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Planning Committee (North)

Tuesday, 6th June, 2017 at 6.00 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

John Bailey
Andrew Baldwin
Toni Bradnum
Alan Britten
Karen Burgess
Peter Burgess
John Chidlow
Roy Cornell
Christine Costin
Leonard Crosbie
Jonathan Dancer
Matthew French
Billy Greening

Tony Hogben
Adrian Lee
Liz Kitchen
Christian Mitchell
Josh Murphy
Godfrey Newman
Connor Relleen
Stuart Ritchie
David Skipp
Simon Torn
Claire Vickers
Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

Page No.

GUIDANCE ON PLANNING COMMITTEE PROCEDURE

1. **Election of Chairman**
2. **Apologies for absence**
3. **Appointment of Vice-Chairman**
4. **To approve the time of meetings of the Committee for the ensuing year**
5. **Minutes**
To approve as correct the minutes of the meetings of the Committee held on 28th April and 9th May 2017

5 - 12

6. **Declarations of Members' Interests**

To receive any declarations of interest from Members of the Committee

7. **Announcements**

To receive any announcements from the Chairman of the Committee or the Chief Executive

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

8. **Appeals** 13 - 14

Applications for determination by Committee:

9. **DC/17/0570 - Holmbush Farm, Crawley Road, Faygate** 15 - 24
(Ward: Ruser & Colgate) Applicant: Mr Piers Calvert

10. **DC/17/0234 - Land to the East of Lower Lodge, Rye Farm Lane, Barns** 25 - 34
Green (Ward: Itchingfield, Slinfold & Warnham) Applicant: Mr L Goossens

11. **DC/17/0798 - 5 Dutchells Copse, Horsham (Ward: Holbrook East)** 35 - 40
Applicant: Mr Andrew Baldwin

12. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Agenda Annex

GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

Planning Committee (North)
28 APRIL 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, Roy Cornell, Christine Costin, Leonard Crosbie, Billy Greening, Tony Hogben, Christian Mitchell, Josh Murphy, Godfrey Newman, Brian O'Connell, Connor Relleen, Stuart Ritchie, David Skipp and Claire Vickers

Apologies: Councillors: John Bailey, John Chidlow, Jonathan Dancer, Matthew French, Adrian Lee, Simon Torn and Tricia Youtan

PCN/118 **MINUTES**

The minutes of the meetings of the Committee held on 21st March and 4th April were approved as a correct record and signed by the Chairman.

PCN/119 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCN/120 **ANNOUNCEMENTS**

There were no announcements.

PCN/121 **DC/16/1677 - LAND NORTH OF HORSHAM (WARDS: HOLBROOK WEST, RUSPER & COLGATE, HOLBROOK EAST) APPLICANT: MR DEREK LLOYD, LIBERTY PROPERTY TRUST**

The Head of Development reported that this outline planning application sought permission for a mixed use strategic development, with all matters, except for access, reserved for future determination.

Details of the proposal, as set out in the report, included: up to 2,750 homes, to include 30% housing for local need; a number of education and community facilities; 46,450 square metre business park; retail facilities including local shopping facilities; open space and recreation facilities; and landscaping.

Local transport infrastructure improvements, including works and contributions towards upgrading existing parts of the road network, were included in the application. The legal agreement was still in development and the proposed Heads of Terms were set out in appendix 1 of the report.

The application had been amended since its submission in August 2016 to reflect existing ownership boundaries, and exclude Ancient Woodland to the north west of the site.

The indicative housing provision comprised: Market Housing: 39 1-bedroom and 97 2-bedroom flats; 230 2-bedroom, 731 3-bedroom, 731 4-bedroom and 97 5-bedroom houses. Housing for Local Needs: 169 1-bedroom, 251 2-bedroom and eight 3-bedroom flats; 239 2-bedroom, 100 3-bedroom, 51 4-bedroom and seven 5-bedroom houses.

The application site was located adjacent to the northern boundary of Horsham, north of the A264 between Langhurstwood Road and Wimland Road. The suburban area of Crawley was approximately two miles to the north east. The site was predominantly made up of agricultural fields, with some copses and three areas of ancient woodland. There was also a Scheduled Monument (Homestead Moat) and a Grade II listed building (The Moated House) and historic parkscapes within the site.

Details of relevant government and council policies, as contained within the report, were noted by the Committee, in particular the policies regarding Land North of Horsham strategic site within the Horsham District Planning Framework.

An addendum to the report was circulated to Members, which amended the recommendation so that the application would be determined in consultation with the Chairman and Vice-Chairman of Planning (South) Committee, and the Cabinet Member for Planning & Development, in addition to the Chairman and Vice-Chairman of this Committee. The addendum also included: updates on consultation responses; a correction to paragraph 6.22 of the report; further details relating to the recommendations to follow paragraph 7.1 of the report with suggested revisions to conditions regarding time limits; and further recommended conditions and obligations regarding land ownership and the legal agreement.

The responses from internal and external consultees, as contained within the report and addendum, were considered by the Committee. The responses from the Council's Economic Development Team and Air Quality Officer, as printed in the addendum, were also noted by the Committee.

A number of Neighbourhood and Parish Councils had commented on the application: Colgate Parish Council raised objections to the original application and had not commented on the revised scheme. Denne Neighbourhood Council had objected to the original and amended application. Forest Neighbourhood Council had objected to the original application. North Horsham Parish Council commented on both the original and revised application, raising some objections. Ruser Parish Council objected to the application. Warnham Parish Council objected to the application.

A total of 91 letters of objection had been received along with 25 letters of comment. The letters of objection included responses from CPRE Sussex and

The Horsham Society and the letters of comment included a response from the Horsham Town Community Partnership.

Three members of the public spoke in objection to the application, including a member of Horsham District Cycle Forum and a member of the Horsham Society. A representative of Horsham Town Community Partnership spoke in support of the proposal. The applicant and the applicant's agent both addressed the Committee in support of the proposal.

Representatives from North Horsham Parish Council, Rusper Parish Council and Warnham Parish Council all addressed the Committee in objection to the proposal.

Members considered the officer's planning assessment as set out in the report and as presented to the Committee: the principle of the development and the quantum of development; access and junctions; and infrastructure improvements and contributions were key issues for consideration of the outline application.

Issues of concern raised by public speakers and by Members included: cycling infrastructure within the site; protection of the Riverside Walk within the site; the level of affordable housing provision; connectivity with Horsham; the proposed siting of the schools; the phased development of the business park; and capacity of the existing sewerage system.

With regards to the proposed access and amendments to the road network, Members discussed: the impact of the development on the A264 and on the surrounding road network, including increased traffic through Rusper and Warnham; concerns regarding the closure and re-routing of Langhurstwood Road; Pondtail Drive; and the need for acoustic fencing to protect Lemmington Way residents from traffic noise.

A representative of West Sussex County Council acknowledged that refuse HGVs being routed through high density housing was a potential issue that could be looked at during the reserved matters stage. The height of the bridge adjacent to the Rusper Road Roundabout could also be determined as a reserved matter but would need to meet established minimum highway criteria. With regards to connectivity with the town, it was confirmed that the provision or improvement of four crossings points on the A264 that followed desire lines were proposed. It was agreed that the condition regarding the green travel plan could be amended to include the cycle route through the site.

Members also discussed the Viability Study and the proposed level of affordable housing. It was noted that there would be a clawback clause within the legal agreement to ensure that, should circumstances allow, additional affordable housing would be secured.

After detailed discussion and deliberation Members concluded that, given the scale and significance of the proposed development, the application should be determined by full Council.

RESOLVED

That planning application DC/16/1677 be referred to Council for decision.

The meeting closed at 1.45 pm having commenced at 10.00 am

CHAIRMAN

Planning Committee (North)
9 MAY 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, John Chidlow, Christine Costin, Leonard Crosbie, Matthew French, Billy Greening, Tony Hogben, Christian Mitchell, Godfrey Newman, Stuart Ritchie and David Skipp

Apologies: Councillors: Roy Cornell, Jonathan Dancer, Adrian Lee, Josh Murphy, Brian O'Connell, Connor Relleen, Simon Torn, Claire Vickers and Tricia Youtan

PCN/122 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/0445 – Councillor Tony Hogben declared a personal and prejudicial interest because he was the applicant. He withdrew from the meeting and took no part in the determination of the application.

PCN/123 **ANNOUNCEMENTS**

There were no announcements.

PCN/124 **APPEALS**

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

PCN/125 **DC/17/0445 - MORRISWOOD, OLD HOLBROOK, HORSHAM**
(WARD: HOLBROOK WEST) APPLICANT: MR T HOGBEN

The Head of Development reported that this application sought permission for the change of use of an internal swimming pool building, including changing facilities, to allow private swimming lessons. An area of hardstanding to the east and north of the building would be used for parking.

The proposed swimming lessons would be for up to six people and take place between 9:30am and 7:00pm Monday to Friday, 8:30am to 4:30pm on Saturday, with no lessons on Sundays or Bank Holidays. Lessons would be primarily for school children, with specialist courses taking place outside term time.

The application site was located in the countryside on the western side of Old Holbrook Road in an area of sporadic development approximately one kilometre north of the A264 and the built-up area of Horsham.

The single storey L-shaped swimming pool building was attached to Morriswood, a two storey dwelling, and there were also outbuildings and a tennis court on the site, which was surrounded by agricultural land. Access was from Old Holbrook Road.

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

The Parish Council raised no objection to the application, subject to the installation of a passing place and repairs to the highway surface. The Local Member supported the application. Sixty-seven letters of support and two of objection had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principal of the development; its impact on highways; and its impact on the occupiers of neighbouring residents. It was noted that the Highways Authority raised no objection.

Members were advised that Condition 4, as printed in the report, should be amended so that the hours of commercial use of the pool are extended to 7pm Monday to Friday instead of 6pm.

RESOLVED

That planning application DC/17/0445 be granted, subject to the conditions as reported, with Condition 4 amended to:

The use of the swimming pool for commercial purposes shall only take place between the hours of 09:30 to **19:00** on Monday to Friday; 08:30 to 16:30 on Saturday; and not at any time on Sundays or on Bank or Public Holidays.

PCN/126 **DC/16/2671 - 1 MILL COTTAGES, WARNHAM ROAD, HORSHAM (WARD: HOLBROOK WEST) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission for a new 2.4 metre wide vehicle access onto Warnham Road, to provide on-site parking and turning space. A number of apple trees on the site would need to be felled. Application DC/16/2672, a matching proposal for the adjoining property 2 Mill Cottages, was also considered by the Committee.

The application site was located outside the built-up area adjoining Warnham Nature Reserve, on the north side of Warnham Road opposite Rookwood Golf Course. There was significant vegetation along the road and to the rear of the site, which comprised one of a pair of semi-detached houses in modest plots.

The nearest street parking was approximately 50 metres away and there was no off-street parking available on the site.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. The response from the Highways Authority, as contained within the report, was considered by the Committee.

The Neighbourhood Council raised no objection to the application. The Horsham Society raised no objection but raised concerns regarding the removal of trees.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: character and appearance; highways impact; and neighbouring amenity. It was noted that amendments had been made to the visibility splays and internal layout to address concerns raised by the Highways Authority. It was also noted that Condition 5 required a landscaping scheme to include replacement planting.

RESOLVED

That planning application DC/16/2671 be granted subject to the conditions and reasons as reported.

PCN/127 **DC/16/2672 - 2 MILL COTTAGES, WARNHAM ROAD, HORSHAM (WARD: HOLBROOK WEST) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission for a new 2.5 metre wide vehicle access onto Warnham Road with a splayed fence line, to provide on-site parking and turning space. A number of apple trees on the site would need to be felled. Application DC/16/2671, a matching proposal for the adjoining property 1 Mill Cottages, was also considered by the Committee.

The application site was located outside the built-up area adjoining Warnham Nature Reserve, on the north side of Warnham Road opposite Rookwood Golf Course. There was significant vegetation along the road and to the rear of the site, which comprised one of a pair of semi-detached houses in modest plots. The nearest street parking was approximately 50 metres away and there was no off-street parking available on the site.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. The response from the Highways Authority, as contained within the report, was considered by the Committee.

The Neighbourhood Council raised no objection to the application. The Horsham Society raised no objection but raised concerns regarding the removal of trees.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: character and appearance; highways impact; and neighbouring amenity. It was noted that amendments had been made to the visibility splays and internal layout to address concerns raised by the Highways Authority. It was also noted that Condition 5 required a landscaping scheme to include replacement planting.

RESOLVED

That planning application DC/16/2672 be granted subject to the conditions and reasons as reported.

The meeting closed at 6.15 pm having commenced at 6.00 pm

CHAIRMAN



Planning Committee (North)

Date: 6th June 2017

Report by the Head of Development: APPEALS
Report run from 26/04/2017 to 23/05/2017

1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/16/1842	High Plovers Hammerpond Road Plummers Plain Horsham West Sussex RH13 6PE	17 th May 2017	Refuse	
EN/16/0014	Wheatsheaf Inn Handcross Road Plummers Plain Horsham West Sussex RH13 6NZ	19 th May 2017	Notice Served	

2. Live Appeals

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

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/16/1016	Park North and North Point North Street Horsham West Sussex RH12 1RG	Written Reps	5 th May 2017	Permit	Refuse
DC/16/1717	Redgates Burnthouse Lane Lower Beeding Horsham West Sussex RH13 6NN	Written Reps	12 th May 2017	Refuse Prior Approval	
DC/16/2284	Guildford Road Rudgwick West Sussex RH12 3JD	Written Reps	19 th May 2017	Refuse	

DC/16/2375	Baynards Motor Company Rowhook Hill Farm Bognor Road Broadbridge Heath Horsham West Sussex RH12 3PS	Written Reps	5 th May 2017	Refuse	
DC/16/2527	Farm Buildings Hawthorns Bar Lane Southwater West Sussex	Written Reps	28 th April 2017	Refuse Prior Approval	
DC/16/2687	Lane End Lyons Road Slinfold Horsham West Sussex RH13 0QS	Written Reps	28 th April 2017	Refuse	
DC/16/2858	Lot 6 Ghyll House Farm Broadwater Lane Copsale West Sussex	Written Reps	10 th May 2017	Refuse	

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/16/2688	Corner House Brighton Road Monks Gate Horsham West Sussex RH13 6JD	Fast Track	Dismissed	Refuse	
DC/16/0992	Monks Gate Cottage Brighton Road Monks Gate Horsham West Sussex RH13 6JD	Written Reps	Allowed	Refuse	



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 6 June 2017

DEVELOPMENT: Widening of existing gateway and erection of replacement gates along with laying of hardstanding

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

WARD: Rusper and Colgate

APPLICATION: DC/17/0570

APPLICANT: Mr Piers Calvert

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

RECOMMENDATION: To grant planning permission subject to conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks retrospective consent for the widening of an existing gateway on the A264, the installation of replacement gates and the laying of hardstanding. The access prior to the works being undertaken was approximately 6 metres wide with the widened access measuring approximately 10 metres. Works are understood to have been undertaken between July and August 2016.
- 1.2 This application follows application DC/16/1821 which sought retrospective consent for the installation of gates approximately 2.5m in height which had been overlaid with vertical wood lapping. This application was refused planning permission on the grounds that the widened access, by virtue of its width and the gates installed, had an adverse impact on the rural character and appearance of the area and highway safety concerns.
- 1.3 Since the previous application, the gates with vertical timber boarding have been replaced with agricultural, metal five-bar type gates measuring approximately 5 metres in width and 1.3 metres in height. A concrete pad has also been created measuring approximately 35 metres by 6 metres and sited to the west of the widened access, behind the hedgerow field boundary.

- 1.4 The Planning Statement submitted with the application details that the wider gates and concrete pad will be used for agricultural purposes along with ensuring smooth traffic management on event days, when large numbers of vehicles enter the site from the A264. It should be noted that an application for the temporary use of land at Holmbush Farm for Tough Mudder events (a 10-12 mile assault/obstacle race) has been submitted under application reference DC/17/0587 and will be considered at a future meeting of Planning Committee North.

DESCRIPTION OF THE SITE

- 1.5 The site is located to the south of a layby on the westbound (Horsham bound) carriageway of the A264 between the Kilnwood Vale and Faygate roundabouts, on land within the ownership of Holmbush Farm.
- 1.6 The field boundary with the layby and the A264 provides the boundary of the High Weald Area of Outstanding Natural Beauty (AONB). The site is therefore located within the High Weald AONB.
- 1.7 The nearest residential properties lie some 250 metres to the west (Park Cottage and North Lodge), with the properties on the edge of Faygate lying just over 400 metres from the site. All other neighbouring properties, including those on the Holmbush Estate and at Holmbush House (grade II* listed), are over 500 metres from the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
NPPF3: Supporting a prosperous rural economy
NPPF7: Requiring good design
NPPF11: Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF)**
Policy 1 – Strategic Policy: Sustainable Development
Policy 2 – Strategic Policy: Strategic Development
Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
Policy 26 – Strategic Policy: Countryside Protection
Policy 30 – Protected Landscapes
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

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 No Neighbourhood Plan Designation Area Application has been submitted for the Parish.

2.5 PLANNING HISTORY

DC/16/1821	Retrospective application for the installation of replacement gates	Refused on 15 August 2016
DC/17/0587	Change of use to allow site to used for Tough Mudder events	Under consideration

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Landscape Officer** – No objection.
- 3.3 **Conservation Officer** – No objection.

OUTSIDE AGENCIES

- 3.4 **WSCC Highways** – No objection, subject to conditions.
- 3.5 **AONB Unit** – If the Local Planning Authority considers that the principle of the development is acceptable, recommends conditions.
- 3.6 Colgate Parish Council – objects to the application on the grounds that:
- The gate will be used primarily for the Tough Mudder Event. The gateway should therefore be returned and restored to it's original condition as per the rest of the Tough Mudder obstacles;
 - The concrete pad is out of keeping with the AONB;
 - For the previous 20 years other entrances have been sufficient for farm vehicles;
 - Concerned about traffic exiting from the entrance directly onto a busy dual carriageway (A264).

MEMBER COMMENTS

- 3.7 No comments received.

PUBLIC CONSULTATIONS

- 3.8 Twenty five (25) letters/emails of objection from fifteen (15) households (plus one letter of objection from Holmbush House Management Company) have been received which raise the following concerns:
- Application for works previously been refused
 - Access and concrete pad out of keeping with the character of the area
 - Adverse impact on the AONB
 - The farm has no right to widen the access
 - The previous gateway should be restored
 - No need for the concrete pad
 - The concrete pad should be removed and the land restored

- No need for additional access into Holmbush Farm
- No rationale for additional access provided
- Highway safety concerns
- Gateway should only be opened for use with a traffic management plan in place
- Site will be more attractive to large scale events

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The key issues for consideration in relation to this proposal are:

- Principle of development
- Impact on the character and appearance of the locality of the widened access and installation of gates
- Impact on the character and appearance of the locality of the concrete pad
- Impact on the setting of Holmbush House (grade II* listed)
- Highway safety

Principle of development

- 6.10 The Planning Statement submitted in support of the application details that the wider gates and concrete pad will allow a convoy of agricultural vehicles, to include a combine harvester towing the harvester head, tractors towing trailers, and support vehicles, to turn off the dual carriageway and enter the field.
- 6.11 It is noted that a number of local residents have commented that the access has been unused for some time and that its use only began last year when it was widened in preparation for the Tough Mudder events in September. It is acknowledged that the widened access may not have been used for some time, and may have become overgrown. An access into the layby from the field has though existed in this location for a prolonged period of time and as such there are no controls over its reuse in its original form.
- 6.12 Policy 26 of the HDPF seeks to restrict development in the open countryside unless the scheme is essential to its countryside location and meets one of a number of criteria, including, supporting the needs of agriculture or forestry, provide for quiet informal recreational use, or enable the sustainable development of rural areas. The applicant has advised that the widened gateway and concrete plinth are required to allow safe ingress / egress from the site by agricultural vehicles. It is acknowledged that since the last use of the access by agricultural vehicles such equipment may have increased in its size and therefore it would seem reasonable that an increase in the width of the gateway may be required. It is acknowledged that the gateway will also be used in association with events taking place at Holmbush Farm; however this is intermittent in nature and the primary use would be for agricultural vehicles and equipment.

- 6.13 Therefore, whilst concerns have been raised by local residents in respect of alternative accesses off the A264 being available for use by Holmbush Farm, it is not possible to control re-use of the access and the widening works would support the existing agricultural use of the site, which is supported by policy 26 of the HDPF.

Character and appearance

Access and gate

- 6.14 This application follows application DC/16/1821, which sought retrospective consent for the installation of gates approximately 2.5m in height which had been overlaid with vertical wood lapping and was refused planning permission on the grounds that the gates had an adverse impact on the rural character and appearance of the area. Since the consideration of the previous application, the applicant has installed two, 5 metre wide, metal, agricultural, 5-bar type gates in place of the vertical boarded gates. The gates subject of this current application measure some 1.3 metres in height compared to the 2.5 metre high timber boarded gates the subject of the previously refused application.
- 6.15 In respect of the widened access, concerns have been raised by both local residents and Colgate Parish Council on the grounds of the access being double the width that it was previously, the lack of use of the gateway historically, other entrances being available to Holmbush Farm and the removal of a section of hedgerow.
- 6.16 In respect of the access, the High Weald AONB Planning Advisor has advised that the field boundaries, which are historic and unchanged since at least the mid nineteenth century, should be retained and restored as part of the development. The Council's Landscape Officer has advised that the proposed agricultural style gate is in keeping with what is expected within a countryside location such as this and although the loss of the existing hedgerow is regrettable, this break will still allow views into the open fields and countryside.
- 6.17 In terms of the age of the field boundaries, the Council's Arboricultural Officer has verbally advised that the hedgerow boundary with the A264 is less than 30 years old and would have likely have been planted at the time of the upgrading of the A264 to dual carriageway and the construction of the Horsham bypass. In terms of the Hedgerow Regulations 1997, the hedgerow would not meet the criteria required to be considered important and the Council would have no grounds to prevent its removal.
- 6.18 When the impact of the widened access and gates were considered under application DC/16/1821, it was considered that the width of the access combined with the style and design of the gates installed was unacceptable and the application was refused on this basis. As explained above, the gates previously installed have been removed and replaced metal 5-bar gates which are commonplace in rural locations. Whilst it is acknowledged that the width of the access is unaltered from that of the previous application it is considered that the width of the access in itself is acceptable in this location as it is of an agricultural nature and is seen against the backdrop and in the context of the adjoining dual carriageway and associated layby. The proposed access and gate is therefore considered to accord with policies 25, 32 and 33 of the HDPF.
- ##### *Concrete Pad*
- 6.19 Since the consideration of application DC/16/1821 a concrete pad has been created to the west of the widened gateway. The concrete pad measures approximately 35 metres by 6 metres and runs alongside the hedgerow forming the field boundary with the A264.

- 6.20 Concerns in respect of the concrete pad have been raised by both local residents and Colgate Parish Council on the grounds of there being no justification for the hard surface, it being out of keeping with the character of the area, and it being constructed at the request of Tough Mudder rather than being required for the purposes of Holmbush Farm. The High Weald AONB Planning Advisor also raised a concern in respect of the concrete pad, considering that permanent urbanising features should be avoided.
- 6.21 It is acknowledged that the concrete hardstanding is visible from surrounding properties (i.e. from Holmbush House). It is though considered that it does not significantly harm the landscape character and visual amenity of the area. In time, the colour and starkness of the concrete pad will lessen as the pad is overtime used and becomes dirty and discoloured. This view is supported by the Council's Landscape Officer, who has advised that *"...although the hardstand is of a considerable size, due to its location immediately adjacent to the A264 and being in its large majority concealed from view by the existing hedgerow, this is not considered to significantly harm the landscape character and visual amenity of the area."* This view is agreed and the proposed concrete pad is considered to accord with policies 25, 32 and 33 of the HDPF.

Impact on setting of Holmbush House (grade II*)

- 6.22 The site lies some 550 metres from the boundary of the curtilage with the grade II* listed Holmbush House and therefore the impact of the works on the setting of Holmbush House needs to be considered. The Council's Conservation Officer has raised no objections to the application and considers that whilst the introduction of a non-permeable surface is not ideal, given there was an existing vehicular access and the presence of the dual carriageway immediately adjacent to the access, the works are considered negligible. In respect of the gates, they are considered by the Conservation Officer to be of an appropriate visually lightweight design and material for the location and maintain the agricultural and rural character of the context. The proposal is therefore considered to accord with policy 34 of the HDPF.

Highway safety

- 6.23 Policy 40 of the HDPF states that development will be supported where it, amongst other things, provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.24 In respect of highway safety, concerns have been raised by both local residents and Colgate Parish Council on the grounds of there being no need for an extra access off the A264, no rationale being provided for the additional access and the dangerous nature of the access being into/out of a layby.
- 6.25 The applicant has advised that the wider gates and concrete pad will allow a convoy of agricultural vehicles, to include a combine harvester towing the harvester head, tractors towing trailers and support vehicles, to turn off the dual carriageway and enter the field. WSCC highways have advised there is no evidence of highway safety concerns resulting from historic use of the access by agricultural vehicles. While concerns have previously been raised concerning vehicles parking either side of the access, resulting in an emerging vehicle from the field having to directly merge on to Crawley Road, this is a practise that could be happening at present and would not be an intensification of use over existing. As such there are no highway safety concerns relating to agricultural use of the access.

- 6.26 It is acknowledged that permitted development rights allow temporary use of the site for up to 28-days a year and that the access would be available for such temporary uses. As a pre-existing access this was though always the case and the proposal does not entail a material change of use or amount to a new route to or from the site. Any temporary use of the site which does not require planning permission but has implications for the A264 would require liaison with the Highway Authority and the preparation of a Traffic Management Plan. This is the most appropriate mechanism to manage temporary events which take place outside of the planning system. A planning application is though currently under consideration for temporary use of the site for 'Tough Mudder' with the transport impact of this event to be considered under ref: DC/17/0587.

Conclusion

- 6.27 In conclusion, it is considered that the retention of the widening of an existing gateway on the A264, the installation of replacement gates and the laying of hardstanding complies with the relevant policies of the HDPF and guidance within the NPPF and the High Weald AONB Management Plan.
- 6.28 Whilst concerns have been raised by local residents and Colgate Parish Council in respect of the retention of the works, the re-use of the access cannot be prevented and the impact of the widened access, gates and the concrete plinth on the character and appearance of the locality, on the setting of the grade II* listed building and on highway safety is considered to be acceptable.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be granted subject to appropriate conditions as recommended below:
1. List of approved plans

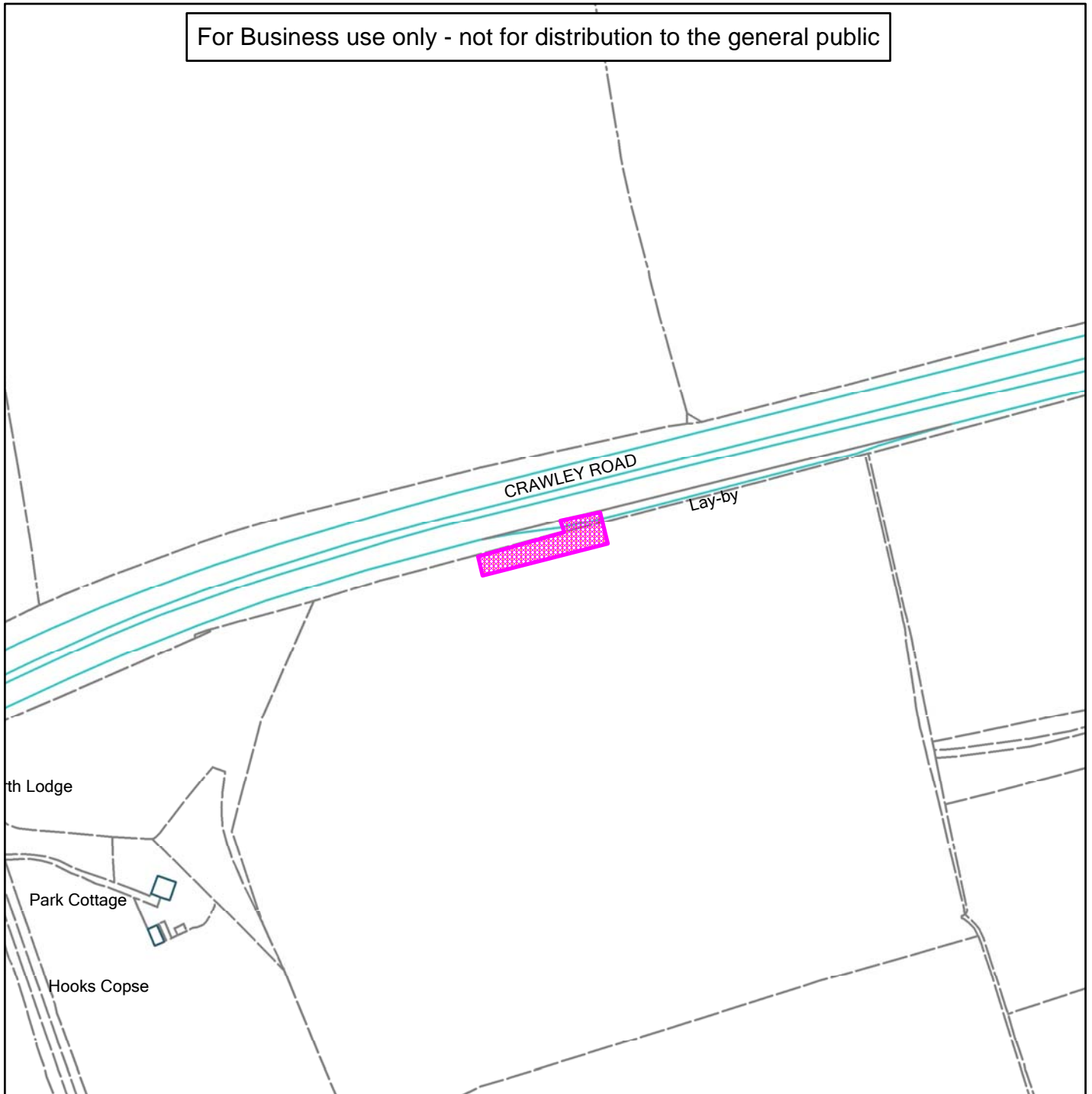
Background Papers: DC/17/0570 and DC/16/1821

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Holmbush Farm

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**Horsham
District
Council**

**PLANNING
REPORT COMMITTEE**

TO: Planning Committee North
BY: Head of Development
DATE: 6 June 2017
DEVELOPMENT: Erection of general purpose agricultural/forestry storage building
SITE: Land To The East of Lower Lodge Rye Farm Lane Barns Green Horsham
WARD: Itchingfield, Slinfold and Warnham
APPLICATION: DC/17/0234
APPLICANT: Mr L Goossens

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

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Planning permission is sought for the erection of a general purpose agricultural building for the storage of agricultural and forestry equipment, including; a tractor, trailer, planting and fencing equipment, and bales of hay cut from the land and animal feed. The proposed building measures 18 metres in width by 10 metres in depth (180sqm) with a ridge height of 4 metres and a height to the eaves of 2.25m. The building is proposed to be constructed with anthracite coloured profiled roof sheeting and vertical timber boarding over blockwork walls.

1.3 The proposed works also include the construction of a hardstanding pad projecting 5 metres to the south -west of the building and 2 metres to the north-east, as well as an access track from Rye Farm Lane measuring 72m in length. The access track would be surfaced with crushed fittleworth stone on a hardcore base.

DESCRIPTION OF THE SITE

1.5 The site lies in the countryside approximately 110m north-east of the most north-easterly edge of the built-up area boundary of Barns Green. It is located within an agricultural field that forms part of a Marlands Park Estate, which is a 37 hectare (92 acre) holding,

including a former farm-yard that has been granted planning permission to be redeveloped to provide 5 dwellings. The agricultural land within the holding is let to a local farmer under a farm business tenancy under which it is both grazed and cropped in rotation. The livestock numbers on the land amounts to approximately 45 head of beef cattle and 40 sheep from late spring to early autumn.

- 1.6 The site to which this application relates is laid to grass and lies adjacent to the eastern boundary of the field, which is formed by a railway line. A public footpath extends from the most southerly point of the field from an existing gated access in a northerly direction. This footpath is within 30m of the site but does not lie within it. Just beyond the southern boundary of the field, approximately 70m from the site, is an un-associated dwelling known as Lower Lodge. This forms the nearest neighbouring property.
- 1.7 The field is currently accessed by a private farm-track from Plumtree Cross Lane, 340m to the west, an alternative access lies at the southern edge of the field from Rye Farm Lane, which is a single lane width unclassified country road leading from Two Mile Ash Road 340m to the south. The end section of this road, near to the field access passes under a railway bridge.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework**

NPPF3 - Supporting a prosperous rural economy

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF10 - Rural Economic Development

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF38 - Strategic Policy: Flooding

HDPF40 - Sustainable Transport

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 **Itchingfield Neighbourhood Development Plan**

There is currently no adopted neighbourhood plan for Itchingfield. Discussions are on-going with Horsham District Council to progress the plan towards adoption.

PLANNING HISTORY

- DC/14/1358 Erection of 2 replacement dwelling with ancillary garaging (Edith and Gem Cottages) conversion of stables buildings to dwelling and erection of linking basement extensions following demolition of substantial range of modern agricultural buildings including feed silo (Marlands Home Farm). Conversion of workshop building and barn to dwelling, construction of linking extension and replacement semi basement extension. Demolition of two open fronted barns and existing hay barn and erection of attached three bay ancillary cart shed style garage building (Philderayes Farmstead)Site: The Piggery West End Lane Henfield PER
- DC/16/2604 Erection of 6 bay general purpose agricultural building (mixed storage and livestock use) and construction of associated access track and hard standing WDN

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Public Health and Licensing (Env. Health)** consulted on 6 February 2017. The response received can be summarised as follows: No comments.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Highways**, consulted on 6 February 2017. The response received can be summarised as follows: No Objection.
- 3.4 **Network Rail**, consulted on the 6 February 2017. The response received can be summarised as follows: No Objection.
- 3.5 **Reading Agricultural Consultants**, consulted on the 6 February 2017. The holding would require a building larger than that being proposed, which is not ideally designed for the proposed agricultural use.
- 3.6 **West Sussex Public Rights of Way**, consulted 6 February 2017. The response received can be summarised as follows: No objection.

PUBLIC CONSULTATIONS

- 3.7 **Parish Council Consultation**, consulted on the 11 November 2016. Their comments can be summarised as follows: Objects to the position of building but not to the building itself. Itchingfield Parish Council would support this application if the proposed building was moved away from parkland and nearer to the railway line and also it must have a condition that it is only to be used for agricultural purposes. (Plans amended to address Parish objection and no updated Parish comment received).

3.8 15 letters of objection were received from 9 different representatives. These can be summarised as follows:

- unsuitable access
- impact on the landscape and tranquillity of the area
- lack of need for the building
- drainage concerns, and
- residential amenity impacts

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development

6.1 Policy 10 of the HDPF states that in the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported, particularly development that is appropriate to the countryside location and contributes to the diverse and sustainable farming enterprises of within the district.

6.2 Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Proposals must be of a scale appropriate to its countryside character and location and will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside. Proposals must also demonstrate that the development would support the need of agriculture or forestry.

6.3 The proposal for the new building and access track is sought to allow the storage of equipment and general fodder associated with the agricultural and woodland management activities that are taking place at the site, including a tractor, trailer, animal feed, planting and fencing equipment and bales of hay. There are currently no agricultural buildings within the holding, principally as planning permission was granted under reference DC/14/1358 for removal of 2000sqm of farm buildings to create 4 residential dwellings (including 2 replacement dwellings) at the former 'Marlands Home Farm' and 'Philderayes Farmstead' (both within the Marlands Estate). While the proposed building is partly necessary as a result of this development it would not be a reason to withhold consent for the current application, which must be determined on its own merits.

6.4 The holding is used to accommodate a herd of 45 beef cattle and a flock of 40 sheep from late spring to early autumn, with a percentage of the pasture being ploughed for barley on a 3 year rotation cycle with the remainder being grazed by sheep throughout the winter. The Council's Agricultural Consultant has confirmed that the size of the holding would justify a building significantly larger than which is proposed, with the hay production alone

requiring 371 sq metres of storage, with the size and design not entirely suited to the intended use. The applicant has though confirmed that while the building is substantially smaller than they would like a compromise in terms of design and scale has been made to appease concerns on the occupier of the nearby dwelling, known as Lower Lodge, 80 metres to the south-west.

- 6.5 It is clear that the size and needs of the holding justify an agricultural building and that the proposal would support the needs of agriculture, and further, that a larger building could potentially be justified given the overall needs of the holding. The principle of the proposal can therefore be supported by policies 10 and 26 of the HDPF.

Character of the site and surroundings

- 6.6 Policies 26, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.7 The proposal would take the form of a typical contemporary agricultural building, with both its shall pitched roof design and use of materials, including; profiled roof sheeting and timber and blockwork walls reflecting the appearance of many such buildings within the West Sussex area. The building would be small given the overall size of the holding and as such its impact on the wider landscape, where agricultural buildings would be expected, would be minimal.
- 6.8 A number of representations have been received raising concerns that the building would be harmful to the rural character and appearance of the area. In response to these comments, including those from the Parish Council, the proposed building was moved 20 metres closer to the railway line boundary. The proposed location is the lowest point of the holding, with a steep railway track embankment lining the eastern boundary and obscuring views from that direction, and an extended row of mature trees along the southern and western boundaries ensures similar screening of views. As a result, with the exception of broken views of the building being possible from Lower Lodge (80m to the south-east), the proposed building would primarily only be visible from the within the site. This includes a public footpath running through the site in a north to south direction, approximately 30m from the proposed building, from where the building would be viewed in association with the wider related agricultural use of the site. The presence of a building would not therefore be unexpected or incongruous for users of the footpath.
- 6.9 As such, the scale, design and siting of the agricultural storage building is considered to sit appropriately within the site and the rural context of the surroundings, in accordance with policies 25, 32 and 33 of the HDPF.

Amenities of the occupiers of neighbouring properties

- 6.10 Policy 33 of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.11 Representations have been received objecting to the proposed building due to the potential impact on the amenities of the occupiers of the nearby property known as Lower Lodge, 80m to the south-west. Lower Lodge is a single storey bungalow set amongst a small area of woodland which, along with a dense hedgerow enclosing the site, limits views of the adjacent field to the extent that the only part of the building that may be visible from the curtilage of Lower Lodge, would be upper part of the roof. It is considered that proposed

location and separation distances would be sufficient to prevent any material harm to amenity for occupants of this property.

- 6.12 Concerns have also been raised about the use of the building for the housing of livestock and the noise and odour implications that this could have on the occupiers of the nearby dwelling. However, the building is sought as a general purpose agricultural store and not as a livestock building. This is reflected in its design, with the closed nature of the structure being inappropriate for such use. Notwithstanding this, it is considered appropriate to attach a condition to this recommendation to ensure that the building is not used for the accommodation of livestock.
- 6.13 Subject to compliance with conditions, the proposed development is considered to be in accordance with Policy 33 in terms of amenity impacts.

Access

- 6.14 Policy 40 of the HDPF states that new development will be supported if it is appropriate and in scale to the existing transport infrastructure, maintains and improved the existing transport system and provides safe and suitable access for all vehicles and the delivery of goods.
- 6.15 The site is primarily accessed from Plumtree Cross Lane, which forms the main entrance to the estate approximately 700m to the north, and it is intended that this will remain the main point of access for the farmer to manage his land. However, the application seeks the creation a 70m long stone and hard-core access track from an existing entrance at the southern edge of the field, from Rye Farm Lane, to enable access to the building when ground conditions impede access over the field. The southern entrance to the field is currently large enough for vehicles to use, although widening works would likely be needed for large agricultural buildings. The applicant has scope to carry out these works if necessary through clearing a small area of scrub adjacent to the access.
- 6.16 Several public representations have been received raising concerns that the access lane to the site is unsuitable for agricultural vehicles due to its single track width and the presence of a railway bridge. Other concerns relate to ownership of the track and there is some dispute as to whether the applicant has the right to use the lane to access the field, although there has clearly been an arrangement for such access for some time. However, this matter is a civil issue which cannot be addressed through planning consent.
- 6.17 The Local Highway Authority has been consulted and has confirmed that there are no objections to the proposed development or the use of Rye Farm Lane to access it. There are currently other field access points along the lane, 2 of which are within 70m, and it is considered that there is sufficient width to allow for moderate sized agricultural machinery.
- 6.18 Overall, it is therefore considered that the potential for the southern field access to be used already exists and as the applicant has confirmed that it would only be utilised when the building could not be accessed from the main estate entrance, the level of associated use would be not be likely to be significantly above what it could be at the moment should the farmer choose to use it. The proposed development would not therefore create a situation that would result in highway safety or traffic problems, and as such is deemed to be in accordance with Policy 40 of the HDPF.

Other Matters

- 6.19 Public representations have been received that raise concerns over the drainage of the land, however the Environment Agency's Flood Map for Planning confirms that the site is located within Flood Zone 1, which is determined to have the lowest probability of flood risk. As such, there is no reason to believe that surface water run-off from the building could not be adequately drained by natural field soakaway. Notwithstanding this, it is deemed appropriate to attach a condition to this recommendation requiring surface water drainage details to be submitted prior to the commencement of the development. Subject to compliance with this condition the proposal is deemed to be in accordance with Policy 38 of the HDPF.

Conclusion

- 6.20 There is a reasonable and justified need for the proposed agricultural storage building, which is of an appropriate scale, design and siting for its rural location ensuring that it will not be detrimental to the surrounding landscape character. It would not result in significant harm to neighbouring residential amenity and is located for appropriate and safe access. It is therefore considered to be an appropriate form of development that is in accordance with Policies 1, 2, 10, 26, 32, 33 and 40 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

- 7.1 The application be approved subject to the following conditions:

1 A list of the approved plans

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

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

3 **Pre-Commencement Condition:** Prior to the commencement of development, full details of means of surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme agreed shall be fully implemented, prior to the first use of the development, strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained in accordance with Policy 38 of the Horsham District Planning Framework (2015).

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

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

- 5 **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, full details of the hard landscaping works, including the proposed access, 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.

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

- 6 **Regulatory Condition:** The building hereby permitted shall be used for agricultural purposes only, as defined in Section 336(1) of the Town and Country Planning Act 1990.

Reason: The site lies in a countryside location where only development types specified in Policy 26 of the Horsham District Planning Framework (2015) would normally be permitted.

- 7 **Regulatory Condition:** In the event of the building hereby permitted ceasing to be used for agricultural purposes as defined by Section 336(1) of the Town and Country Planning Act 1990 it shall be demolished (to include the removal of foundations) and all resultant materials removed from the site and the land reinstated to a condition to be agreed in writing with the local planning authority within 12 months of the cessation of such use or within such extended time as may be agreed in writing with the Local Planning Authority.

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

- 8 **Regulatory Condition:** The building hereby approved shall at no time be used for the housing of livestock. A planning application shall be submitted to the Local Planning Authority should the applicant at any time in the future wish to house livestock within the hereby approved building.

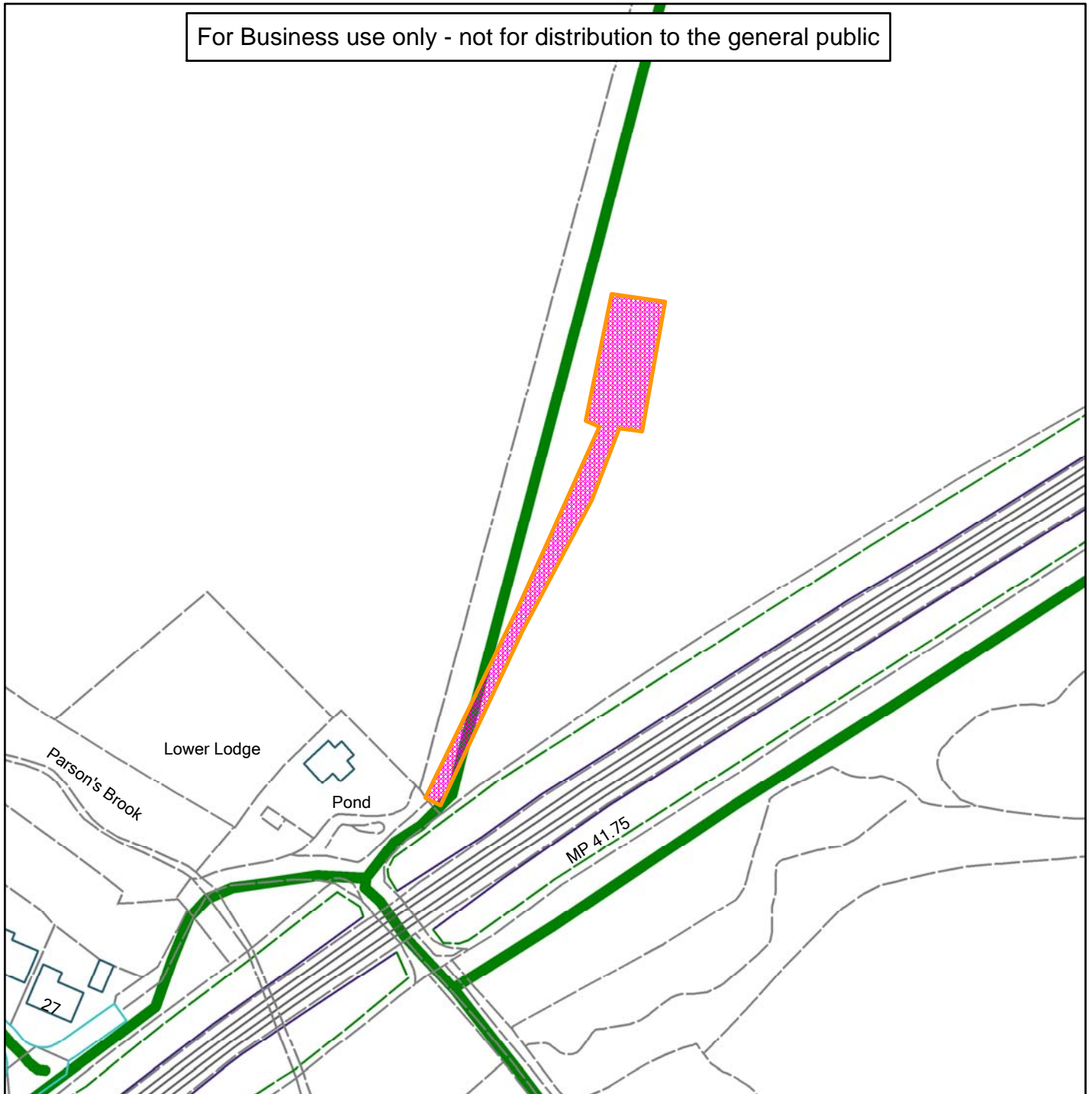
Reason: To protect the residential amenity of adjoining properties and in accordance with Policy 38 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/0234



Land to the East of Lower Lodge

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Head of Development
DATE: 6 June 2017
DEVELOPMENT: Erection of a 1.25m black metal railing to front of property
SITE: 5 Dutchells Copse Horsham West Sussex RH12 5PD
WARD: Holbrook East
APPLICATION: DC/17/0798
APPLICANT: Mr Andrew Baldwin

REASON FOR INCLUSION ON THE AGENDA: Member Application

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks consent for the erection of 1.25 metre high black railings to the front boundary of the property, either side of the central access.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises a two-storey dwellinghouse with detached front garage on the southern side of Dutchells Copse within the built-up area of Horsham. As existing the property features a largely open frontage, with the boundary of the site marked by soft landscaping and recently planting. The front boundaries of adjoining properties along Dutchells Copse are a mixture of planting and brick walls. This is in contrast to properties opposite the site on Burns Close, which are more open in character.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
NPPF7 - Requiring good design

RELEVANT COUNCIL POLICY

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF33 - Development Principles

RELEVANT NEIGHBOURHOOD PLAN

2.4 There is no 'made' plan for North Horsham.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/04/0100 Two-storey side extension and conservatory

Application Permitted on
26.04.2004

3. **OUTCOME OF CONSULTATIONS**

CONSULTATIONS

3.1 No consultations were necessary for the application

PUBLIC CONSULTATIONS

3.2 No representations were received from interested parties.

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

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

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

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

6. **PLANNING ASSESSMENTS**

6.1 The main issues in the determination of this planning application relate to the impact of the proposal on the character and appearance of the site and surroundings, and the impact on neighbouring amenity.

Character and appearance

6.2 The proposed railings would introduce a form of boundary treatment which is not prevalent in the immediate surroundings. Any visual contrast between the proposed railings and adjoining properties would though be softened by existing planting within the boundary of the site, and the railings would primarily be viewed against the backdrop of this planting and the main building. The proposed height would be entirely appropriate in the context of immediately adjoining properties and, given the existing landscaping within the site, would

not appear unduly prominent or incongruous. For these reasons the proposed railings are considered acceptable and accord with policy 33 of the HDPF.

Impact on neighbouring amenity

- 6.3 The scale, siting and nature of the proposal would not lead to any adverse impact on neighbouring amenity and as such there is no conflict with policy 33 of the HDPF.
- 6.4 The proposal would not impinge on visibility for vehicles leaving the site with the resulting arrangement comparable to adjoining properties. The proposal would not have a severe adverse impact on surrounding highways and therefore accords with policy 40 of the HDPF.

7. RECOMMENDATIONS

- 7.1 It is recommended 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.

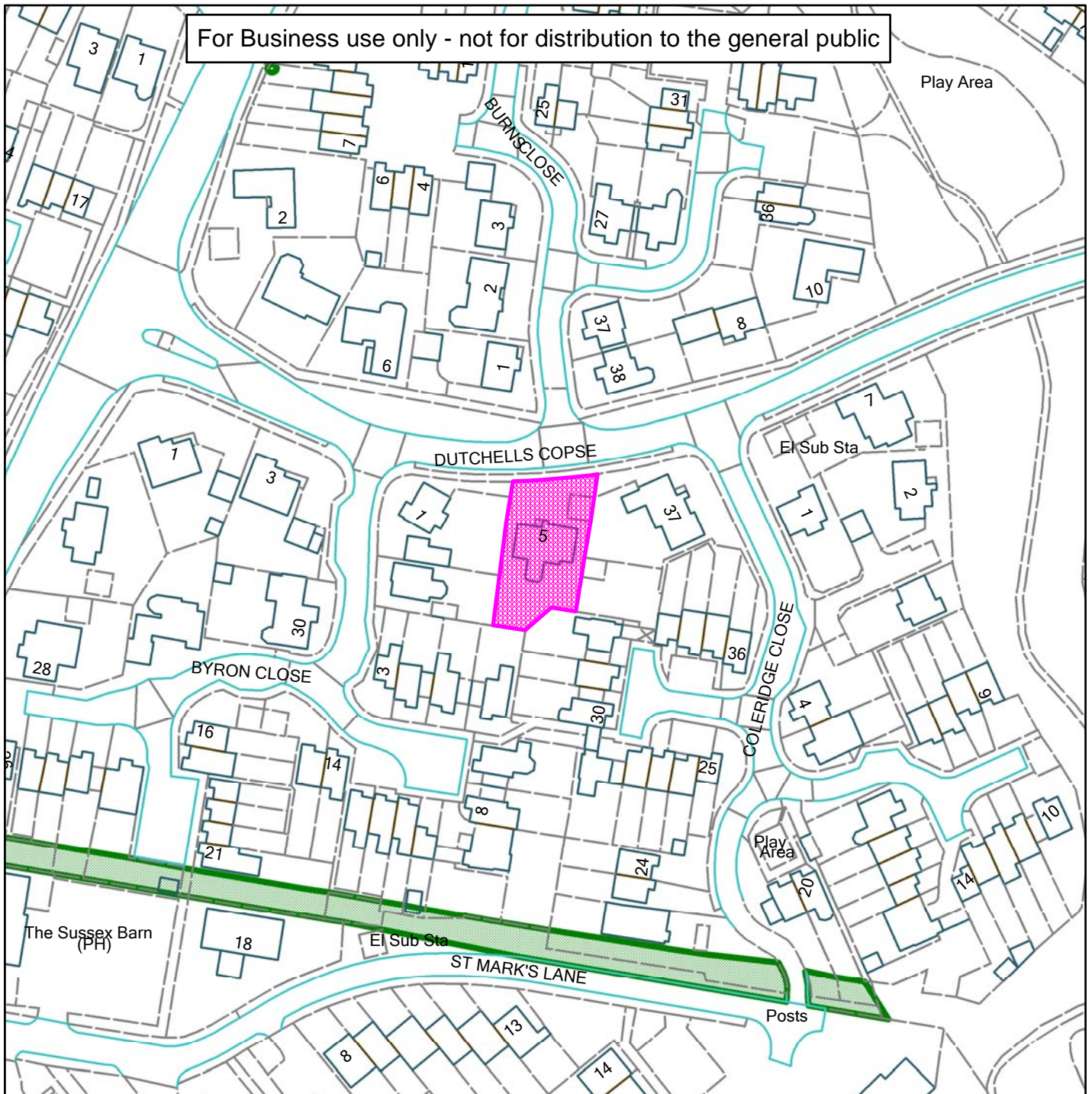
Background Papers: DC/17/0798

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5 Dutchells Copse

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