not create any overlooking above that which would be expected in a residential location such as this. The resulting visibility between properties would not be uncommon and would not result in such harm as to warrant a refusal of planning permission.
- 6.7 The dwellings to the west of the site would be at a higher level than the application dwelling, as the land slopes up to the west. The proposed development would retain a distance of 25 metres from the rear wall of Crimond, approximately 32 metres from Whindene and 40 metres from Essenden. It is considered that these distances would be sufficient to prevent any harmful impact on these properties through loss of light, outlook or privacy.
- 6.8 It is noted that concerns have been raised relating to the proposed sewage treatment plant. Southern Water has not raised any objections to this approach and any consent required from Southern Water would fall outside the scope of this planning application. A condition is recommended to secure details of drainage.

Impact on Trees

- 6.9 The proposal would result in the removal of a walnut tree which is not subject of any formal protection. The tree did not meet any criteria for formal protection and it is therefore considered that an objection could not be raised to the loss of the tree. A condition is recommended to secure a landscaping scheme across the site.

Impact on Highways

- 6.10 During the consideration of the previous application a site visit took place with West Sussex County Council Highways to discuss visibility either side of the proposed access. Following this meeting a Technical Note and revised access arrangement were submitted, allowing for visibility splays of 2.4 x 61m to the east and 2.4m x 56m to the west. WSCC Highways raised no objections to the amended arrangement, which was considered to demonstrate that the proposal will not lead to a severe impact on the operation of the local network.
- 6.11 While the current application amends the access, moving the access to the west of that previously approved, the previously approved visibility splays would still be maintained, and this is secured by condition. On this basis the proposal would not raise any highway safety concerns. Further comments have been sought from WSCC Highways and these will be reported to Planning Committee.

7. RECOMMENDATIONS

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

1 A list of the approved plans.

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

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

- 3 **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).

- 4 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 5 **Pre-Commencement Condition:** No development shall commence until such time as temporary arrangements for access for construction traffic has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To secure safe and satisfactory means of vehicular access to the site during construction in accordance with policy 40 of the Horsham District Planning Framework 2015.

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building 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).

- 7 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until 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).

- 8 **Pre-Occupation Condition:** The landscape scheme set out on drawing no. 2.08 REV A shall be implemented 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 the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 11 **Pre-Occupation Condition:** The building/extension hereby permitted shall not be occupied until the windows at first floor level on the eastern elevation on Plan 2.03 REVB have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the windows fixed shut/non-openable thereafter.

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

- 12 **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 61 metres to the east and 56 metres to the west have been provided at the proposed site vehicular access onto Clays Hill. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

- 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 2.03 REVB. 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 **Pre-Occupation Condition:** The hereby approved dwellinghouse shall not be occupied until the parking and access facilities have been completed in accordance with drawing no. 2.08 Rev A. The parking and access facilities shall thereafter be retained as such.

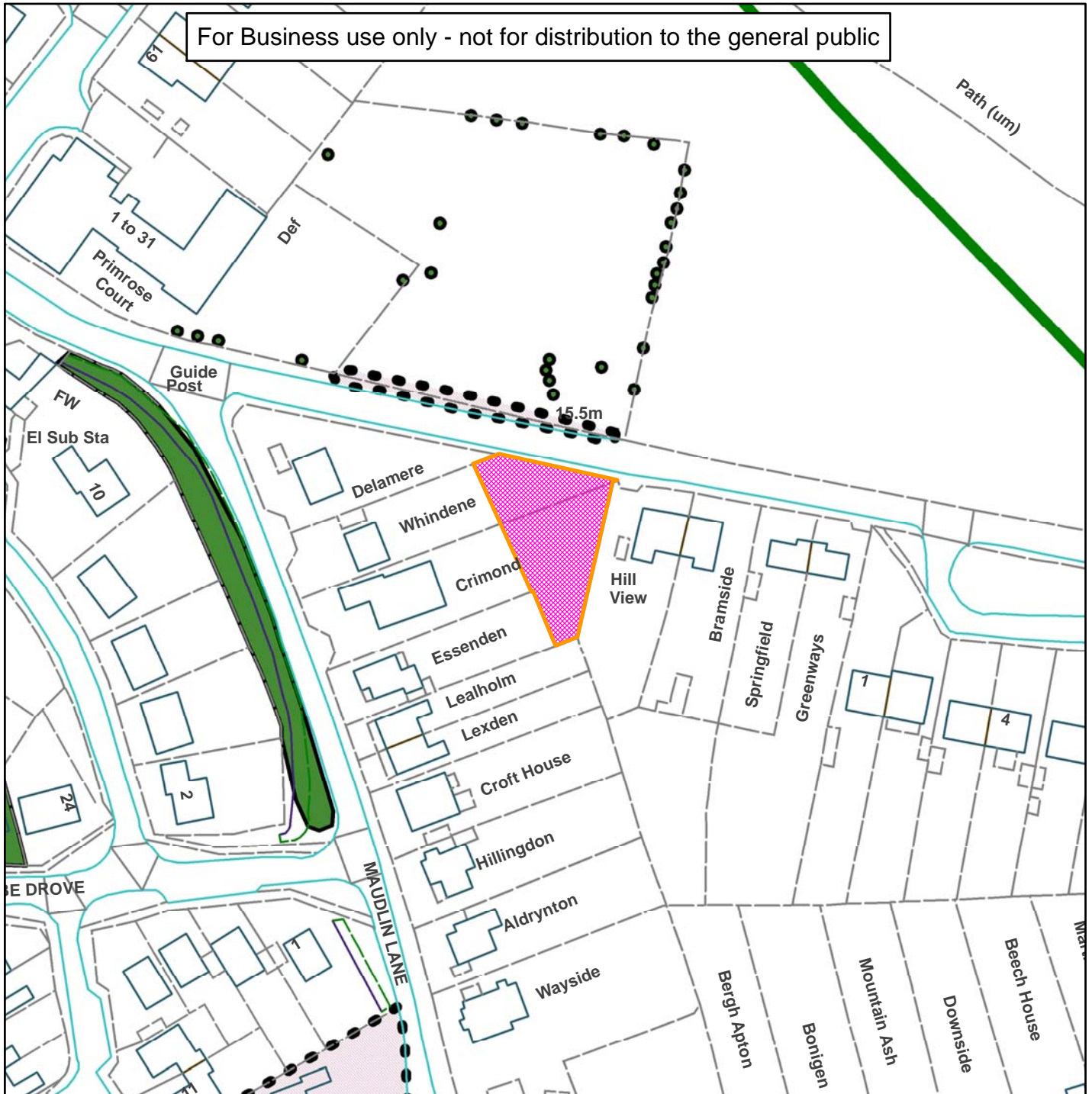
Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/1245
DC/16/1088



Land to the Rear of Crimond

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