



# Planning Committee (South)

**Tuesday, 17th April, 2018 at 2.30 pm**

**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
	David Coldwell	Mike Morgan
	Ray Dawe	Kate Rowbottom
	Brian Donnelly	Jim Sanson
	David Jenkins	Ben Staines
	Nigel Jupp	Claire Vickers
	Liz Kitchen	Michael Willett

You are summoned to the meeting to transact the following business

Tom Crowley  
Chief Executive

## Agenda

	Page No.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 10
To approve as correct the minutes of the meeting held on 20 March 2018 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

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

**5. Appeals 11 - 14**

Applications for determination by Committee:

**6. DC/17/2352 - Cedar Leas, Henfield Road, Cowfold 15 - 30**

Ward: Cowfold, Shermanbury & West Grinstead  
Applicant: Concept Developments

**7. DC/18/0018 - Garage Block, Rowan Drive, Billingshurst 31 - 48**

Ward: Billingshurst & Shipley  
Applicant: Horsham District Council

**8. SDNP/17/05626/FUL - Gerston farm, Greyfriars Lane, Storrington 49 - 64**

Ward: Chantry  
Applicant: Miss Cara Stephanou

**9. DC/17/0861 - Bus Turning Circle, Old Mill Drive, Storrington 65 - 74**

Ward: Chantry  
Applicant: c/o Agent

**10. 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

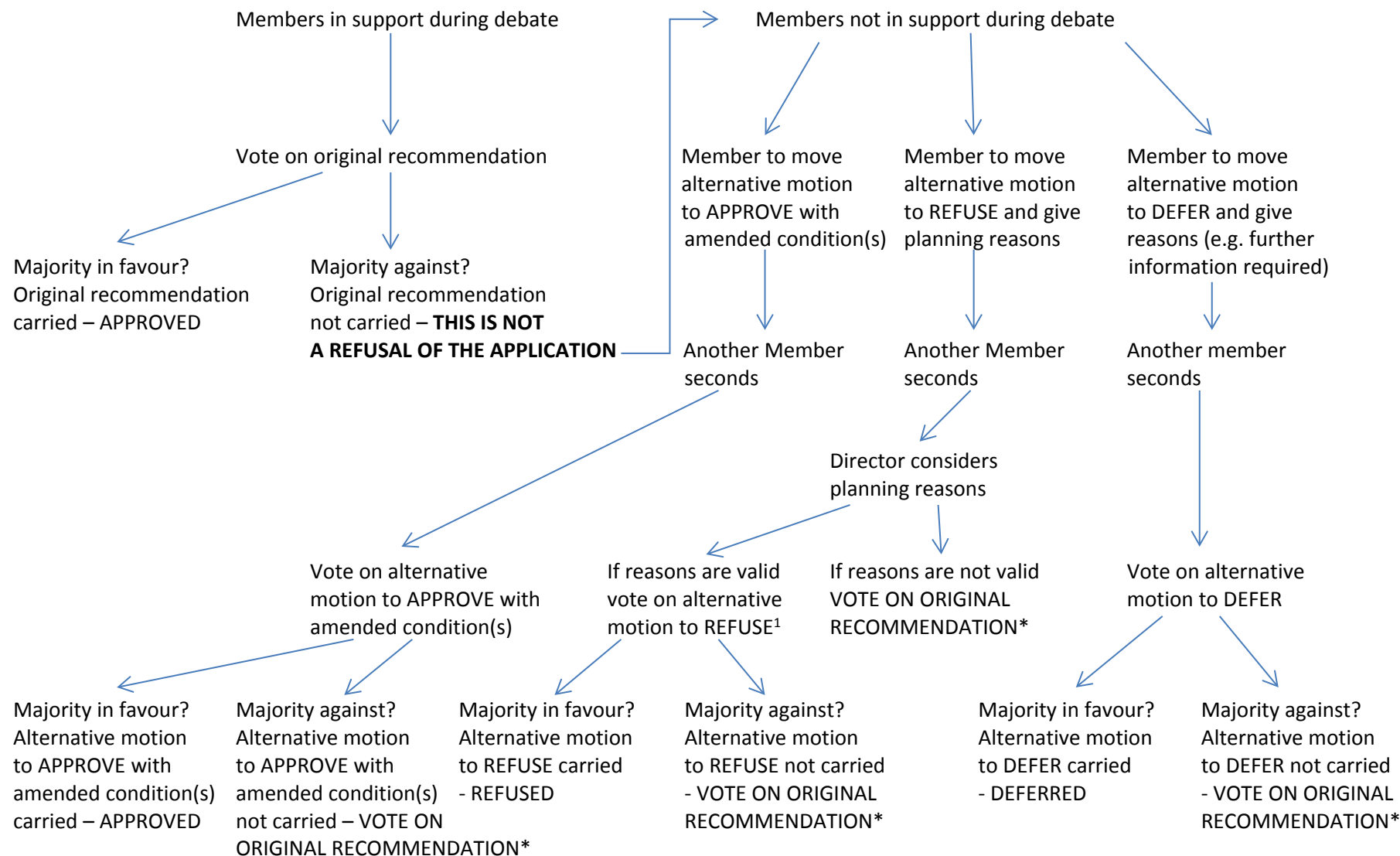
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

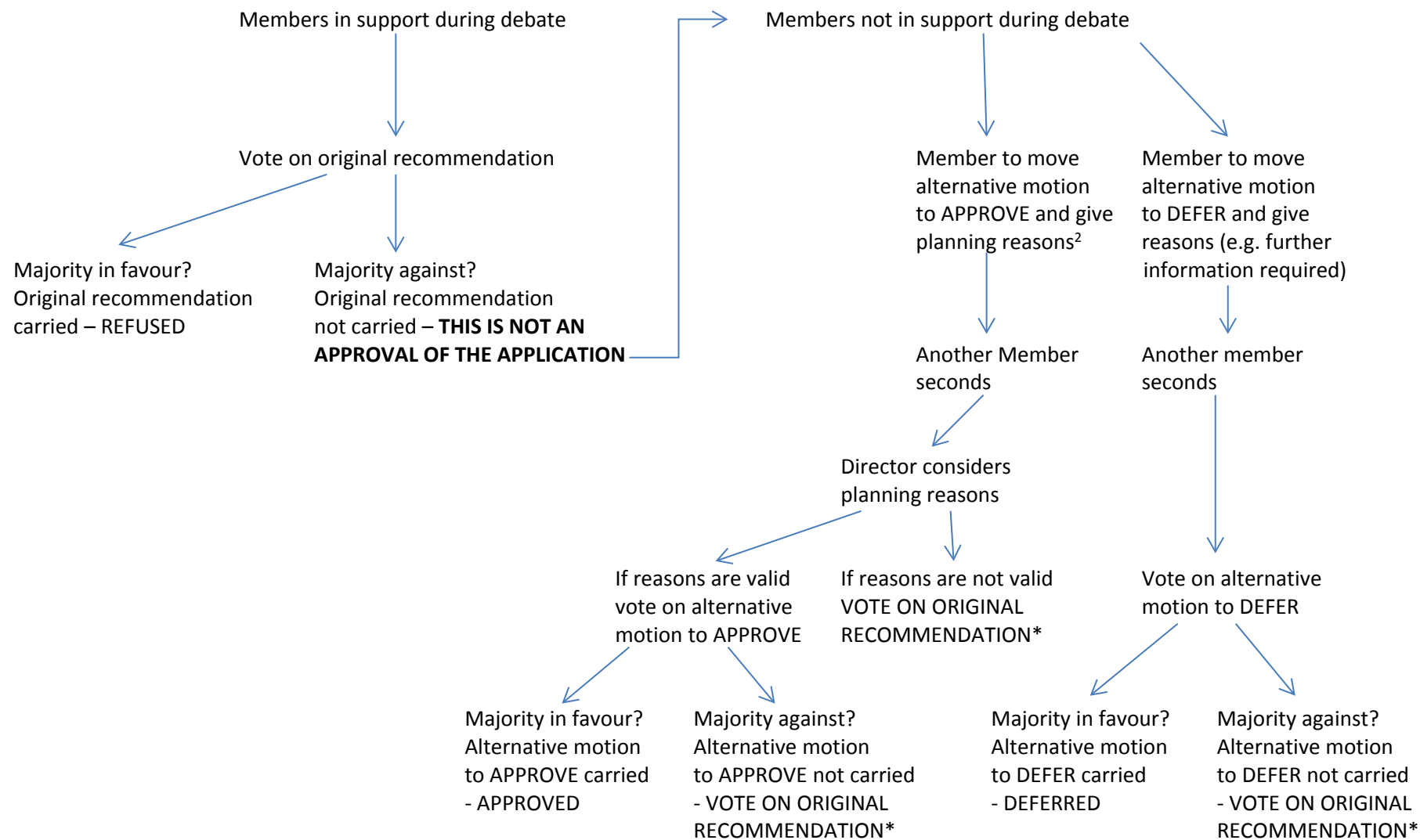
## Original recommendation to APPROVE application



\*Or further alternative motion moved and procedure repeated

<sup>1</sup> Subject to Director's power to refer application to Full Council if cost implications are likely.

## Original recommendation to REFUSE application



\*Or further alternative motion moved and procedure repeated

<sup>2</sup> Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

**Planning Committee (South)**  
**20 MARCH 2018**

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, David Coldwell, Ray Dawe, Brian Donnelly, David Jenkins, Nigel Jupp, Liz Kitchen, Tim Lloyd, Paul Marshall, Mike Morgan, Kate Rowbottom, Ben Staines and Claire Vickers

Apologies: Councillors: Gordon Lindsay, Jim Sanson and Michael Willett

PCS/69 **MINUTES**

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

PCS/70 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/2074 – Councillor Nigel Jupp declared a personal interest because knows one of the public speakers.

DC/17/2887 – it was noted that a number of Councillors present were acquainted with one of the speakers.

PCS/71 **ANNOUNCEMENTS**

There were no announcements.

PCS/72 **APPEALS**

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

PCS/73 **DC/17/2074 - LAND ADJOINING THE ORCHARD, COWFOLD ROAD, WEST GRINSTEAD**

The Head of Development reported that this application sought permission for the change of use of woodland to a holiday lodge caravan park with 23 caravan pitches on concrete bases arranged centrally surrounded by managed woodland. The caravans would include grey, green or brown timber effect panels and be intended for holiday use only. The removal of some low or medium quality trees was proposed, though trees along the boundaries would be retained and replacement planting was included in landscaping proposals.

The proposed access was from the A272 Cowfold Road, through the Orchard Restaurant carpark. Each caravan would have two car parking spaces, with four additional visitor parking spaces near the site entrance.

The application site was located in the countryside on the northern side of the A272 Cowfold Road and west of the Downs Link footpath. It was close to the small hamlet of West Grinstead. The Orchard Restaurant lay to the southeast. The site was overgrown with trees and shrubs and included some dilapidated outbuildings.

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, in particular that of the Ecology Consultant who objected to the proposal, were considered by the Committee.

Since publication of the report the applicant had agreed with West Sussex County Council to contribute £4,000 towards resurfacing improvements and developing facilities at the former West Grinstead Station along the South Downs Link. This would be secured through a legal agreement.

The Parish Council objected to the application. Twenty-one letters of objection had been received, including one since publication of the report which raised concerns regarding foul and surface water drainage serving the development. Three members of the public spoke in objection to the application. A representative of the Parish Council also spoke in objection. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development and the legal definition of caravan and caravan site; landscape and visual effects; trees; highway impacts and parking; ecology; and impacts on nearby and future residents. It was noted that the legal agreement would restrict the caravans to holiday accommodation use only.

Members discussed ecological impacts that the loss of woodland would have, in particular on protected species supported by the site (dormice and great crested newts), and whether the proposed mitigation measures were adequate. Members were also concerned whether the restrictions limiting use of the units to holiday purposes only would be effective.

Members weighed any potential benefits to tourism and the local economy against the harm to the woodland habitat and protected species and after careful consideration concluded that the proposal was unacceptable.



RESOLVED

That planning application DC/17/2074 be refused for the following reasons:

- 01 The proposal would result in a detrimental impact on the biodiversity of the site through loss of habitat, significantly affecting protected species such as dormice and great crested newts. This harm would not be outweighed by the economic benefits of the proposal. The development is therefore contrary to Policy 31 of the HPDF (2015).
- 02 The scheme is considered unsustainable and unsuitable development in the countryside resulting in a significant loss of woodland. The proposal would have a detrimental impact on the landscape character of the area and is an inappropriate departure from the Local Plan, contrary to the objectives to Policies 1, 2, 3, 4 & 26 of the HDPF (2015).

PCS/74 **DC/17/2887 - FIRSIDE, LOWER FAIRCOW, HENFIELD**

The Head of Development reported that this application sought permission for the demolition of a bungalow and erection of four three-storey residential units in the form of two semi-detached buildings. The design included gable ends, pitched roof, brick and timber cladding. Amenity space and two parking spaces were proposed for each unit, with one additional parking space to the front.

The application site was located within the built-up area of Henfield, set back from Lower Faircox via an access driveway. The site was well screened by mature trees and hedging and was surrounded by rear gardens of neighbouring properties, which varied in size and appearance.

Details of relevant government and council policies as contained within the report, were noted by the Committee. Relevant planning history was noted, in particular application DC/17/0411 which was refused by the Committee in April 2017 (Minute No. PCS/118 (25.04.17) refers) and dismissed on appeal.

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

The Parish Council objected to the application. Twenty letters of objection, from 16 households, had been received. Three members of the public spoke in objection to the application and a representative of the Parish Council also spoke in objection to the proposal. The applicant's chartered surveyor 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 the reasons for the DC/17/0411 appeal decision; the character of the dwellings and visual amenities of the street scene; the amenity of adjacent neighbours; and parking and traffic.

Members considered the design and scale of the dwellings in relation to that of the dismissed scheme. Members acknowledged that in the light of the appeal decision the application could not be refused on grounds of over development or loss of amenity. Members considered that the trees which screened the site should be protected and agreed that the required landscaping plan be agreed in consultation with Local Members.

RESOLVED

That planning application DC/17/2887 be determined by the Head of Development with a view to approval, subject to approval of a suitable landscaping and boundary treatment plan and a scheme for the protection of trees to be retained on the site, in consultation with Local Members.

PCS/75 **DC/17/2625 - LLOYDS BANK TSB LTD, 37 HIGH STREET, STEYNING**

Item withdrawn from the agenda.

PCS/76 **DC/17/2626 - LLOYDS BANK TSB LTD, 37 HIGH STREET, STEYNING**

Item withdrawn from the agenda.

PCS/77 **DC/17/2620 - LAND TO THE REAR OF 37 HIGH STREET, STEYNING**

Item withdrawn from the agenda.

PCS/78 **DC/17/2621 - LAND TO THE REAR OF 37 HIGH STREET, STEYNING**

Item withdrawn from the agenda.

*The meeting closed at 4.05 pm having commenced at 2.30 pm*

CHAIRMAN

## Planning Committee (South)

Date: 17<sup>th</sup> April 2018



Report on Appeals: 08/03/2018 – 04/04/2018

### 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/18/0012	Hobshorts House Rookcross Lane West Grinstead Horsham West Sussex RH13 8LL	12/03/2018		
EN/18/0012	Hobshorts House Rookcross Lane West Grinstead Horsham West Sussex RH13 8LL	14/03/2018		
DC/17/1374	Land To The Rear of Pear Tree Farm Furners Lane Woodmancote West Sussex BN5 9HX	22/03/2018	Permitted	
DC/17/1692	The Paddocks Smock Alley West Chiltington Pulborough West Sussex RH20 2QX	30/03/2018	Refused	

## 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/17/0789	Holme Manor Mare Hill Road Pulborough West Sussex	Written Representation	16/03/2018	Refused	
DC/17/0861	Bus Turning Circle Old Mill Drive Storrington West Sussex	Written Representation	23/03/2018	Permitted	
DC/17/0966	Lot 1 Wychwood Farm Brighton Road Shermanbury West Sussex RH13 8HE	Written Representation	23/03/2018	Prior Approval Required and Refused	
DC/17/1616	27 Meiros Way Ashington Pulborough West Sussex RH20 3QB	Written Representation	16/03/2018	Refused	
DC/17/1885	Land Rear of Oakley Flats High Street Partridge Green RH13 8HX	Written Representation	29/03/2018	Refused	
DC/17/2239	Whiteoaks Shoreham Road Small Dole Henfield West Sussex BN5 9SD	Written Representation	29/03/2018	Prior Approval Required and Refused	

3. Appeal Decisions

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

**No appeals determined.**

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 17 April 2018

**DEVELOPMENT:** Erection of 8 new dwellings with associated access, landscaping, parking and other associated works.

**SITE:** Cedar Leas Henfield Road Cowfold Horsham West Sussex RH13 8DT

**WARD:** Cowfold, Shermanbury and West Grinstead

**APPLICATION:** DC/17/2352

**APPLICANT:** **Name:** Concept Developments **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:** To approve planning permission subject to a Legal Agreement to secure a contribution towards affordable housing and appropriate conditions

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

To consider the planning application.

#### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application seeks full planning permission for the erection of 8 no. residential dwellings to be positioned to the south of the existing dwelling of Cedar Leas in Cowfold.
- 1.2 The proposed development would consist of one pair of semi-detached two storey 2-bed dwellings to the northern section of the site, with 4 no. detached two storey 4-bed dwellings and 2 no. detached two storey 3-bed positioned to the south of these. The semi-detached properties would be serviced by allocated parking to the front of the dwellings, with 3 no. car ports (with additional parking to the front of these) provided for the 6 no. detached dwellings. The proposed dwellings would be finished with facing brick, stone and timber detailing, and concrete tiles.
- 1.3 The existing vehicular access would be retained, with the proposed access road for the dwellings extending to the south. The access road would extend along the south-eastern boundary of the site and would sweep to the west to provide access to the carport along the north-western boundary.

## DESCRIPTION OF THE SITE

- 1.4 The application site consists of a single storey dwelling with substantial garden extending to the south.
- 1.5 The site falls within the built-up area of Cowfold, and is surrounded by residential and commercial properties to the north and east, with open countryside to the south and west.
- 1.6 The boundary is formed by mature trees to the east and hedging and post and rail fencing to the south and west, with the land sloping gradually to the south.
- 1.7 Grade II Listed Wood Grange and Bulls House sit adjacent to the southeast of the site.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

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

#### **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 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

#### Supplementary Planning Guidance:

- 2.3 Planning Obligations and Affordable Housing SPD 2017

### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Cowfold Parish is a designated Neighbourhood Plan Area however to date no draft Plan has been produced.

## PLANNING HISTORY AND RELEVANT APPLICATIONS

CF/5/62	Proposed bungalow in replacement of existing dwelling which is to be demolished adj. wood grange (From old Planning History)	Application Permitted on 13.04.1962
CF/23/71	Erection of 21 dwellings (From old Planning History)	Application Refused on 12.11.1971



### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** No Objection  
The proposed development would have no negative visual effects on the landscape or any significant impact on the landscape character.
- 3.3 **HDC Conservation:** No Objection  
Not considered to result in harm to the setting of context of the surrounding Listed Buildings.
- 3.4 **HDC Housing:** No Objection  
Subject to financial contribution to affordable housing
- 3.5 **HDC Waste Management:** No Comment
- 3.6 **HDC Drainage Engineer:** No Objection  
Subject to Drainage Strategy condition
- 3.7 **HDC Arboricultural Officer:** No Objection

#### OUTSIDE AGENCIES

- 3.8 **WSCC Highways:** No Objection  
Initial concerns were raised by the Highways Authority in respect of potential visibility at the access to the north. Following further consideration of the scheme, taking into account the specific local context, conditions, and evidence provided within the Transport Statement, it is not considered that a reason for refusal could be justified on these grounds.
- 3.9 **Ecology Consultant:** No Objection  
Subject to appropriately worded conditions
- 3.10 **Southern Water:** No Objection  
Requires formal application for connection to the public sewer to be made by the applicant or developer.

#### PUBLIC CONSULTATIONS

- 3.11 **Cowfold Parish Council:** Comment  
Concerns regarding the following:
- Level of new residential development in Cowfold
  - Right of access over the private road
  - Levels of Nitrogen Oxide pollution caused by increased traffic
  - Site access and visibility
  - Possible flooding issues

3.12 24 letters of objection were received from 8 separate households. These can be summarised as follows:

- Overdevelopment of the site
- Out of character with the area
- Increase in traffic and pollution
- Strain on local services and facilities
- Negative effect on Grade II Listed Building
- Ownership of private road
- Potential flooding
- Scale of dwellings
- Interference with farming activities
- Location of bin collection
- Impact on neighbouring properties

#### **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 8 no. dwellings, with associated access, landscaping, and parking.

##### **Principle of Development**

6.2 Policy 3 of the Horsham District Planning Framework states that development will be permitted within towns and villages which have defined built-up areas. Any infilling and 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 application site lies within the defined built-up area of Cowfold, which is categorised as a "Medium Village" under Policy 3 of the HDPF. These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. The application site is therefore considered to be within a sustainable location close to local facilities and services. Given the site's location within the built-up area, the principle of residential development on the site is considered acceptable, subject to all other material considerations.

##### **Design and Appearance**

6.4 Policies 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.

- 6.5 The application site lies to the far south of the settlement of Cowfold, with the surrounding properties primarily of commercial use, with a scattering of residential dwellings to the south and east of the main through road. The character of the locality is varied, encompassing mixed vernacular, with examples of detached and semi-detached properties prominent within the area. The development in the vicinity of the site is of fairly low density to the south, with the higher density development closer to the village centre to the north and east.
- 6.6 The proposed development would be laid out in a linear close-like layout, with the dwellings sited along the access road and bookended to the south. It is noted that similar development has taken place in the locality and most specifically within South Leas to the east, directly adjacent to the site.
- 6.7 Whilst the proposed development would sit within a backland setting, the proposed layout is considered to reflect the recognisable build pattern and linearity of development in the locality, and is considered to sit comfortably within the grain and pattern of built form along the southern edge of Cowfold. The introduction of detached and semi-detached dwellings is therefore not considered to detract from the overall character and build pattern of the surroundings.
- 6.8 The proposed development would consist of two storey detached and semi-detached properties ranging between a height of 8.5m and 9.5m, with the dwellings positioned in line with the existing bungalow to be retained to the north of the application site. The dwellings would be finished in facing brick with stone and timber detailing, and would incorporate concrete roof tiles. The overall design, finish and appearance of the proposed dwellings are considered to be reflective of the vernacular of similar residential development in the locality.
- 6.9 Given the nature and form of the built surroundings, the proposed plot size and layout of the dwellings are considered to be reflective of similar development within the area, with the proposal considered to maintain the characteristics of the surrounding build pattern, in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

### **Landscape, Trees and Ecology**

- 6.10 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.11 The landscape character of the area is typified by gently undulating low ridges and valleys with both small scale intricate field patterns of pasture and some larger scale arable fields. The scattered woodlands, hedgerows and shaws create enclosure and restrict views, although there are some more open areas where hedgerows have been lost.
- 6.12 Following consultation with the Landscape Architect, the proposal is acceptable as it is visually contained within a well-defined boundary within the built-up area, and is well screened from the open countryside and public view. The proposal is therefore not considered to result in a harmful impact on the landscape character of the area.
- 6.13 The Tree Survey and Arboricultural Constraints Report submitted alongside the application states that the existing trees on the site are of mixed quality and significance, located predominantly along the eastern boundary within the site, and along the western boundary outside the site. The trees to the eastern boundary are most significant with regards to screening provision, but are not regarded as long term assets due to their condition. The Survey and corresponding Site Plan indicate two trees adjacent to the site entrance are to

be felled, along with a cluster to the northern part of the site. All of these trees are of poor quality (classified as category C or U within the arboricultural report) and of limited amenity value. The plans detail that all other trees are to remain.

- 6.14 The removal of this limited number of poor quality trees is not considered to result in harm to the landscape character of the area, with the remaining trees retaining the sense of enclosure that is characteristic of the site. Therefore, subject to full details of tree retention as part of a landscape condition, the works are considered acceptable. The Council's tree officer has raised no objection to the works proposed.
- 6.15 A Phase 1 Ecology Survey has been submitted which outlines that the application site is predominantly a well-managed garden, and states that no important or priority habitats or species would be impacted by the proposed development (Nb the Willow tree identified as having potential for roosting bats is not scheduled to be felled). The report sets out a number of precautionary measures to be under taken during site clearance works, along with measures to enhance the ecological interest of the site including bird and bat boxes, and appropriate planting. Conditions are recommended to secure these measures. The Council's Ecologist has raised no objection to the proposal.

### **Heritage Impacts**

- 6.16 Policy 34 states that work to Listed Buildings should preserve and ensure the clear legibility of locally distinctive vernacular.
- 6.17 Bulls House located to the far south of the application site consists of a Grade II Listed Building. This building has undergone a number of modern alterations, including a two storey contemporary extension, with the addition of formal landscaping and outbuildings within its curtilage.
- 6.18 Wood Grange is a Grade II Listed Building positioned to the south-east of the application site. This property has undergone limited alterations, although additional ancillary buildings have been erected within its grounds.
- 6.19 The proposed development would further formalise the setting of Bulls House, introducing a built form to the north. However, it is noted that the Listed Building sits within close proximity to the built-up and semi-urban area of Cowfold. Given the relatively enclosed nature of the site, and its relationship with the surrounding built form and locality, it is considered that on balance, the proposed development would not result in harm to the context or interpretation of the Listed Building and its setting.

### **Amenity Impacts**

- 6.20 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.21 The site is bound by residential properties to the south-east, one of which is positioned directly adjacent to the public highway, with the southern-most property set back in line with the boundary of the application site. It is noted that the proposal would retain the mature tree line to the eastern boundary, with the built form separated by the access track. Whilst soft landscaping cannot be relied upon to protect residential amenities from harm, this is considered to be a reasonable action to mitigate potential harm, particularly to the neighbouring property of Bulls House.
- 6.22 The existing property of Cedar Leas is positioned directly to the north of Plot 1, with the surrounding residential dwelling positioned to the south and east of the application site, positioned between approximately 30m and 100m from the application boundary.

- 6.23 The proposed dwellings would be positioned to the far east of the site, with Plots 1 to 5 built along a continuous build line, with Plots 6, 7, and 8 positioned at 90 degrees to the other dwellings, and positioned along a staggered build line. The dwellings would be oriented so that the rear amenity space would extend to the south and west, with landscaping retained to the eastern boundary of the application site.
- 6.24 Given the siting and orientation of the proposed development, it is not considered that the additional 8 no. dwellings would result in harm to the amenities and sensitivities of the neighbouring properties. Furthermore, the spacing between the proposed dwellings and their relationship to each other is considered sufficient to restrict potential conflict.
- 6.25 The proposed development is therefore not considered to result in harm to the amenities and sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Existing Parking and Traffic Conditions**

- 6.26 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.27 The proposed development would utilise the existing access from Henfield Road, and would extend this access drive to run along the western boundary of the application site. Each dwelling would benefit from between two and three allocated parking spaces, comprising access to car port and driveway parking.
- 6.28 Initial concerns were raised by the Highways Authority in respect of potential visibility at the access to the north. Following further consideration of the scheme, taking into account the specific local context, conditions, and evidence provided within the Transport Statement, it is not considered that a reason for refusal could be justified on these grounds.
- 6.29 On balance, the Highways Authority considers that the proposed development, whilst intensifying the use of the access, would not result in material harm to the function or safety of the highway network, in accordance with Policy 41 of the Horsham District Planning Framework (2015).

### **Affordable Housing Contribution**

- 6.30 Policy 16 of the Horsham District Planning Framework relates to meeting housing needs. In particular, part 3 of this policy relates to the provision of affordable housing for all residential development of 5 or more dwellings. Part 3.b) states that on sites of between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or where on site provision is not achievable, a financial contribution equivalent to the cost to the developer of providing the units on site would be anticipated. This policy was considered sound by the Planning Inspector prior to adoption of the HDPF, stating that there was sound justification for the policy, with the clear need for affordable homes in Horsham likely to come from smaller sites. Whilst this position may change if the draft NPPF comes into effect without being amended, this remains the current policy of the HDPF.
- 6.31 The 20% affordable housing requirement under Policy 16 of the HDPF requires the provision of 2 affordable units on the application site. The accompanying Planning Obligations and Affordable Housing SPD 2017 states that the Council will expect developments of this size to provide 20% affordable housing on-site, or in exceptional circumstances by way of an equivalent financial contribution.
- 6.32 The applicant has provided correspondence between local Registered Providers stating that they would be unwilling to manage this small number of affordable units on the site. Following verbal discussion with HDC Housing officers, it has been confirmed that in this case a financial contribution in lieu of on-site provision would be acceptable under the

terms of the SPD. Utilising the methodology set out in the SPD, this development generates a required financial contribution of £151,435.00.

- 6.33 The applicant has submitted a draft Unilateral Undertaking (UU) to provide this financial contribution for off-site affordable housing provision. Subject to the draft UU being completed the proposed development would appropriately meet its affordable housing requirements in accordance with Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD 2017.

### **Other Matters**

- 6.34 Wealden District Council (WDC) has objected to the application on the grounds of the potential impact on the Ashdown Forest Special Area of Conservation (SAC) / Special Protection Area (SPA), Lewes SAC and Pevensey Levels SAC. WDC objected to the scheme on the grounds that it is unproven that the traffic created by this proposal would result in air pollution which would detrimentally affect the biodiversity and ecology at the three SACs.
- 6.35 A number of recent decisions by the Secretary of State (SoS) relating primarily to applications for housing within Mid-Sussex District have addressed potential impact on the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC. These schemes were of a much larger scale (approximately 500 units) than the current proposal, and were situated in closer proximity to the SAC and SPA. Having considered the evidence, the SoS concluded that the schemes would have no likely significant effect on the SAC and SPA, either alone or in combination with other plans and projects, and as such a full Appropriate Assessment would not be required.
- 6.36 The application site and proposed scheme differs from these recent appeals in a number of ways. The site is located at a further distance from the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC, with the proposal of a smaller scale in comparison. In addition, the application site does not benefit from direct travel routes to the SAC and SPA.
- 6.37 Given the location of the site, the scale of the proposed development, and the distance from the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC it is considered that the proposed scheme would have no likely significant effect on the SAC and SPA. As such, Horsham District Council as the Competent Authority does not require an Appropriate Assessment to be completed, and the proposed development can proceed without significant adverse effects on the integrity of these Internationally Designated Sites.
- 6.38 It is noted that a number of representations have raised concern in respect of the ownership of the existing drive. This is a civil matter and is not a planning matter, and as such is afforded little weight in the determination of the application.
- 6.39 A number of objections have also raised concerns in respect of flooding. The application site lies outside of any designated Flood Zone, with the imposition of a Surface Water Drainage condition considered reasonable to address possible surface run-off issues.
- 6.40 The site is located close to the Cowfold Air Quality Management Area (AQMA). Given the scale of the development, there would likely be some impact on air quality within the AQMA requiring mitigation under policy 24. In accordance with the Type 1 recommendations of the Planning Advice Document 'Air Quality and Emissions Reduction Guidance' (2014), and as supported under paragraph 35 of the NPPF and Policy 41 of the HDPF, a condition is recommended to secure provision for electric vehicle charging points for each dwelling within the proposed development.

### **Conclusion**

- 6.41 The proposed development is considered to be acceptable in principle, and is considered to be of a nature, form, and layout that would sit appropriately within the context of the site and locality. Furthermore, it is considered that the proposed development would not result in harm to the amenities or sensitivities of neighbouring properties, or the function and safety of the highway network. As such, the proposed development is considered to accord with national and local planning policies subject to the completion of a legal agreement to secure the necessary contribution towards affordable housing provision in the district.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.42 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.43 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	967.73	0	967.73
	<b>Total Gain</b>		
	<b>Total Demolition</b>		

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

- 6.44 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **7. RECOMMENDATIONS**

- 7.1 That the application is approved subject to a Legal Agreement to secure a contribution towards affordable housing, and the following conditions.

#### 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 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 16-1096-005B received 14.11.2017, 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 Policy 33 of the Horsham District Planning Framework (2015).

- 4     **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 properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5     **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).

- 6     **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).

- 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 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).

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

- 9     **Pre-Occupation Condition:** Prior to the first occupation 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 landscape scheme shall include the following details and measures:
- Details of all trees to be retained on and adjacent to the site and measures for their protection during construction works
  - Details of all planting, including species, planting size and planting method (for any trees)
  - Details of all hard surfacing materials and finishes
  - Details of all external lighting
  - Ecological enhancement measures set out in Section 5 of the Phase 1 Ecological Survey by Robson Ecology Ltd, dated May 2017

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 10    **Pre-Occupation Condition:** 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).

- 11 **Pre-Occupation Condition:** Prior to the first occupation 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 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).

- 12 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling within the development hereby permitted, the parking, turning and access facilities necessary to serve that dwelling shall have been implemented in accordance with the approved details as shown on plan 16-1096-005B received 14.11.2017. The parking, turning and access facilities 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).

- 13 **Pre-Occupation Condition:** Prior to the first occupation of any dwelling within the development hereby permitted, provision for the charging of electric vehicles for that dwelling shall have been installed in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate against the impact of the development on the Cowfold Air Quality Management Area in accordance with Policies 24 and 41 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number 16-1096-005B received 14.11.2017. 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).

- 15 **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 16-1096-005B received 14.11.2017. 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).

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

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

- 17     **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

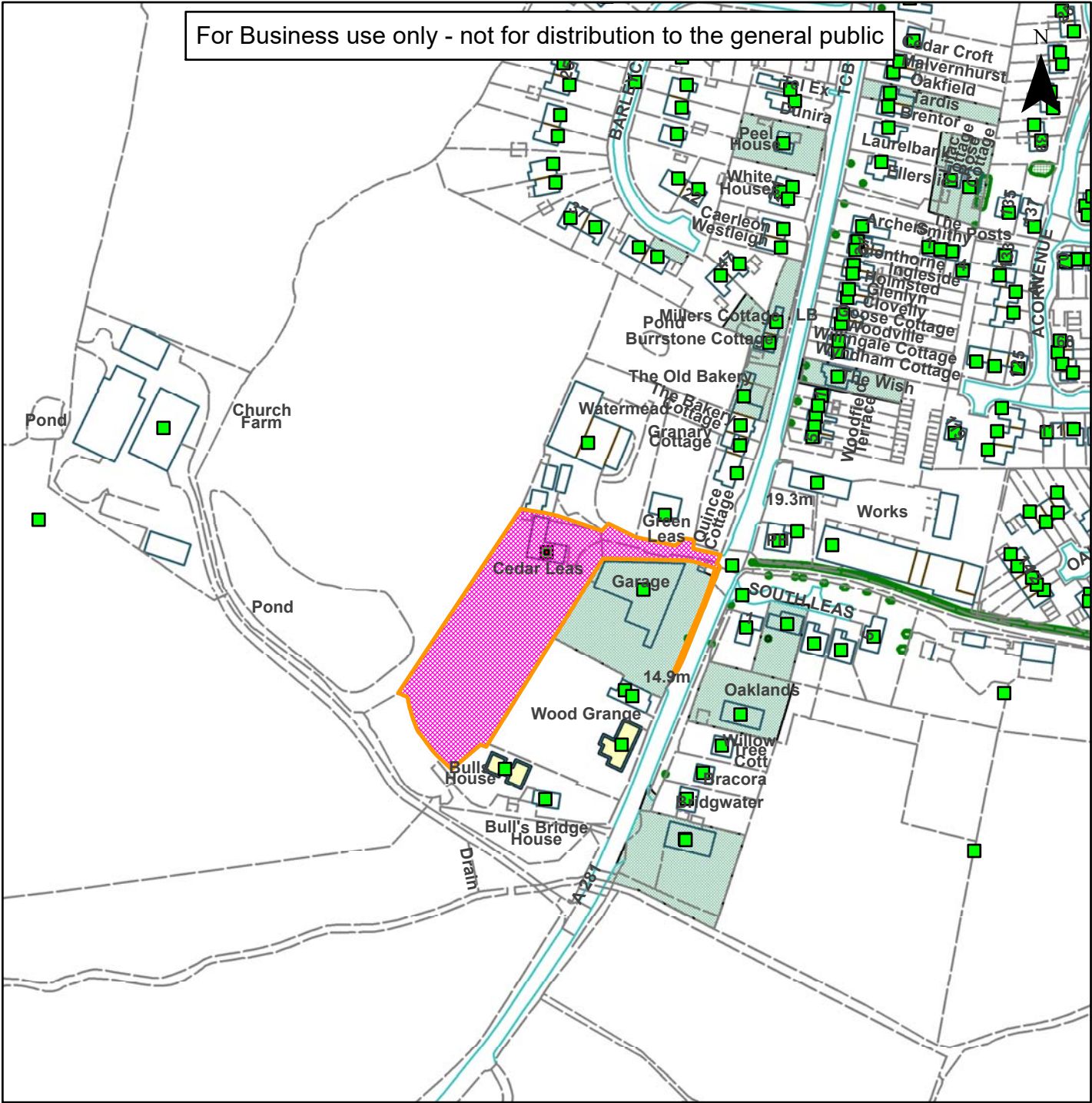
Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 18     **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the measures set out in Section 5 of the Phase 1 Ecological Survey by Robson Ecology Ltd, dated May 2017.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2352

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	05/04/2018
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee (South)

**BY:** Head of Development

**DATE:** 17 April 2018

**DEVELOPMENT:** Demolition of existing garages and erection of 6 x 2 bed affordable dwellings and 3 x 1 bed affordable dwellings (including temporary accommodation) with associated car parking and landscaping.

**SITE:** Garage Block Rowan Drive Billingshurst West Sussex

**WARD:** Billingshurst and Shipley

**APPLICATION:** DC/18/0018

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

**REASON FOR INCLUSION ON THE AGENDA:** The application has been made by Horsham District Council and over 8 letters of representation have been received which are of a contrary view to the Officer recommendation

**RECOMMENDATION:** To approve planning permission subject to 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 construction of nine dwellings on Rowan Drive, close to its junction with Coombe Hill. The dwellings are to be provided as 100% affordable and used as temporary accommodation, similar to that provided by the Council on the Bishopric site in Horsham (now known as Burstow Court – DC/15/0594).

1.3 The residential mix consists of a number of 1 and 2 bedroom homes; three 1-bed flats and six 2-bed flats. Land at the rear of the proposed building will provide private amenity space to ground floor units and a communal amenity space which can be used by all residents. In addition the site will be utilised to provide an area for secure storage for bins & bicycles.

1.4 Two separate parking areas are proposed, providing 9 allocated parking spaces. This results in an allocated parking ratio of 1 space per unit. Cycle storage is provided to the rear of the site within a secure covered space. A total of 16 spaces are provided, 15 of which will be allocated and 1 space for visitors.

1.5 The building will extend over two and three storeys. The 3 storey central flat block element is adjoined by a series of 2 storey elements. A red brick is used as the principle material within the elevations with a red brick introduced to some units to provide a visual contrast

and create interest along the street scene. A slate tile has been chosen as the roof covering with a series of feature Larch timber panels being proposed to introduce a break in materiality and provide further visual interest.

## DESCRIPTION OF THE SITE

- 1.6 The application site is located at the northern end of Rowan Drive in Billingshurst, near the junction of Coombe Hill. The site is currently occupied by eighteen garages; many of which are now considered by the Applicant to be unsuitable for use. It is understood that of the eighteen garages of the site, some five were vacant in August 2017, with nine being occupied by people living over 1km from the site.
- 1.7 The site is surrounded by residential development. To the north of the site lies Osmund Court and Rowan Court which are brick built, three storey blocks of flats. To the south east and south west of the site lies 2 storey semi-detached dwellings. No's 49-57 Coombe Hill and no. 66 Rowan Drive directly adjoin the site boundaries. To the north west of the site and on the opposite side of Rowan Drive lies open space (Jubilee Fields) with the A29 beyond.
- 1.8 The Billingshurst Parish Design Statement (2009) describes the area as being of *"predominantly brick construction with large gardens, many now incorporating off road parking as the roads are fairly narrow and are further narrowed by on street parking."*

## 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**

#### **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 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 24 - Strategic Policy: Environmental Protection  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 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 43 – Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:



2.3 Planning Obligations and Affordable Housing Supplementary Planning Document (SPD)

2.4 Billingshurst Parish Design Statement (2009)

#### RELEVANT NEIGHBOURHOOD PLAN

2.5 The Parish of Billingshurst was designated as a Neighbourhood Development Plan Area on 30 December 2015. To date no draft Plan has been produced.

#### PLANNING HISTORY AND RELEVANT APPLICATIONS

2.6 There is no recent relevant planning history relating to the site.

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

3.2 **HDC Strategic Planning:** No Objection

3.3 **HDC Landscape Architect:** No Objection  
Recommends conditions relating to hard and soft landscaping and fencing, and maintenance and management of the approved landscaping scheme

3.4 **HDC Environmental Health:** No Objection  
Recommends conditions relating to land contamination, importation of soil, and requiring a construction management plan to be submitted

3.5 **HDC Drainage Engineer:** No Objection  
Recommends a foul and surface water drainage condition

3.6 **HDC Housing Services:** Supports the application  
The proposal exceeds policy requirements in terms of affordable housing provision and will provide significantly improved outcomes for households at risk of becoming or currently considered to be homeless

#### OUTSIDE AGENCIES

3.7 **WSCC Highways:** No Objection  
Recommends conditions in respect of visibility splays, car parking and turning, cycle parking, and requiring a construction management plan to be submitted

3.8 **Southern Water:** No Objection  
A formal application will be required for a connection to the public foul sewer. Recommends a drainage condition

#### PARISH COUNCIL

3.9 **Billingshurst Parish Council:** Objection  
Strongly objects to the application for the following reasons:

- Inappropriate design for this location
- Over-bearing impact on neighbouring properties
- Lack of consideration of the Parish Design Statement for Billingshurst

- Insufficient off-street parking
- Lack of on-street parking in the locality
- Highway safety
- Loss of trees and open space

#### PUBLIC CONSULTATIONS

- 3.10 16 letters/emails of objection have been received, from 14 households, which raise the following concerns:
- Loss of privacy and amenity
  - Loss of light
  - Overbearing impact on neighbouring properties
  - Over-development of the site
  - Out of keeping with character of area
  - Insufficient off-street parking provision
  - Lack of on-street parking in the area
  - Highway safety issues
  - Loss of mature trees and green space
  - Noise and disturbance from car parking area
  - Distance and odour from the bin storage area
- 3.11 In addition, a letter of objection has been received from Wealden District Council (WDC). WDC has objected to the application on the grounds of the potential impact on the Ashdown Forest Special Area of Conservation (SAC) / Special Protection Area (SPA), Lewes SAC and Pevensey Levels SAC. WDC objected to the scheme on the grounds that it is unproven that the traffic created by this proposal would not result in air pollution which would detrimentally affect the biodiversity and ecology at the three SACs.

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

- 6.1 The main issues in the consideration of the application are:-
- Principle of residential development
  - Impact on the character and appearance of the streetscene
  - Impact on the privacy and amenity of the occupiers of neighbouring properties
  - Affordable housing
  - Highway safety and car parking provision
  - Community Infrastructure Levy (CIL)
  - Impact on the Ashdown Forest Special Area of Conservation (SAC) / Special Protection Area (SPA), Lewes SAC and Pevensey Levels SAC

### Principle of residential development

- 6.2 The application seeks full planning permission for the construction of nine dwellings on Rowan Drive, close to its junction with Coombe Hill. The dwellings are to be provided as 100% affordable and used as temporary accommodation, similar to that provided by the Council on the Bishopric in Horsham.
- 6.3 Policies within the HDPF seek to direct new development to the main settlements of the District to ensure that the countryside is protected from inappropriate development. The site is located within the built-up area boundary of Billingshurst, categorised as 'Small Towns and Larger Villages' in the HDPF and is therefore sited in a settlement that has "...a good range of services and facilities, strong community networks and local employment provision together with reasonable rail and / or bus services" and "...act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements / each other to meet some of their requirements". The principle of providing additional residential accommodation in this location is therefore supported, subject to other material planning considerations.
- 6.4 Whilst the proposal will result in the loss of a number of garages, they are not a community facility requiring protection as detailed in Policy 43 of the HDPF. It is understood that the garages were mainly used by non-local residents for purposes other than the parking of vehicles. Therefore the loss of the garages is not a material planning consideration.

### Impact on the character and appearance of the streetscene

- 6.5 Policy 32 of the HDPF requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. Policy 33 relates to Development Principles and requires development, amongst other matters, to recognise any constraints that exist, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.6 The immediate area is characterised by mainly two storey semi-detached and terraced properties of brick construction with tiled roofs. Some properties have areas of tile hanging or cladding to walls. On the opposite side of Rowan Drive there are two blocks of flats (Osmund Court and Rowan Court) which are three storey in height and constructed of brick with tiled roofs. The application site lies on a corner on Rowan Drive, close to its junction with Coombe Hill, and the development of the site presents an opportunity to introduce a building that makes a feature of the site.
- 6.7 The structure will extend over two and three storeys and, given that there is a mixture of two and three storey properties in the immediate area, is in keeping with the general character of the area. The design of the structure, whilst flat roofed, adds interest to this corner plot and the use of a series of steps visually reduces the overall scale and mass of the building. The three storey element works as a transition from the 2-3 storey buildings either side of the site and with the topography of the street which rises to the north. A red Freshfield Lane Multi Stock brick is used as the principle material, which is in keeping with the materials in the locality which are predominantly brick. The Billingshurst Parish Design Statement sets out that "*The predominant wall material found within the parish is brick or brick with tile hanging. To a lesser extent painted brick or render and timber cladding can be found*". Elements of vertical Larch timber cladding have been added to parts of the structure to provide visual interest and helps to further reduce visually the massing of the building.
- 6.8 The Council's Landscape Officer supports the proposal subject to conditions. It has been advised that the "...*The height of the buildings is staggered to provide a relationship with*

*the adjoining buildings on the street frontage*” although it has been suggested that “*The landscaping proposals could be improved with the alteration of the access to the communal space and the introduction of more trees on the street frontages and in the communal area.*” These issues can be dealt with through a conditions requiring a landscaping scheme to be submitted to and agreed by the Local Planning Authority. Although the proposal will result in the loss of two trees which are sited within the verge area, the Council’s Arboricultural Officer has raised no concerns with the proposal but has suggested that the trees are replaced with trees of a more suitable species for the site.

- 6.9 Having considered the overall scale, layout, design and form of the proposed buildings, it is considered that the proposal would draw on some of the design principles established through nearby development in terms of the scale of development and materials. The NPPF paragraph 60 states ‘planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.
- 6.10 Whilst the proposal as submitted does make full use of the site in terms of its scale and footprint and is of a relatively high density for the locality, it is not considered, on balance, that the scheme as submitted would result in harm to the character and appearance of the streetscene. Whilst it is acknowledged that private gardens and communal garden area are smaller than those in the locality, it is considered that, given the temporary nature of the accommodation being provided and that there is open space within close proximity (Jubilee Fields), the level of open space being provided for future residents is acceptable. The proposal is therefore considered to comply with the requirements of policies 32 and 33 of the HDPF.

#### Impact on the privacy and amenity of the occupiers of neighbouring properties

- 6.11 Policy 33 of the HDPF requires development, amongst other matters, to not cause unacceptable harm to the amenity of surrounding occupiers through overlooking or noise. The Council’s design guidance on house extensions sets out that window to window distance between any habitable rooms should be no less than 21 metres and where a black gable is proposed a minimum of 10.5 metres should be provided between the blank gable and any windows serving a habitable room in a neighbouring property. This guidance usually applies to rear elevation to rear elevation and relates to habitable rooms only which include spaces such as living rooms and bedrooms.
- 6.12 The structure will extend over two and three storeys and uses of a series of steps visually reduces the overall scale and mass of the building as well as the potential for overlooking of adjoining properties. The neighbouring properties most likely to be effected by the proposal are 66 Rowan Drive to the immediate south west of the site and four properties on Coombe Hill to the east of the site (51-57 Coombe Hill).
- 6.13 In terms of the impact of the proposal on the privacy and amenity of the occupiers of 66 Rowan Drive, the nearest part of the proposal is some 3.9m from the side elevation of the neighbouring property, increasing to 12.2m at second floor level due to the stepped nature of the scheme. There is one window proposed to the second floor within the elevation closest to 66 Rowan Drive. This however will be some 10.8m from the boundary of the site. Plans submitted with the application demonstrate that the scheme footprint complies with the ‘45 degree rule’ as set out within the Council’s Design Guidance.
- 6.14 51 and 53 Coombe Hill are sited to the east of the application site. The proposal as submitted will be some 21m from the rear elevations of these properties and 6.6m from their rear boundaries. There are a number of windows at ground floor level within the rear elevation of the proposal which are to bedrooms, bathrooms and kitchen/living areas. Any potential overlooking from the ground floor windows can be mitigated by planting or fencing

along the eastern boundary of the site and a condition requiring boundary treatments to be agreed is recommended. In terms of windows to the first floor, there are two windows proposed to the communal hallway, one window proposed to a hallway within one of the first floor flats and one window to a bedroom. Also at first floor level there is a window to a master bedroom within the element closest to no's 55 and 57 Coombe Hill which will have views over the end of the neighbour's rear garden. At second floor level there is a window to a stair lobby and to the master bedroom (note this bedroom also has another window to the side elevation). It should be noted that only a section of the scheme at this point is three storey due to the stepped nature of the proposal. Whilst there is the potential for some overlooking of the end of the gardens of the neighbouring properties and the sense of being overlooked from some windows, the proposal as submitted complies with guidance as set out in the Council's Design Guidance in terms of the rear to rear window distance between habitable rooms. In order to reduce the perception of being overlooked however and despite the scheme meeting the guidance set out in the Council's Design Guidance, it is recommended that a condition is imposed requiring the windows to the lobby areas and halls to be obscure glazed above 1.8m and fixed shut/non-opening. In terms of the windows to the bedrooms which could overlook the neighbour's gardens, it is not considered that obscure glazing would provide an acceptable solution given that these are windows to habitable rooms. Whilst it is acknowledged that there will be some overlooking of the ends of the gardens of the neighbouring properties from these windows, it is considered that, given that the site is within a residential area of Billingshurst where a degree of mutual overlooking of neighbouring properties already exists, the impact on neighbouring properties is not so significant as to warrant refusal of the application.

- 6.15 55 and 57 Coombe Hill are also sited to the east of the site, however given the layout of the site, the distance of the proposal as submitted is some 15.7m to the rear elevation of 55 and 57 Coombe Hill. This distance increases to some 22m given the stepped nature of the proposal at the second floor level. In terms of windows within this element of the proposal, there are no windows to the ground floor and those within the first and second floors are proposed to be obscure glazed and fixed shut. There is a small balcony, providing some 5sqm of floorspace, proposed to second floor flat closest to 55 and 57 Coombe Hill. This balcony is inset some 7.4m from the eastern site boundary and will be some 22m from the rear elevation of 55 and 57 Coombe Hill. Again, whilst there is the potential for overlooking of the neighbouring properties, the proposal as submitted complies with guidance as set out in the Council's Design Guidance.
- 6.16 Having considered the distances set out above against the Council's guidance in respect of window to window distances, and given that the site is within a residential area of Billingshurst where a degree of mutual overlooking already takes place, it is considered that the scheme as submitted, on balance, will not have a significant adverse impact on the privacy and amenity of the occupiers of the neighbouring properties and is therefore in compliance with Policy 33 of the HDPF.

#### Affordable housing

- 6.17 Policy 16 of the HDPF states that on sites providing between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or, where on-site provision is not achievable a financial contribution equivalent to the cost of providing the units on site. On sites providing 15 or more dwellings, or on sites over 0.5 hectares, the Council will require 35% of dwellings to be affordable.
- 6.18 The scheme, as submitted, will provide 100% affordable and/or temporary accommodation. Affordable housing as set out in the NPPF is defined as "*Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.*" The HDPF sets out that affordable housing is "*Housing provided with a subsidy to enable the sale price or rent to be substantially lower than the prevailing market prices or rents in the locality...*".

- 6.19 Whilst temporary accommodation does not fall within the definition of affordable as set out in the NPPF or the HDPF, the Council's Head of Housing Services is satisfied that the requirements of the relevant policies of the HDPF in respect of affordable housing can be met through the provision of temporary accommodation. The development as proposed would be similar to that recently acquired by the Council in the Bishopric (Burstow Court) and would provide a temporary housing solution for local people in priority housing need. The Council's Head of Housing Services has advised that *"This application will provide much needed additional accommodation to increase the Council's temporary housing stock to best meet the demands placed upon it and provide a vastly improved outcome for households."* The Head of Housing Services has gone on to advise that *"The Council has an obligation to accommodate certain households when homeless and often has to rely upon bed and breakfast accommodation outside of the Horsham District to meet this demand. This can lead to households with dependants having no private access to kitchen and bathing facilities, no outdoor space away from social or work support networks in unfamiliar areas."*
- 6.20 The Council would usually require such accommodation to be secured by a Section 106 Agreement however the Council cannot enter into an agreement with itself. It is therefore recommended that a condition is imposed requiring a detailed scheme for the provision of affordable housing and/or temporary accommodation to be submitted to and approved in writing by the Local Planning Authority which shall include such detail as the type, tenure and location on the site of the affordable/temporary units and the arrangements to ensure that the units remain as affordable housing/temporary accommodation for both first and subsequent occupiers of the units.

#### Highway safety and car parking provision

- 6.21 Policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. Policy 41 of the HDPF aims to ensure that developments are served by adequate parking facilities including provision for cycle, motorcycle, low emission vehicles and the mobility impaired.
- 6.22 West Sussex County Council as the Local Highway Authority have raised no concerns in respect of the proposal. Following receipt of amended plans which show an amended car park arrangement, WSCC have advised that *"...the spaces have been moved further away from the access and this provides a better overall layout. The spaces will be laid out similar to a private driveway and the footway appears to be continuous in a crossover style."* Whilst concern has been raised in respect of the potential for vehicles to reverse out onto the road, it has been advised that there are other driveways similar to this in the locality and that speed survey results are low. It is therefore considered by WSCC that the likelihood of a collision is low.
- 6.23 In terms of car parking provision, this is also considered to be acceptable by WSCC, who consider that there is a demand for 12 spaces associated with the development. The proposal will provide 9 spaces for the 9 units which equates to 1 space per unit. There would therefore be a requirement for some on-street parking to take place. A parking survey was undertaken, despite no concern being raised by WSCC in this respect. The survey detailed that the current on-street parking stress is 59.17% and this could increase to 60.83% when taking into account any increase created as part of this proposal. WSCC Highways have advised that the survey has been undertaken using the appropriate methodology and that the results support their view that they have no concerns over the additional parking stress the proposal may cause. In addition the Head of Housing Services has advised that *"the application further proposes allocated parking to each of the units, whilst this is welcomed, allocated parking is not considered necessary for this*

*accommodation type. Assessment of alternative rural temporary accommodation sites suggests parking demand to be at approx. 20% occupancy against the number of accommodation units.”*

- 6.24 In conclusion, given that WSCC as the Local Highway Authority does not consider that the proposal would have ‘severe’ impact on the operation of the highway network and taking into account the comments of the Head of Housing Services, it is not considered that there are any transport grounds to resist the proposal.

#### Other considerations

##### *Ecology*

- 6.25 In terms of ecology and biodiversity, paragraph 109 of the National Planning Policy Framework (NPPF) states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Paragraph 118 expands on this stating that local planning authorities should aim to conserve and enhance biodiversity when determining planning applications and that opportunities to incorporate biodiversity in and around developments should be encouraged. A Preliminary Ecological Assessment has been submitted which notes that *“the garages are assessed to have negligible potential to support bat roosts”*, whilst the trees were assessed as having no potential features for bats. The report does however set out a number of recommendations in case occasional temporary roosts are found during construction works. No concerns are therefore been raised to the proposal.

##### *Contamination*

- 6.26 Policy 24 of the HDPF states that the high quality of the district’s environment will be protected through the planning process. Developments are expected to minimise exposure to and the emission of pollutants. This includes addressing land contamination and making sure sites are appropriate for development taking into account ground conditions. A Phase I-II Geo-Environmental Site Assessment has been submitted with the application which sets out that active pollution pathways have been identified within proposed private gardens and areas of soft landscaping based on the proposed residential development of the site and that remedial works will be required within areas of private gardens and soft landscaping. The Council’s Environmental Health Team have advised that conditions should be imposed in respect of contamination, the submission of a construction management plan and the safe removal of waste.

##### *Flooding/Drainage*

- 6.27 HDPF Policy 38 Flooding advises that development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere in accordance with policy criteria. The site is located within Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. Southern Water and the Council’s Drainage Engineer have all raised no objection to this proposal, subject to the use of a condition requiring the submission and approval of details relating to the proposed means of foul and surface water drainage for the site. To ensure that water drains from the site and does not increase flooding on the site or cause impact harmfully on the wider drainage network conditions are recommended to secure an appropriate drainage strategy.

##### *Wealden District Council Objection*

- 6.28 Wealden District Council (WDC) has objected to the application on the grounds of the potential impact on the Ashdown Forest Special Area of Conservation (SAC) / Special

Protection Area (SPA), Lewes SAC and Pevensey Levels SAC. WDC objected to the scheme on the grounds that it is unproven that the traffic created by this proposal would result in air pollution which would detrimentally affect the biodiversity and ecology at the three SACs.

- 6.29 A number of recent decisions by the Secretary of State (SoS) relating primarily to applications for housing within Mid-Sussex District have addressed the potential impact on the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC. These schemes were of a much larger scale (totalling approximately 500 units) than the current proposal, and were situated in closer proximity to the SACs and SPA. Having considered the evidence, the SoS concluded that the schemes would have no likely significant effect on the SAC and SPA, either alone or in combination with other plans and projects, and as such a full Appropriate Assessment would not be required.
- 6.30 The application site and proposed scheme differs from these recent appeals in a number of ways. The site is located at a considerably further distance from the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC, with the proposal of a considerably smaller scale in comparison. In addition, the application site does not benefit from direct travel routes to the SAC and SPA.
- 6.31 Given the location of the site, the scale of the proposed development, and the distance from the Ashdown Forest SAC/SPA, Lewes SAC and Pevensey Levels SAC it is considered that the proposed scheme will have no likely significant effect on the SAC and SPA. As such, Horsham District Council as the Competent Authority does not require an Appropriate Assessment to be completed, and the proposed development can proceed without significant adverse effects on the integrity of these Internationally Designated Sites.

#### Conclusion

- 6.32 Taking all matters into account, the proposal is considered an acceptable form of development. The scheme would result in an appropriate development in accordance with the requirements of the strategic and locational strategy policies of the HDPF. Whilst it is acknowledged that the development would alter the character of the site and some views from surrounding areas, it is considered that the provision of affordable homes/temporary accommodation would constitute significant benefits in favour of the development. The scheme is considered to be in accordance with the requirements of the HDPF and NPPF and would result in a sustainable form of development. The proposal is also considered appropriate with respect to its impact on demand for travel and highway considerations, trees, sustainability, ecology and flooding.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.33 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.34 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	676.15	225.83	450.32
	<b>Total Gain</b>		<b>676.15</b>
		<b>Total Demolition</b>	<b>225.83</b>

- 6.35 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.



- 6.36 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **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:** The proposed development shall not commence until a detailed scheme for the provision of affordable housing and / or temporary accommodation has been submitted to and approved in writing by the Local Planning Authority. The affordable housing and/or temporary accommodation shall be provided in accordance with the approved scheme which shall include:

- i. details of the type, tenure and location on the site of the affordable/temporary units;
- ii. the arrangements to ensure that the units remain as affordable housing/temporary accommodation for both first and subsequent occupiers of the units; and
- iii. the occupancy criteria to be used for determining the identity of the occupiers of the units and the means by which such occupancy criteria shall be enforced.

Any alterations to the approved scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with Policy 16 of the Horsham District Planning Framework (2015).

- 4 Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall have follow the guidance given in BS5228:2009 and shall be adhered to throughout the construction period. The Plan shall provide for:

- a. An indicative programme for carrying out of the works
- b. The arrangements for public consultation and liaison during the construction works
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e. the parking of vehicles of site operatives and visitors
- f. loading and unloading of plant and materials
- g. storage of plant and materials used in constructing the development
- h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i. wheel washing facilities

- j. measures to control the emission of dust and dirt during construction
- k. 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 occupiers of neighbouring properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5     **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).

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

- 7     **Pre-Commencement Condition:** Development shall not commence until a drainage strategy detailing the proposed means of foul disposal and a implementation timetable, 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 and timetable.

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).

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

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

- 9     **Pre-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).

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

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

- 11    **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing numbers 014 Rev P4 and 002 Rev P6. 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).

- 12    **Pre-Occupation Condition:** Prior to the first occupation 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 until the boundary treatments 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    **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking spaces have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated use.

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

- 14 **Pre-Occupation Condition:** No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Rowan Drive in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be 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 in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 15 **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 numbers 010 Rev P5 and 002 Rev P6. 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).

- 16 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the following windows have been fitted with obscure glazing to privacy level 5 to 1.8m and fixed shut/non-openable:
- Two windows within flat 04 (to kitchen/living/dining) detailed as being 'obscure glazed fixed shut' on drawing no. 011 Rev P5
  - One window to hall of flat 04 (as shown on drawing no. 011 Rev P5) facing south
  - One window to lobby at first floor level (as shown on drawing no. 011 Rev P5) facing south
  - Two windows to lobby at first floor level (as shown on drawing no. 011 Rev P5) facing east
  - One window to hall of flat 07 (as shown on drawing no. 011 Rev P5) facing east
  - Two windows within flat 08 (to master bedroom and bathroom) detailed as being 'obscure glazed fixed shut' on drawing no. 012 Rev P5
  - One window to lobby at second floor level (as shown on drawing no. 012 Rev P5) facing east

Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

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

- 17 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** All works, including site clearance and demolition, shall take place in accordance with the recommendations made within the Preliminary

Ecological Assessment by Calyx Environmental Ltd, dated January 2018, unless otherwise agreed in writing by the Local Planning Authority.

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

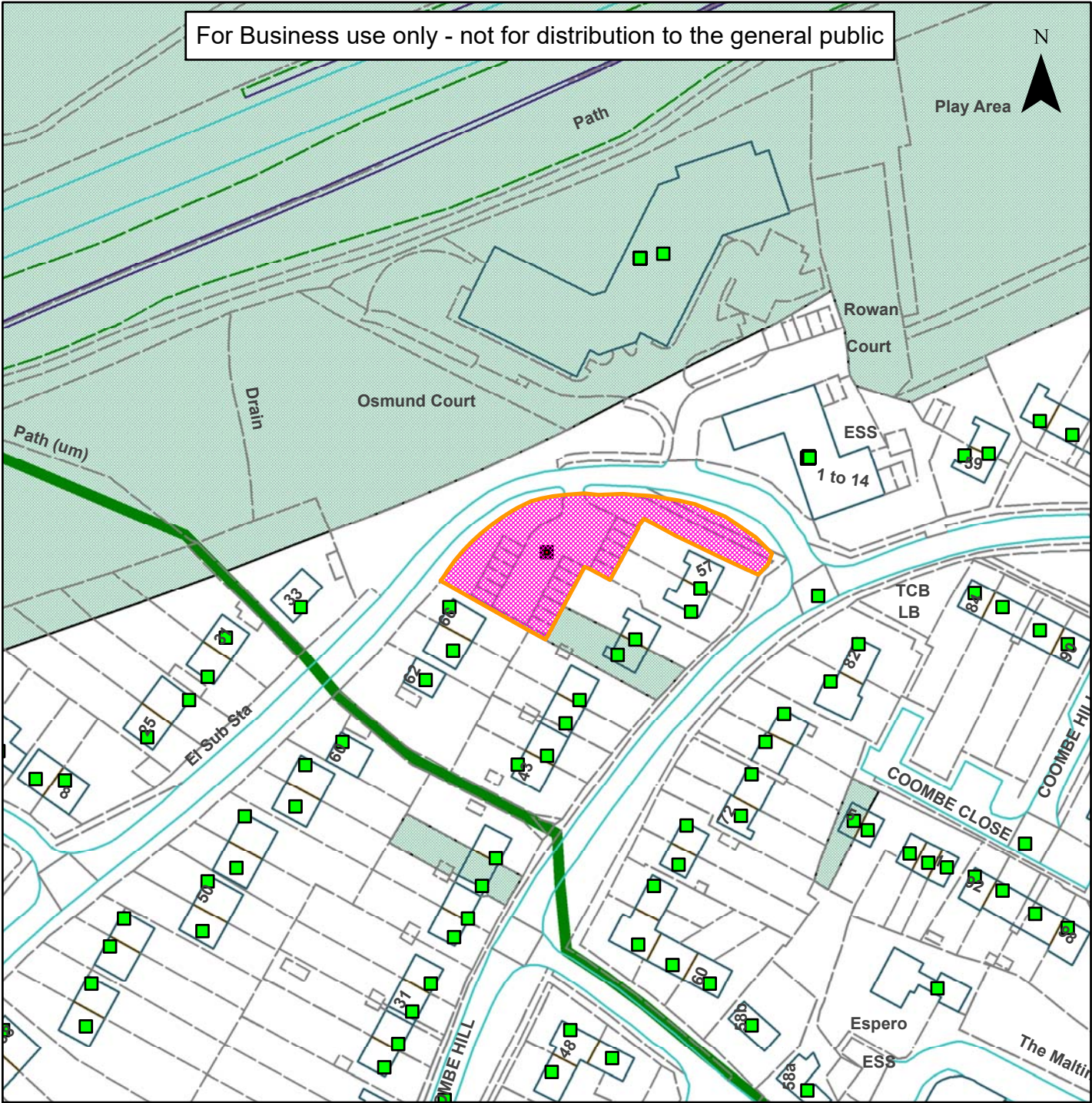
- 19 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: 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).

Background Papers: DC/18/0018

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	05/04/2018
MSA Number	100023865

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Report to	<b>Planning Committee South</b>
Date	<b>17 April 2018</b>
By	<b>Director of Planning</b>
Local Authority	<b>Horsham District Council</b>
Application Number	<b>SDNP/17/05626/FUL</b>
Applicant	<b>Miss Cara Stephanou</b>
Application	<b>Proposed change of use from grazing land to visitor accommodation comprising of 4x pitches for camping pods with associated shower block, parking area and creation of a new highway access.</b>
Address	<b>Gerston Farm Greyfriars Lane Storrington RH20 4HE</b>

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**Recommendation:** That the application be approved for the reasons set out in paragraph 10 of this report.

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## **Executive Summary**

### **I Site Description**

- I.1 The application site consists of a paddock to the west of Greyfriars Lane, located outside of the defined built-up area of Storrington. The site is therefore positioned within a countryside location in policy terms.
- I.2 The site is bound by open countryside to the south, east and west, with two residential properties and Gerston Business Park positioned directly to the north. These properties are separated by a post and rail fence and informal hedging.
- I.3 The neighbouring property of Gerston Cottage abuts the application site to the south, with the application site surrounding the curtilage of the property to the south and west. The property sits centrally within its plot and is oriented to face west, with the residential amenity space positioned to the west of the dwelling.
- I.4 Gerston Business Park is positioned directly to the north, with the site used for a mix of B1, B2 and B8 purposes. The industrial buildings are positioned along the southern boundary, with an area of disused space separating the application site from these buildings.
- I.5 The wider area is characterised by undulating topography, with the South Downs Way positioned at a distance to the south.

## **2 Proposal**

- 2.1 The application seeks full planning permission for the stationing of 4 no. eco-pods and a toilet/shower block to the southern section of the application site. It is also proposed to utilise an existing entrance point, with the creation of a parking area to be used in association with the campsite.
- 2.2 The proposed eco-pods would be positioned to the southern section of the site to face south. Each pod would measure to a length of 6.3m and a width of 3.2m, and would incorporate a curved roof measuring to a total height of 2.5m. Each pod would incorporate space for a double bed and indoor seating area, with a small decked area extending to the south.
- 2.3 The proposed toilet/shower block would be positioned to the north-west of the row of eco-pods, and would measure 6m in length and 3m in width. This building would include individual access to each stall, and would incorporate a pitched roof measuring to an overall height of 3m. The building would be finished in timber cladding, with stable style doors and a small window to the front elevation.
- 2.4 The proposed parking area would be positioned to the south-eastern corner of the site, and would measure to a length of 14.1m and depth of 9.6m. The parking area would provide space for 6 no. cars and would be finished with 'Durapath' paving.
- 2.5 Associated landscaping in the form of a woodchip path connecting each pod to the car park and toilet/shower block is also proposed, with the introduction of additional native hedging to the north and western boundaries.

## **3 Relevant Planning History**

- 3.1 No relevant planning history

## **4 Consultations**

### **4.1 Parish Council Consultee**

Objection on the following grounds:

- Intrusive location that would appear out of character with the surroundings
- Appearance of the tourist accommodation are unattractive
- Green field site in the SDNP
- Access to the site is poor, utilising a single lane track
- Queries whether the septic tank can be used to accommodate the development
- Unsuitable location given its proximity to the industrial site
- Suburban hedging is inappropriate to the countryside location
- Precursor for future residential development

### **4.2 HO - Property Services - Drainage**

No Objection raised in principle, however the proposed septic tank would not meet the latest and future regulations regarding these systems.

### **4.3 HO - Ecology Consultant**

No Objection

### **4.4 WSCC - Highways**

No Objection: The proposed new access point and parking area would not cause a highway safety concern, and would not have a severe impact on the operation of the highway network.

## 5 Representations

- 5.1 13 letters of objection were received from 11 separate households, and these can be summarised as follows:
- Impact on the special qualities of the South Downs National Park
  - Increase in traffic and noise disturbance
  - Impact on the landscape character of the area
  - Loss of tranquillity
  - Impact on biodiversity
  - Limited need for tourist facilities within the locality
  - Impact on neighbouring amenities
  - Security issues
  - Impact on dark night skies
- 5.2 6 letters of support were received, and these can be summarised as follows:
- Provides much needed alternative accommodation
  - Promotes the enjoyment of the South Downs National Park
  - Sustainable tourism
  - In keeping with surroundings
  - Benefit to the local economy

## 6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Horsham District Local Development Framework The Core Strategy (2007)** and the following additional plan(s):

- Local Development Framework: General Development Control Policies (2007)

The relevant policies to this application are set out in section 7, below.

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

## 7 Planning Policy

### Relevant Government Planning Policy and Guidance

- 7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

### National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Building a strong, competitive economy
- NPPF - Supporting a prosperous rural economy
- NPPF - Requiring good design
- NPPF - Promoting healthy communities
- NPPF - Conserving and enhancing the natural environment

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.4 The following policies of the **Horsham District Local Development Framework The Core Strategy (2007)** are relevant to this application:

- CPI - Landscape and Townscape Character
- CP2 - Environmental Quality
- CP3 - Improving the Quality of New Development
- CP5 - Built-up Areas and Previously Developed Land
- CP8 - Small Scale Greenfield Sites
- CPI4 - Protection and Enhancement of Community Facilities and Services
- CPI5 - Rural Strategy
- CPI6 - Inclusive Communities
- CPI8 - Tourism and Cultural Facilities
- CPI9 - Managing Travel Demand and Widening Choice of Transport

7.5 The following policies of the **Local Development Framework: General Development Control Policies (2007)** are relevant to this application:

- DC1 - Countryside Protection and Enhancement
- DC2 - Landscape Character
- DC9 - Development Principles
- DC25 - Rural Economic Development and the Expansion of Existing Rural Commercial Sites/Intensification of Uses
- DC39 - Tourism
- DC40 - Transport and Access

### Partnership Management Plan

7.6 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a

continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

7.7 The following Policies and Outcomes are of particular relevance to this case:

- Outcome 1 – The landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced
- Outcome 5 – Outstanding visitor experiences are underpinned by a high quality access and sustainable transport network
- Outcome 6 – Widespread understanding of the special qualities of the National Park and the benefits it provides
- Policy 1 – Conserve and enhance the natural beauty and special qualities of the landscape and its setting
- Policy 29 – Enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the National Park as a place for healthy outdoor activity and relaxation
- Policy 30 – Develop access for all opportunities, particularly supporting those currently underrepresented.
- Policy 34 – Support and enable communities to develop and deliver high quality, community-led initiatives that contribute to the understanding, conservation and enhancement of the special qualities of the National Park
- Policy 41 – Maintain visitor enjoyment and influence visitor behaviour in order to reduce impact on the special qualities and increase visitor spending
- Policy 43 – Support the development and maintenance of appropriate recreation and tourism facilities and visitor hubs
- Policy 48 – Support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs
- Policy 49 – Maintain and improve access to a range of essential community services and facilities for communities in the National Park
- Policy 50 – Housing and other development in the National Park should be closely matched to the social and economic needs of local people and should be of a high design and energy efficiency standards

#### The Draft South Downs National Park Local Plan

7.8 The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26<sup>th</sup> September to 21<sup>st</sup> November 2017. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced are currently afforded some weight.

## **8 Planning Assessment**

8.1 The application seeks full planning permission for the change of use of the land for the siting of 4 no. pitches for camping pods, along with the stationing of a shower block, and associated car park and access.

### **Principle of Development**

8.2 Policy CPI8 of the Core Strategy (2007) states that measures which promote tourism, including recreation-based rural diversification, and enhance local cultural facilities will be encouraged. Any

development should be of a scale and type appropriate to the location and should increase the range or improve the quality of accommodation, attraction, or experiences for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which:

- a) Reinforce the local distinctiveness and improve existing facilities
- b) Focuses major new hotel accommodation in Horsham Town centre; and focuses other new build tourist accommodation in, or adjacent to, existing towns and villages;
- c) Strengthen the facilities available within the towns and villages in the District and in terms of their relationship with the countryside around them;
- d) Develop the opportunities associated with rural diversification and rural development initiatives
- e) Do not result in the loss of a cultural resource;
- f) Support the restoration of the Shoreham Cement Works site as part of the comprehensive package involving employment and leisure uses, aimed at securing major environmental and landscape improvements compatible with its sensitive location within an AONB.

8.3 Policy 39 of the Horsham District General Development Control Policies (2007) states that the provision of small scale new facilities will be approved if the proposal is appropriate in its scale and level of activity, and in keeping with its location and surroundings; or is a sympathetic conversion or appropriate extension of a suitable building.

8.4 Policy SD23 (Sustainable Tourism) of the Draft South Downs Local Plan states that development proposals for visitor accommodation will be permitted where:

- a) the proposals will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities;
- b) the design and location of the development minimises the need for travel by private car and encourages access and/or subsequent travel by sustainable means, including public transport, walking, cycling or horse riding;
- c) development proposals will not detract from the experience of visitors or adversely affect the character, historical significance, appearance or amenity of the area;
- d) development proposals make use of existing buildings, and, if not suitable existing buildings are available, the design of any new buildings are sensitive to the character and setting;
- e) ancillary facilities are not disproportionately large in relation to the rest of the visitor facilities;
- f) any proposal does not have an adverse impact on the vitality and viability of town or village centres or assets of community value.

8.5 The Horsham District Hotel and Visitor Accommodation Study 2016 concludes that there is insufficient provision of all forms of visitor accommodation in the Horsham District. The study shows potential opportunities for growth of visitor accommodation in the rural parts of the district, including the development of camping pod developments; glamping sites; and more accommodation close to the South Downs Way.

8.6 The SDNP Visitor Accommodation Review 2015 concludes that the South Downs is an attractive location for visitor accommodation development, operation and investments; with the review indicating that there is a shortage of accommodation. The study continues that there is a gap in networked accommodation along the South Downs Way, with opportunity and potential for camping pods and/or some form of glamping units along the South Downs Way.

8.7 The current owners live at Gerston Farm and would like to establish a small but focused business offering eco-friendly accommodation to visitors along the South Downs Way and within the South Downs National Park. It is aimed to better improve recreational links to the countryside and within the South Downs National Park, as well as improve the social and economic hub of Storrington.

8.8 The application site is located within approximately 700m of the centre of Storrington, with the South Downs Way and other footpaths in close proximity of the site. The proposal would

encourage recreational use within the countryside and South Downs National Park, and would support, enhance, and diversify tourist accommodation with the locality.

- 8.9 As indicated within both the Horsham District Hotel and Visitor Accommodation Study 2016 and the SDNP Visitor Accommodation Review 2015, there is an identified need for such tourist accommodation as proposed within the District and the National Park. The proposed scale and nature of the accommodation is considered to be of a scale appropriate to the character and location of the area, whilst improving the range and quality of facilities for visitors. As such, the proposal is considered to be acceptable in principle, in accordance with policy CPI8 of the Core Strategy (2007) and policy DC39 of the Horsham District General Development Control Policies (2007).

### **Landscape character of the site and surroundings**

- 8.10 Policies CPI, CP3 and DC9 state that development should be of a high quality design, which protects and enhances the rural, countryside landscape, whilst being of a scale, mass and bulk which is sympathetic to the character of the surroundings.
- 8.11 The eco-pods will consist of timber cladding and felt roofing, and would consist of relatively modest structures with a small decked area to the south that would be built out of pallets.
- 8.12 The proposed construction and appearance of the eco-pods, utilising timber cladding, is considered to result in an informal structure that would sit modestly within the context of the site and the rural character of the countryside location. Whilst it is acknowledged that these structures would be visible from wider views, including the South Downs Way, it is considered that the proposed structures are of a scale, form and material palette that would allow them to sit sympathetically within the context and setting of the countryside location.
- 8.13 The proposed shower block would be designed to look like a stable building, with stable doors to each stall and a small high level window. The proposed block would measure to a length of 6m and depth of 3m, and would extend to an overall height of 3m. The building would be timber clad, and would be sited to the north-west of the proposed eco-pods.
- 8.14 The proposed shower block is considered to be of a scale and massing that would sit comfortably within the context of the site, with its design and appearance considered to reflect a utilitarian structure that would be anticipated within the rural locality. For this reason, the proposed structure is considered to relate sympathetically to the character, context and setting of the rural location.
- 8.15 The proposed car park would be positioned to the south-eastern corner of the application site, and would consist of 'Durapath' material which is an eco-friendly plastic paving that would be covered in grass. The use of this material, with grass seeding, will seek to reduce the visual prominence of the parking area, and whilst it is noted that the increased screening would formalise this area of the site, it is not considered to result in substantial harm to the landscape character of the area.
- 8.16 The proposed structures are considered to be of a scale, massing and appearance that would sit modestly within the setting and context of the site and surroundings, in accordance with policies DC2 and DC9 of the Horsham District General Development Control Policies (2007).

### **Ecology**

- 8.17 The Preliminary Ecological Appraisal (PEA) submitted by the applicant outlines that there are no notable plants and habitats on the site, with the pasture and hedgerow on site providing commuting and foraging resources for bats, as well as suitable nesting for birds. No protected species would be impacted by the proposed development. Accordingly, and in line with local and national policy requirements, the Ecological Appraisal has suggested a number of recommendations to improve and enhance the quality of habitat on the site.

- 8.18 Following consultation with the Council's Ecologist, no objections have been raised to the proposed use. It is therefore considered that the proposal is acceptable, subject to a condition requiring the enhancements as recommended within the Preliminary Ecology Appraisal to be undertaken.

### **Amenities of the occupiers of adjoining land and properties**

- 8.19 Policy DC9 states that development should consider the scale, mass and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 8.20 The application site is bound by a residential property known as Gerston Cottage to the north, with the commercial site of Gerston Business Park also positioned to the north. These properties are separated by a closeboarded fence and hedging, with the residential amenity space of Gerston Cottage positioned directly adjacent to the application site.
- 8.21 The proposed eco-pods and shower block would be positioned to the southern boundary of the site, approximately 34m from the shared boundary of Gerston Cottage. The proposed pods would be positioned to face south, with the shower block facing to the north-east. The proposal seeks to enhance the boundary to the north with the provision of additional native hedging, with the proposed car park positioned to the south-east of the site and bound by additional native hedging screening.
- 8.22 It is acknowledged that a number of objections have been received in reference to the amenity impact and disturbance such use of the land would have on the residential properties to the north and east of the application site. Whilst it is acknowledged that the proposal would result in an increased level of activity on the site, the informal nature of the camp site coupled with the siting of the eco-pods and associated facilities is considered to reduce the conflict between the uses, and would not warrant an objection in planning terms.
- 8.23 However given the increased level of activity arising from the proposed use, it is considered reasonable to impose a site management condition in order to control the use and activity on the site. This management plan would include measures to reduce noise (including hours of quiet), vehicular activities, waste disposal, etc. The imposition of such condition is considered appropriate to reduce the level of disturbance and control the activity on the site, to the benefit of the neighbouring residential properties.
- 8.24 Subject to the imposition of a site management condition, the proposed change of use and associated operational development is not considered to result in substantial harm to the amenities and sensitivities of neighbouring properties, in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

### **Existing Parking and Traffic Conditions**

- 8.25 Policy DC40 of the Horsham District General Development Control Policies (2007) states that development should provide safe and adequate parking, suitable for all users.
- 8.26 The proposal seeks to provide a car park to the south-eastern corner of the site that would provide 6 no. parking bays for vehicles, utilising a new access point to the field. The proposal would consist of 'Durapath' material which is an eco-friendly plastic paving that would be covered in grass.
- 8.27 Following consultation with the Highways Authority it is not considered that the proposal would have a severe impact upon the operation of the highway network, with maximum visibility achievable from the new access. As such, it is considered that the proposal would accord with policy DC40 of the Horsham District General Development Control Policies (2007).



## 9 Conclusion

- 9.1 The proposed eco-pods and associated development are considered to improve and enhance the tourist accommodation provision within the District and within the South Downs National Park, and are considered to meet an identified need as referenced within both the HDC and SDNP Tourist Accommodation Studies, without resulting in harm to the landscape and scenic beauty of the Park or its wildlife, and as such is considered acceptable in principle. In addition, the proposal is not considered to result in harm to the amenities or sensitivities of neighbouring properties, or the function and safety of the highway network. As such, the proposed development is considered to accord with local and national planning policies.

## 10 Community Infrastructure Levy (CIL)

- 10.1 South Downs National Park has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> January 2017.

- 10.2 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
Residential Zone I	57.24	0	57.24
	<b>Total Gain</b>		<b>57.24</b>
	<b>Total Demolition</b>		

- 10.3 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 10.4 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## 11 Reason for Recommendation and Conditions

It is recommended that the application be approved subject to the following conditions.

### 1. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

**Reason:** For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3. **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 DC7 of the Horsham District General Development Control Policies (2007).

4. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved pods and shower building have 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 DC9 of the Horsham District General Development Control Policies (2007).

5. **Pre-Occupation Condition:** Prior to first occupation of the camping pods, a management pack for future guests of the site shall have been submitted to and been approved in writing by the Local Planning Authority. The pack shall provide a code of conduct for all future guests, including but not limited to, no amplified music at any time and prohibiting the use of fireworks. The management pack shall be made available for all guests of the campsite and occupiers shall operate in strict accordance with the approved document at all times.

Reason: To protect the amenities of the adjoining residential and commercial properties and in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

6. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details, including type and number of species, of the proposed native hedging and planting shall have been submitted to and approved in writing by the Local Planning Authority. All planting within the landscaping scheme submitted with the application (drawing no. ECO-01E received 02.03.2018) shall be carried out prior to the first occupation of any part of the development unless agreed in writing by the local planning authority. Any trees or plants/grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size, species and quality, unless the local planning authority gives written consent to any variation.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

7. **Pre-Occupation Condition:** The camping pods hereby permitted shall not be first 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. The approved facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

8. **Pre-Occupation Condition:** Prior to the first occupation of the camping pods hereby permitted, the parking turning and access facilities to serve the development shall have been implemented in accordance with the approved details as shown on plan ECO-01E received 02.03.2018 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 DC40 of the Horsham District General Development Control Policies (2007).

9. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, maximum visibility shall be provided at the site access onto Greyfriars Lane in accordance with a plan to be submitted to and approved by the Local Planning Authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of one metre above the adjoining road level.

Reason: In the interests of road safety and in accordance with policy DC40 of the Horsham District General Development Control Policies (2007).

10. **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 use falling within Class B of Part 4 and Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (England) 2015 shall be undertaken on the land.

Reason: In the interests of visual amenity and the amenity of the surrounding residential properties, and in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

11. **Regulatory Condition:** The total number of camping pods/eco-pods on the site shall at no time exceed 4.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

12. **Regulatory Condition:** No amplified music shall be played on the site at any time.

Reason: To safeguard the amenities of nearby residents in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

13. **Regulatory Condition:** No external lighting or floodlighting shall be installed at any time.

Reason: In the interests of the amenities of the locality and to preserve the dark skies of the National Park in accordance with policies DC2 and DC9 of the Horsham District General Development Control Policies (2007).

14. **Regulatory Condition:** All site clearance works, building works and ecological enhancements shall be carried in full accordance with the recommendations set out in chapter 4 of the Preliminary Ecological Appraisal by Arbtech, dated 17 January 2018.

Reason: To provide ecological protection and enhancement in accordance with policy DC5 of the Horsham District General Development Control Policies (2007).

15. **Regulatory Condition:** The existing hedgerow to the western boundary shall be retained. Any trees which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size, species and quality, unless the local planning authority gives written consent to any variation.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

## 11. Crime and Disorder Implications

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

## **12. Human Rights Implications**

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equality Act 2010**

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## **14. Proactive Working**

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

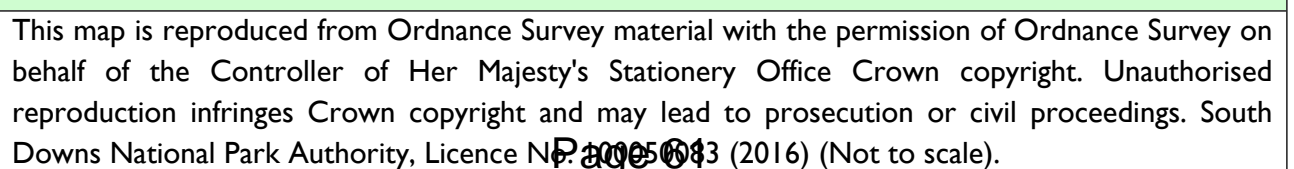
Contact Officer: Tamara Dale  
Tel: 01403 215166  
email: [planning@horsham.gov.uk](mailto:planning@horsham.gov.uk)

Appendices Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents SDNP/17/05626/FUL

## Site Location Map

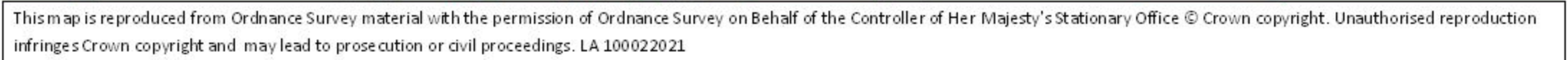


## Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Miscellaneous - Photo	None		02.11.2017	Submitted
Reports - Parking Area - Sustainable Parking Surfaces (Durapath)	None		02.11.2017	Submitted
Site Photographs - Existing and Proposed Site	None		02.11.2017	Submitted
Reports - Planning, Design and Access Statement	None		02.11.2017	Submitted
Plans - Proposed shower block elevations	ECO-02		07.11.2017	Approved
Plans -	ECO-01	E	02.03.2018	Approved
Plans - Proposed Elevations - Ecopod	ECO-03	B	02.03.2018	Approved

**Reasons:** For the avoidance of doubt and in the interests of proper planning.



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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 17<sup>th</sup> April 2018

**DEVELOPMENT:** Reconfiguration of the bus turning circle on Old Mill Drive

**SITE:** Bus Turning Circle Old Mill Drive Storrington West Sussex

**WARD:** Chantry

**APPLICATION:** DC/17/0861

**APPLICANT:** **Name:** c/o Agent **Address:** c/o Agent (Cushman and Wakefield, 125 Old Broad Street, London, EC2N 1AR)

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

**RECOMMENDATION:** That the Local Planning Authority advises the Planning Inspectorate that it would be minded to approve planning permission subject to appropriate conditions

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

To consider the planning application to enable the Local Planning Authority to provide a recommendation to the Planning Inspectorate as to how the application would have been determined in the event that an appeal for non-determination had not been lodged.

#### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application seeks full planning permission to reconfigure the existing bus turning circle to Old Mill Drive, and seeks to undertake the following works:
- Rationalisation of the turning facility in to the south-western corner of the footprint of the existing facility;
  - Retention of two southbound bus stops to the north of the new turning facility, segregated by a new 'pedestrian island';
  - Minor realignment of the western kerb line of Old Mill Drive adjacent to the new bus stops;
  - Replacement pedestrian footpath to the east of the turning facility and bus stops;
  - Reinstatement of verge and full height kerbs at a number of uncontrolled crossing points;
  - Provision of new uncontrolled crossing points, with dropped kerbs and tactile paving in appropriate locations.

The application has been submitted to rationalise the bus turning circle as enabling works for future redevelopment of the Storrington Mill Road Diamond site.

- 1.2 The application is put forward to Committee following the submission of an appeal to the Planning Inspector on the grounds of non-determination.

## DESCRIPTION OF THE SITE

- 1.3 The application site is located within the centre of Storrington, immediately north of the High Street. The site is surrounded by a mix of residential and commercial premises, with the western boundary of Old Mill Drive consisting of an area of trees and grassland which runs to the River Stor. The site currently consists of a bus turning circle, with access to the car park to the east, and a number of trees positioned within the grass circle. The Storrington Conservation Area sits directly opposite Old Mill Drive to the west, and beyond the adjacent car park to the east.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework:**  
NPPF1 - Building a strong, competitive economy  
NPPF2 - Ensuring the vitality of town centres  
NPPF3 - Supporting a prosperous rural economy  
NPPF4 - Promoting sustainable transport  
NPPF7 - Requiring good design  
NPPF12 - Conserving and enhancing the historic 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  
HDPF7 - Strategic Policy: Economic Growth  
HDPF9 - Employment Development  
HDPF10 - Rural Economic Development  
HDPF12 - Strategic Policy: Vitality and Viability of Existing Retail Centres  
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  
HDPF40 - Sustainable Transport  
HDPF41 - Parking  
HDPF42 - Strategic Policy: Inclusive Communities
- 2.4 **Storrington Old Mill Drive Diamond: Planning Brief**

### RELEVANT NEIGHBOURHOOD PLAN

2.5 **Storrington, Sullington and Washington Neighbourhood Development Plan**

The draft Storrington, Sullington and Washington Neighbourhood Plan is at Regulation 16 consultation stage. As the draft Plan has not passed through formal examination it carries very little weight in the determination of planning applications.

2.6 **PLANNING HISTORY AND RELEVANT APPLICATIONS**

DC/11/2334	The part demolition of the existing food store and some adjacent shop units in Old Mill Square including some shop units, office space, a restaurant and a garage; and the construction of an extended food store including storage, plant and service areas, together with ancillary facilities including a 2 level car park.	Application Permitted on 24.05.2013
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This planning permission has now expired and cannot be implemented.

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

INTERNAL CONSULTATIONS

- 3.2 Economic Development: No Objection  
No objection provided that Old Mill Drive can continue to be stopped up for events.

OUTSIDE AGENCIES

- 3.3 West Sussex County Council – Highways: No Objection

PUBLIC CONSULTATIONS

- 3.4 Parish Council: Objection on the following grounds:-

- Turning point is very tight which would restrict future vehicle options
- Safety hazard to both pedestrians and vehicles caused by northbound stop
- Increase in traffic due to restricted turning area
- Lack of bus shelters
- Loss of trees

- 3.4 Stagecoach South: Concerns in respect of visibility when leaving the two stops proposed and potential pedestrian crossing implications.

- 3.5 Sussex Bus Company: No comments received

- 3.6 Compass Travel: No comments received.

- 3.7 42 letters of objection were received from 21 separate households, these can be summarised as follows:

- Safety implications
- Extent of consultation with bus companies and other users
- Pedestrian accessibility and safety
- Restricted capacity for use

- Loss of trees and reduced landscaping
- Increased congestion
- Isolated nature of proposal
- Need and justification for the proposed alterations
- Impact on adjacent Conservation Area
- Overdevelopment
- Loss of turning and drop off point for vehicles

#### **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 redevelopment of the bus turning circle to Old Mill Drive.

##### **Principle of Development**

- 6.2 Policy 3 of the HDPF states that development will be permitted in towns and villages that have defined built-up areas, with any redevelopment required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement. In addition, Policy 12 seeks to enhance and support retail centres through well designed and maintained public realm; accessible means of travel; respect for good urban design principles; and encouragement in innovation and support for improvements in retailing activity.
- 6.3 The application site lies within the built up area of Storrington directly adjacent to the High Street. Storrington is categorised as a “Small Town and Larger Village” and “Secondary Centre” under Policies 3 and 12 respectively. As such, redevelopment of the site is considered acceptable in principle, subject to all other material considerations.
- 6.4 A previous planning application under reference DC/11/2334 accepted the redevelopment of the application site and wider area to accommodate an extension of the Waitrose store, and associated redevelopment and reconfiguration of the bus turning circle. This application included the re-siting of the bus turning circle within the adjacent parkland area to the west. The submitted Planning Statement outlines that this previously consented scheme has now lapsed and is not sought to be renewed by the applicant on the basis that the approved store extension scheme is no longer considered viable.
- 6.5 The proposal seeks to rationalise the turning circle at Old Mill Drive, retaining its location in broadly the same place as the existing turning circle. The development is put forward as enabling works for the wider redevelopment of the ‘Diamond’ in the future, however it is acknowledged that there is no detailed design of the wider area at present

- 6.6 The Storrington Old Mill Drive Diamond Planning Brief (2008) sets out the Council's guidelines and vision for any further redevelopment of the Old Mill Drive Diamond site in Storrington. This Planning Brief seeks to promote stronger links between the site and the wider town centre, encourage improved pedestrian links, and provide a wider selection of linked shopping facilities to encourage a more efficient and effective use of the important economic centre.
- 6.7 The Planning Brief also sets out that improved infrastructure is an important factor in any development, outlining that consideration should be given to traffic flows, not only within the development site but also through flow of local traffic on the High Street south of the site. It encourages the full or partial pedestrianisation of Old Mill Drive to encourage linkages and help mitigate the effects of local and short car trips.
- 6.8 The proposed development seeks to rationalise the existing bus turning circle, with a reconfigured bus stop and turning area and additional pedestrian linkages through the site. The proposal would consolidate the bus facilities within a defined area, with additional and improved pedestrian connections that would better facilitate accessible means of travel and linkages to the town centre. Whilst concern has been raised at the proposals coming forward outside of proposals for the more comprehensive development of the Diamond, in this instance it is not considered that the scale and location of the proposals would prevent any such wider development coming forward or otherwise frustrate the aspirations of the Brief. The degree of encroachment of the works into the wider Diamond site at a maximum of 14m is not considered significant, whilst the applicants have stated that the proposals have been formed specifically as enabling works for the wider redevelopment of the Diamond site.
- 6.9 On this basis it is considered that the principle of reconfiguring the bus turning area is acceptable and would not frustrate the wider development aspirations of the Storrington Old Mill Drive Diamond Planning Brief. As such, the proposal is considered to accord with Policies 3 and 12 of the Horsham District Planning Framework (2015).

#### **Character of the site and visual amenities of the street scene**

- 6.10 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.11 A number of objections have been received relating to the impact that the proposed alterations would have on the character of the area and the adjacent Conservation Area. There are concerns that the proposal would result in the loss of trees and reduced landscaping, with the general nature of the proposal considered to be to the detriment of the local character and street scene.
- 6.12 The application site lies directly behind the High Street and is located centrally within the town centre, with the area characterised by its urban-rural fringe town centre appearance. Whilst the proposal would result in the loss of planting within the central island, the principle of this loss has been established by way of the previous planning permission on the site to enable the wider redevelopment of the Diamond. The trees on the island are not formally protected by way of being within a conservation area or under a Tree Protection Order. Nevertheless all five trees on the island provide amenity benefit to the wider area.
- 6.13 The plans detail that three of the five trees sit within the application site, with the remaining two outside. The supporting Planning Statement states that these three trees will be removed as part of this application, with the implication being that the remaining two would be retained. In the absence of a comprehensive scheme for the development of the wider Diamond it is considered that the remaining two trees should be retained until such time as a proposal for the wider Diamond comes forward which may or may not include the retention of these trees. The loss of the other three trees is regrettable but accepted as a consequence of this development. The trees do not benefit from any protected status and could theoretically be

removed at any time without permission. It is not considered that their removal would result in harm which could warrant a planning refusal.

- 6.12 The proposed works do not include details on how the remaining turning circle and part of the central island under the applicant's control is to be integrated. Both these areas sit outside of the red line of the application site but fall under the applicant's ownership. To ensure a satisfactory appearance to the site and remaining bus turning area a Grampian condition is recommended requiring details on how this area is to be presented to ensure an appropriate appearance is maintained. Such details are to include the retention of the two trees within the remaining part of the island.
- 6.13 Subject to this condition it is considered that the proposal would not result in harm to the character or appearance of the area. The proposed works would sit appropriately within the context of the town centre location and, having regard to the previous permission which removed the bus turning circle and associated landscaping in its entirety, would not result in harm to the visual amenities of the street scene. The proposed works are therefore considered to comply with Policies 32 and 33 of the Horsham District Planning Framework (2015).

#### **Amenities of the occupiers of adjoining properties**

- 6.14 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.15 Given the existing context of the site, and the relationship with the surrounding properties and users of land, the proposal is not considered to materially harm the amenities and sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

#### **Existing Parking and Traffic Conditions**

- 6.16 Policy 40 of the HDPF seeks to develop an integrated community connected by a sustainable transport system. Development proposals which promote an improved and integrated transport network will be encouraged and supported provided it is appropriate and in scale to the existing transport infrastructure; maintains and improves the existing transport system; includes opportunities for sustainable transport; and delivers better local bus services.
- 6.17 The applicant has confirmed that temporary provisions will be put in place during the course of development to ensure the continued function and use of the bus stops. The applicant has stated that this will be arranged through formal consultation with local bus operators and the Local Highway Authority. Notwithstanding this, it is envisioned that the new northbound bus stop would be constructed and brought into operation before the existing turning circle would be removed, thereby allowing continuity of service provision for those buses travelling north along Old Mill Drive. Southbound buses would be catered for through the provision of one or more temporary stops provided along Old Mill Drive, to either the north or south of the existing turning circle, to which it would be ensured that adequate footway provision was available. It is stated that the new turning facility would be constructed whilst the existing turning circle remains in operation, and there will be no requirement for any buses to be re-routed during the construction phase.
- 6.18 Concern has been raised over how other existing users of the bus turning area would be impacted by the proposals. The existing bus turning area is used for school pick up and drop of services, and occasional loading and unloading, amongst others, albeit the area is restricted with double yellow lines. These informal users would be displaced by the proposed works. The applicant has clarified that school buses would be able to use the new northbound and southbound bus stops, whilst the shops on Old Mill Parade are serviced via School Hill. The applicant notes that the previous proposals also removed these non-bus stopping areas.

Following the receipt of this additional information, and amendments to address matters raised by the Stage 1 safety audit, the Local Highway Authority (LHA) has advised that the layout would provide sufficient access and turning for anticipated users. The LHA has raised no objection accordingly.

- 6.19 It is not therefore considered that the proposal would have a detrimental impact upon the function and safety of the highway network, or to the provision of sustainable transport modes. A condition has been recommended by the LHA to secure further plans and details of the links between the bus turning area on Old Mill Drive and bus passenger infrastructure and footways, and this is included as part of the recommendation. As such, the proposal is considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

## **Conclusion**

- 6.20 The proposed alterations to the turning circle are considered to be of a scale and layout that would be sympathetic to the character and visual amenities of the street scene, whilst of a nature that would not materially harm the amenities of neighbouring properties and users of land, or the safety and function of the public highway network. Furthermore, the proposed works would not prevent the wider re-development of the Diamond area coming forward in line with the aspirations of the Planning Brief. As such, the proposal is considered to accord with Policies 3, 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**

- 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 neighbours and users of surrounding land during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall take place until plans and details showing the integration of the proposed bus turning area within Old Mill Drive, bus passenger infrastructure and footways have been submitted to and

approved by the Local Planning Authority in writing. The development shall be implemented in accordance with the agreed details and shall thereafter be retained as such.

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

- 5 **Pre-Commencement Condition:** No development shall take place until a scheme for the removal of the existing bus turning circle and appropriate resurfacing and landscape enhancements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the materials and landscaping to be used in the resurfacing, and include a timetable of proposed works. The resurfacing shall be implemented in accordance with the agreed details unless otherwise agreed in writing and shall thereafter be retained as such.

Reason: In the interests of road safety and the visual amenities of the street scene and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, full details of the hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall include the retention of the two trees on the existing traffic island east of the proposed new highway boundary. All soft landscaping 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. All hard landscaping shall be carried out prior to first use of the new bus stops. 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).

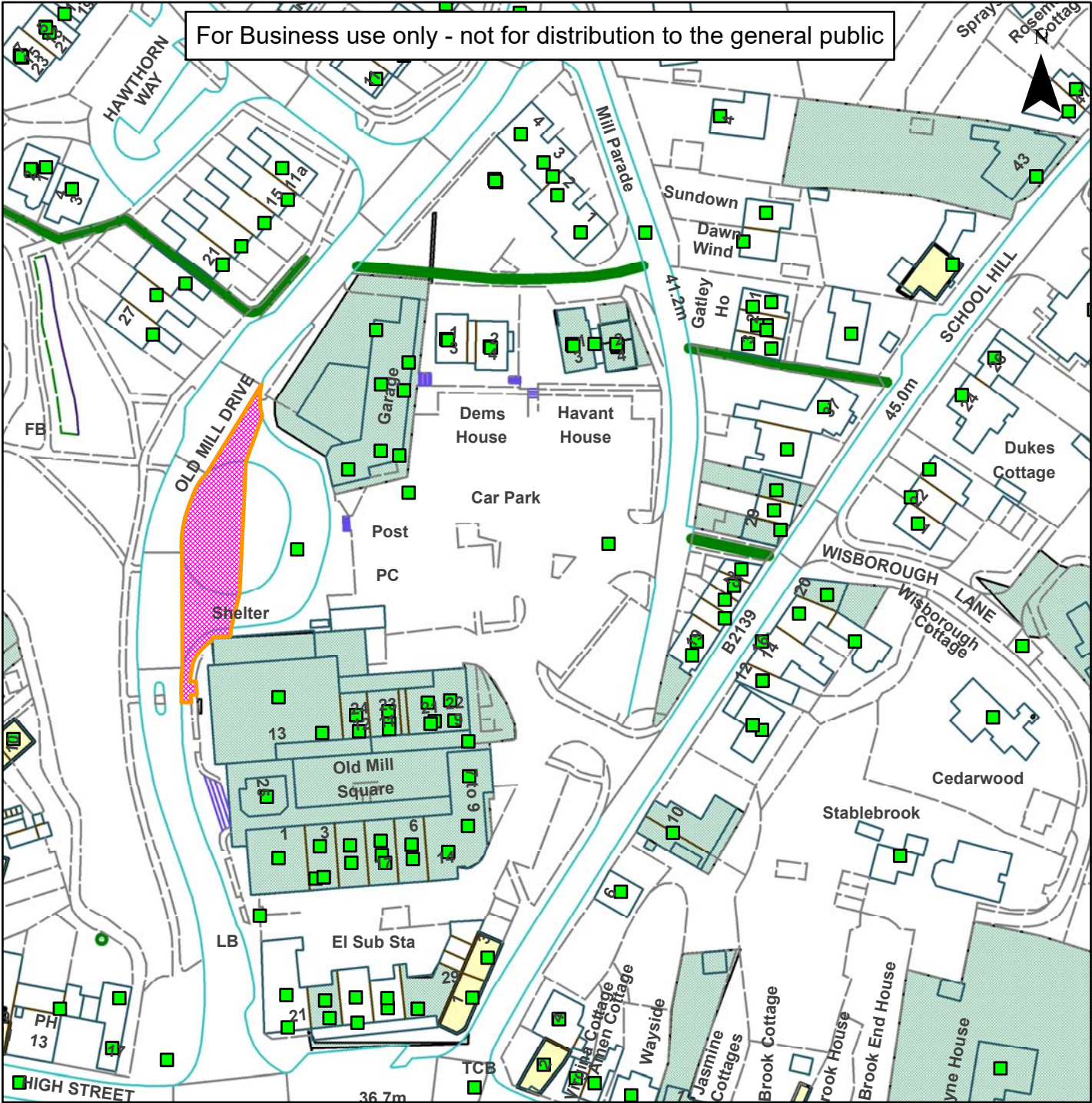
#### NOTE TO APPLICANT

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Background Papers: DC/17/0861



Not Set



Scale: 1:1,250

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Organisation	Horsham District Council
Department	
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