



Planning Committee (North)

Tuesday, 4th July, 2017 at 5.30 pm

Conference Room, Parkside, Chart Way, Horsham

Councillors:	Liz Kitchen (Chairman)	
	Karen Burgess (Vice-Chairman)	
	John Bailey	Tony Hogben
	Andrew Baldwin	Adrian Lee
	Toni Bradnum	Christian Mitchell
	Alan Britten	Josh Murphy
	Peter Burgess	Godfrey Newman
	John Chidlow	Brian O'Connell
	Roy Cornell	Connor Relleen
	Christine Costin	Stuart Ritchie
	Leonard Crosbie	David Skipp
	Jonathan Dancer	Simon Torn
	Matthew French	Claire Vickers
	Billy Greening	Tricia Youtan

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	5 - 10
To approve as correct the minutes of the meeting held on 6 th June 2017 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

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

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| 5. | Appeals | 11 - 12 |
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Applications for determination by Committee: | | |
| 6. | DC/17/0388 - Land south of Broadbridge Heath, Old Wickhurst Lane
(Ward: Broadbridge Heath) Applicant: Mr Simon Cocks | 13 - 32 |
| 7. | DC/17/0566 - The Vicarage, Church Street, Warnham
(Ward: Itchingfield, Slinfold & Warnham) Applicant: Mr Mark Hendy | 33 - 56 |
| 8. | DC/17/0667 - Land parcel at Nuthurst Road, Monks Gate
(Ward: Nuthurst) Applicant: Mrs Nicola Humphrey | 57 - 70 |
| 9. | DC/17/1285 - Broadbridge Heath Leisure Centre, Wickhurst Lane
(Ward: Broadbridge Heath) Applicant: Horsham District Council | 71 - 76 |
| 10. | DC/17/1286 - Land south of Broadbridge Heath Leisure Centre, Wickhurst Lane
(Ward: Broadbridge Heath) Applicant: Horsham District Council | 77 - 82 |
| 11. | DC/17/0466 - Old Lodge, Christs Hospital (Ward: Southwater)
Applicant: Mr & Mrs Budgen | 83 - 90 |
| 12. | DC/17/0467 - Old Lodge, Christs Hospital (Ward: Southwater)
Applicant: Mr & Mrs Budgen | 91 - 98 |
| 13. | DISC/17/0186 - Twigs, Bashurst Hill, Itchingfield (Ward: Itchingfield,
Slinfold & Warnham) Applicant: Mr Duncan Jagger | 99 - 106 |
| 14. | DC/17/0788 - Hop Oast Depot, Worthing Road, Horsham
(Ward: Southwater) Applicant: Horsham District Council | 107 - 114 |
| 15. | 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)

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)
6 JUNE 2017

Present: Councillors: John Bailey, Andrew Baldwin, Toni Bradnum, Alan Britten, Karen Burgess, Peter Burgess, John Chidlow, Roy Cornell, Christine Costin, Matthew French, Billy Greening, Tony Hogben, Liz Kitchen, Josh Murphy, Godfrey Newman, Stuart Ritchie, Claire Vickers and Tricia Youtan

Apologies: Councillors: Leonard Crosbie, Jonathan Dancer, Adrian Lee, Christian Mitchell, Connor Relleen, David Skipp and Simon Torn

PCN/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Liz Kitchen be elected Chairman of the Committee for the ensuing Council year.

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

RESOLVED

That Councillor Karen Burgess be appointed Vice-Chairman of the Committee for the ensuing Council year.

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

RESOLVED

That all meetings of the Committee, including those dealing with strategic sites, be held at 5.30pm for the ensuing Council year.

PCN/4 **MINUTES**

The minutes of the meetings of the Committee held on 28th April and 9th May 2017 were approved as a correct record and signed by the Chairman.

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

DC/17/0798 – Councillor Andrew Baldwin declared a personal and prejudicial interest in this item because he was the applicant. He withdrew from the meeting and took no part in the determination of the application.

DC/17/0570 – Councillor Liz Kitchen declared a personal interest because she knows the owners of the land.

PCN/6 **ANNOUNCEMENTS**

The Chairman welcomed the Interim Head of Development, Femi Nwanze, and introduced her to the Committee. She would carry out this role for several months until a permanent Head of Development was recruited.

PCN/7 **APPEALS**

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

PCN/8 **DC/17/0570 - HOLMBUSH FARM, CRAWLEY ROAD, FAYGATE (WARD: RUSPER & COLGATE) APPLICANT: MR PIERS CALVERT**

The Head of Development reported that this application sought retrospective permission for the widening of an access and erection of replacement gates, which were 1.3 metres high five-bar metal gates. The width of the access had been widened from six metres to ten metres. The application also included an area of hardstanding behind the hedgerow boundary.

A previous retrospective application DC/16/1821 for 2.5 metre high gates designed with overlaid vertical wood lapping had been refused.

The application site was located on the westbound side of the A264 between the Kilnwood Vale and Faygate roundabouts. The site was just within the High Weald Area of Outstanding Natural Beauty (AONB). Properties on the edge of Faygate were approximately 400 metres away, with two properties some 250 metres from the site.

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

The Parish Council objected to the application. A total of 26 letters of objection from 15 households, including an objection from Holmbush House Management Company, had been received. Two members of the public spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principal of development; impact of the wider access and gates, and of the concrete hardstanding, on the character and appearance of the locality; the setting of Grade II* listed Holmbush House; and highway safety. It was noted that the Highways Authority raised no objection.

Whilst Members noted concerns regarding the applicant's intended use of the land, the proposal would fulfil an agricultural need and any temporary use of the land for event days would be considered under a separate planning application.

With regards to the concrete parking area, which ran alongside a hedgerow, Members were advised that there was no feasible way the applicant could mitigate the visual impact of the concrete, but with weathering it would appear less stark and it was noted that the Council's Landscape Officer raised no objection to it.

RESOLVED

That planning application DC/17/0570 be granted subject to the condition and reasons as reported.

PCN/9 **DC/17/0234 - LAND TO THE EAST OF LOWER LODGE, RYE FARM LANE, BARNES GREEN (WARD: ITCHINGFIELD, SLINFOLD & WARNHAM)**
APPLICANT: MR L GOOSSENS

The Head of Development reported that this application sought permission for the erection of a general purpose four metre high agricultural building for storing agricultural and forestry equipment and bales of hay. There would also be an area of hardstanding to the side of the building. The main access would continue to be from Plumtree Cross Lane, and a new 70 metre long access track from an existing entrance to the field on Rye Farm Lane was proposed.

The application site was located in the countryside, approximately 110 metres north-east of the edge of Barnes Green, in an agricultural field used for grazing livestock. The site was part of Marlands Park Estate, which included a farmyard that had permission for redevelopment into five dwellings. A railway line ran along the eastern boundary of the field. The closest dwelling was approximately 70 metres to the south.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. Members were advised that the Council's Agricultural Advisor had confirmed that there was an agricultural need for a barn on the site.

The Parish Council raised no objection in principle to the application, and their two concerns had been addressed: the applicant had agreed to locate the barn closer to the railway line so it was further away from parkland; and a condition had been included to restrict the building's use to agricultural purposes.

Fifteen letters of objection from nine individuals had been received. Three members of the public spoke in objection to the application. The applicant and the applicant's agent both 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; the character of the site and surroundings; amenity of neighbouring residents; and access.

Members considered the proposal, in particular concerns regarding the impact of the proposed access track. The applicant's intention to use the established northern access as the main point of access was noted.

Members concluded that the scale, design and siting of the building were appropriate for the rural setting, and the proposal would support the needs of the agricultural holding.

RESOLVED

That planning application DC/17/0234 be granted subject to the conditions and reasons as reported.

PCN/10 **DC/17/0798 - 5 DUTCHELLS COPSE, HORSHAM (WARD: HOLBROOK EAST) APPLICANT: MR ANDREW BALDWIN**

The Head of Development reported that this application sought permission for the erection of 1.25 metre high black railings at the front of the boundary of the property, either side of the central access.

The application site was located within the built-up area of Horsham on the southern side of Dutchells Copse and comprised a two-storey house with detached garage. The frontage was largely open with soft landscaping. The front boundaries of adjoining properties were a mixture of planting and brick walls.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

No consultations had been necessary for the application, and no representations had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the impact of the railings on the character and appearance of the site, and on neighbouring amenity.

Members concluded that the scale and height of the railings were appropriate for the site and surroundings.

RESOLVED

That planning application DC/17/0798 be granted subject to the conditions and reasons as reported.

The meeting closed at 6.45 pm having commenced at 6.00 pm

CHAIRMAN

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Planning Committee (North)

Date: 6th June 2017



Report by the Head of Development: APPEALS
Report run from 24/05/2017 to 21/06/2017

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/17/0484	Woodlands Framing Yard Woodlands Farm Old Crawley Road Faygate Horsham West Sussex RH12 4RU	1 st June 2017	Refuse	
DC/16/2337	124 Brighton Road Horsham West Sussex RH13 6EY	9 th June 2017	Refuse	
DC/16/2785	Hunters Oak Faygate Lane Faygate Horsham West Sussex RH12 4SJ	19 th June 2017	Refuse	

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/16/1842	High Plovers Hammerpond Road Plummers Plain Horsham West Sussex RH13 6PE	Written Reps	8 th June 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/16/1567	Westacre Rusper Road Ifield Crawley West Sussex RH11 0LN	Written Reps	Dismissed	Refuse	



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 July 2017

DEVELOPMENT: Erection of the Neighbourhood Centre at Wickhurst Green including nursery (Class D1 Non-residential institution), 1No. anchor retail store (Class A1 Retail), 3No. flexible commercial units (Classes A1 Retail, A2 Financial Institutions, A3 Restaurants / Cafes), 24No. apartments, office building (Class B1 Office) with associated parking and landscaping and the associated downgrading works to the A264 pursuant to outline planning permission DC/09/2101

SITE: Land South of Broadbridge Heath Old Wickhurst Lane West Sussex RH12

WARD: Broadbridge Heath

APPLICATION: DC/17/0388

APPLICANT: Mr Simon Cocks

REASON FOR INCLUSION ON THE AGENDA: Request by Councillor French and owing to more than 9 letters of objection having been received.

RECOMMENDATION: To delegate authority to the Head of Development to grant planning permission subject to the completion of a S106 agreement to secure affordable housing and to link the payment of infrastructure contributions to outline application DC/09/2101, and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the development of a neighbourhood centre to serve the Wickhurst Green development at Broadbridge Heath granted outline planning permission for up to 963 dwellings and associated infrastructure under DC/09/2101. The requirement for a neighbourhood centre is secured within the s106 agreement, which requires it to be set on a site 0.51ha in area providing 5 small flexible retail/office units, a health care facility, a pub/restaurant and a parish office.

1.3 A Reserved Matters application for a neighbourhood centre comprising five A1 retail units (688sqm), a D1 children's nursery and a B1 Parish office under DC/15/0284 was considered at 2 February 2016 Planning Committee (North), where Members resolved to approve the application subject to a variation to the s106 agreement. The s106 variation includes a number of other amendments relating to the wider Wickhurst Green development which remain under negotiation. Formal planning permission for the

neighbourhood centre has not therefore been issued. The amendments to the s106 agreement prompted by the neighbourhood centre application include the removal of the requirement for a health care facility and bar/restaurant as such facilities had either been found not viable or, in the case of the health care facility, no longer sought by the local NHS Clinical Commissioning Group.

- 1.4 This application seeks to provide four flexible use (A1/A2/A3) commercial units including an anchor convenience store totalling 626sqm, a nursery, and 24 flats within a part-two part-three storey building, and a detached 110sqm single storey parish office on land to the western end of the site. As the deadline for the submission of the reserved matters applications has passed pursuant to the outline planning permission, this application is a stand-alone submission for full planning permission.
- 1.5 The 24 flats would be set at first and second floor level above the retail units, and would comprise a mix of 5 one-bedroom and 19 two-bedroom units. The application is supported by a viability appraisal which sets out the Applicant's position that no affordable housing provision is viable within the development.
- 1.6 The application proposes parking for 50 vehicles in two car parks fronting the main neighbourhood centre building, of which 24 bays (including 3 disabled) would be set in a car park to the west side of the building's frontage and allocated for use solely by residents of the flats (i.e. one parking space per flat). The remaining 26 spaces bays (including 3 disabled) would be in a car park to the east side of the building's frontage for use by customers of the centre. A further 6 bays, including one disabled bay, are proposed fronting the parish office, with 9 bays set behind the main building to serve employees of the nursery and retail units. The retail units would be serviced via an off-street bay rear of the anchor store, thereby allowing service vehicles of up to 12m in length to access and leave the site to the east without needing to pass through residential streets. Footpath access and seating would be provided centrally to the front of the building in a landscaped 'community square' area to link to the open space north of the A264, once it has been downgraded as required by the s106 for the wider development. The application has been amended since original submission to include the part of the A264 to be downgraded within the scope of the development.
- 1.7 The neighbourhood centre would be finished predominantly in yellow buff brickwork with grey windows and a standing seam zinc roof. The building would be detailed with grey cladding, grey balcony steelwork and oak timber boarding, with grey render across part of the rear elevation. The parish office building would be completed in brick and tile.

DESCRIPTION OF THE SITE

- 1.8 The application site sits within the Wickhurst Green residential development and forms a 0.56ha parcel of undeveloped land sandwiched between the A264 to the north and dwellings to the south and west. The site forms part of the Wickhurst Green masterplan approved under outline planning permission DC/09/2101 where it is allocated for use as a 'neighbourhood centre'. A vacant parcel of land sits adjacent to the east designated for future use as a primary school within the masterplan. The site has been cleared ready for development and contains no structures or trees.

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:

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 7: Strategic Policy: Economic Growth
Policy 12 – Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 15 – Strategic Policy: Housing Provision
Policy 16 – Strategic Policy: Meeting Local Housing Needs
Policy 24 – Strategic Policy: Environmental Protection
Policy 25 – Strategic Policy: District Character and the Natural Environment
Policy 32 – Strategic Policy: The Quality of New Development
Policy 33 – Development Principles
Policy 36 – Strategic Policy: Appropriate Energy Use
Policy 39 – Strategic Policy: Infrastructure Provision
Policy 40 – Sustainable Transport
Policy 41 – Parking
Policy 42 – Strategic Policy: Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

Supplementary Planning Documents and Guidance

Supplementary Planning Guidance (2003) - revised county parking standards and transport contributions methodology.

Land West of Horsham Masterplan Supplementary Planning Document SPD (2008)

Land West of Horsham Design Principles and Character Areas SPD (2009)

Planning Obligations SPD (2007) and Annex (2009)

RELEVANT NEIGHBOURHOOD PLAN

Broadbridge Heath is not a designated Neighbourhood Plan Area

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/09/2101- Residential development of up to 963 dwellings, a reserved matters site for a New Primary School, Associated open spaces including youth and recreational facilities, neighbourhood centre, new East West Link road, Improvements to Five Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works. Approved 03 October 2011

DC/12/2202- Approval of reserved matters for the erection of 320 residential units (256 private and 64 affordable housing units) comprising 101 x 2-bed, 165 x 3-bed and 54 x 4-bed houses/flats, landscaping, highways, parking and associated works pursuant to approved outline planning application DC/09/2101 (Erection of 963 residential units and other associated development). Approved 27 June 2013

DC/15/0284- Reserved Matters application for the Neighbourhood Centre at Wickhurst Green. (Pursuant to outline approval for erection of 963 residential units, community facility including land for a primary school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other

ancillary works). Under consideration: Members resolved to grant permission subject to a s106 Agreement which has not yet been completed.

There are a number of reserved matters associated with this wider site however the reserved matters application DC/12/2202 surrounds the site to the south and west and is therefore considered to be the most relevant to this scheme. No reserved matters application has currently come forward for the school site to the east.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 HDC - Strategic Planning: No objection.

The principle of residential development and a new Neighbourhood Centre in this location has already been established through an allocation under policy CP7 of the Core Strategy and through an outline planning permission (DC/09/2101). The development broadly meets adopted policies within the HDPF and similarly meets the guidance within the West of Horsham Design Principles and Character Area SPD. There is conflict with Policy 16 (3) (a) although a viability assessment has been provided, so this will need careful consideration as part of the planning application process.

3.2 HDC – Technical Services (Drainage): No objection.

3.3 HDC – Environmental Health (summarised): No Objection.

Measures are required by condition to reduce the potential conflicts between the residential use of the upper floors and the ground floor commercial uses.

It is recommended that conditions are attached to control the hours of operation of the commercial uses, noise from internally or externally located plant, hours of deliveries, and the provision of adequate sound insulation to the separating structures between the commercial and residential uses.

3.4 HDC- Housing: No objection.

3.5 HDC- Parks and Countryside: No Objection

3.6 HDC- Leisure: No Objection

3.7 HDC- Landscape Architect (summarised): Comment

Originally there was the desire of having a central square with café spill out space – this community square now does not provide this and feels more like a left over space in between the parking provision and will have very little to offer. It also does not reflect any connections with the open space to the north of the main road and the aspirations of the Council in creating a link between the 'old' Broadbridge Heath and the new development. The softening of the car park has not been considered and the proposals create a very stark environment. Trees and planting should be a strong consideration to integrate the car park and help with the connection to the village open space to the north. No details of hard and soft landscape have been provided and therefore until such detail is provided I cannot comment further.

OUTSIDE AGENCIES

3.8 West Sussex County Council - Highways (summarised): No Objection.

The submitted scheme has been subject to pre-application discussions with the highway authority along with the proposed downgrading works for the existing Broadbridge Heath

bypass and the site layout is considered to be acceptable in principle. The main building would be served by five new vehicular access points with a single access to the smaller parish office building to the west. Two car parking areas are proposed of 24 and 26 spaces. The western 24 space car park would be allocated to the apartments and served by its own access whilst the 26 space eastern car parking area would be for the anchor store and other uses. The latter would have two access points with entry and egress from the east and entry only from the indicative bus link to the north.

There would be a further two access points to the south of the main building with the western access being used to serve nursery, retail and anchor store staff parking and the eastern access providing service access to the anchor store. Two laybys are indicated for dropping off/picking up and further parking spaces will be provided to the north of the 24 space car park as part of the Broadbridge Heath bypass downgrading scheme.

In term of public pedestrian access, this will be from the north of the building with connecting footways to the new development to the south and via a new cycle/pedestrian route to the north link the neighbourhood centre to the existing village and new bus stop. Cyclists would be able to approach the site using this link and there would be cycle stands installed in front of the building.

In summary, the highway authority has no objections to the layout as shown but it would clearly need to be linked to the Broadbridge Heath downgrading works to the north as shown indicatively on the application plan.

Further comments 25 May 2017:

The red line of the application has now been extended to include the Broadbridge Heath bypass downgrading works which are shown indicatively on the location plan. As part of these downgrading works, some additional public car parking will be provided to address local concerns about parking problems associated with the development.

WSCC, as highway authority, is currently working with the applicants and Horsham District Council to finalise a detailed design for the downgrading works to ensure that it meets appropriate design and safety standards. This will also include agreeing to a palette of materials and landscaping to enhance the links between the neighbourhood centre and the proposed new village green to the north.

3.9 **Southern Water:** No Objection

3.10 **Sussex Police:** No Objection

PUBLIC CONSULTATIONS

3.11 **Broadbridge Heath Parish Council:** Objection.

- The design of the Neighbourhood Centre, at three storeys, is too overbearing for the area and not in keeping with the original design
- The Neighbourhood Centre was originally intended to act as a community hub to bring the old and new parts of Broadbridge Heath together; the 24 apartments will change the focus of the area from a community facility to a predominantly residential development
- The provision of parking bays is inadequate and will lead to parking problems for local residents, visitors to the retail units and, of particular concern, could provide hazardous for young children being dropped off and collected at the nursery
- The Council is concerned that the entrance into the Neighbourhood Centre car park could create a 'rat run' and be used as a short-cut to Tesco.

3.12 1 letter of support has been received, stating:

- Support for the provision of the nursery
- 3.13 **2** letters of comment have been received, stating:
- Happy with the community centre and shops
 - Insufficient parking
 - No affordable housing proposed
 - More business uses required
 - No medical centre as required by the masterplan
 - Bus link not needed
- 3.14 **9** letters of objection have been received from 6 households, stating:
- There are fewer parking spaces than flats
 - There could be over 40 cars for just 21 residential parking spaces as there are limited public transport links
 - Parking in the wider development is already over-subscribed and these plans would exacerbate the problem
 - Loss of light and privacy to adjacent properties and gardens
 - Loss of commercial units originally proposed including the doctors surgery and public house
 - Three storey building out of character
 - Overlooking, noise and inconvenience to existing residents
 - Highway safety risk from lorries using residential roads to service the development
 - Potential use of pedestrianized streets adjacent as a 'rat run' or cut-through resulting in risk to children's safety
 - Wickhurst Green roads are very narrow and not conducive to additional delivery lorries on an eighteen hour daily basis
 - No amenities, including grassed play area
 - No medical facilities or community room
 - Insufficient school places
 - Increased traffic noise
 - Convenience store not needed given the proximity of Tesco's

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application is assessed against the relevant policies of the Horsham District Planning Framework (HDPF) and the national planning policies contained in the National Planning Policy Framework (NPPF).
- 6.2 The main issues for the Local Planning Authority to consider in the determination of this application are the principle of the proposed development in land use terms; the impact of the scale and design of the building on the appearance of the wider area and amenities of adjacent occupiers; the acceptability of the housing mix and affordable housing provision;

the impact of the development on highway and pedestrian safety, and traffic and servicing impact.

Principle of Development

- 6.3 Although considered as a stand-alone application for Full Planning permission, the site is intrinsically linked to the wider Wickhurst Green development. The site is designated to be occupied by a Neighbourhood Centre in the Land West of Horsham Design Principles and Character Areas Supplementary Planning Document, approved Wickhurst Green masterplan and parameter land use plan, with the s106 setting out that the Neighbourhood Centre is to be set on a site 0.51ha in area providing 5 small flexible retail/office units, a health care facility, a pub/restaurant and a parish office. The s106 also requires an Early Years Education Facility to be provided within the wider development site.
- 6.4 The previous Reserved Matters application considered at the 6 February 2016 Planning Committee North meeting provided acceptable evidence to demonstrate that the pub/restaurant was not a viable proposition. The North Horsham and Mid Sussex Clinical Commissioning Group (CCG) also set out that they considered the provision of a health care facility to be unsustainable and sought instead for a contribution towards improving primary care provision and capacity in Broadbridge Heath. No evidence to justify the sum or set out how and where it would be spent was submitted therefore there was insufficient evidence to suggest the contribution would be CIL (Community Infrastructure Levy) compliant. Further, the s106 for the development required a health centre to be provided for sale on the open market. It did not require the developer to subsidise the sale of the health centre or provide any financial contribution towards its initial set-up or on-going running costs. The deletion of the health care facility from the scheme therefore does not result in additional profit to the developer that would necessitate clawback via a contribution in lieu. The loss of both the pub/restaurant and health care facility was therefore previously accepted and the CCG has not changed its position since.
- 6.5 This application retains the provision of flexible retail units, a parish office and the early years facility as per the previous neighbourhood centre scheme, albeit the number of flexible retail units has been reduced from 5 to 4 (but still retaining a similar overall floorspace). This application also proposes 24 one and two-bedroom flats above the flexible retail units, whereas no flats were previously proposed/permitted. The masterplan and s106 agreement set out no restriction on the provision of residential accommodation on this site as part of the neighbourhood centre, whilst the West of Horsham Supplementary Planning Document (SPD) recommends that development of the Neighbourhood Centre Character Area could include flats or offices above shops. Given that the wider development site is not expected to meet the 963 total dwellings permitted under the outline consent (expected final number of dwellings is 918), the provision of 24 units within the neighbourhood centre would not exceed the total number of units across the whole site as granted at outline application stage.
- 6.6 On this basis it is considered that the principle of the proposed neighbourhood centre with residential accommodation above is acceptable having regard the overall development masterplan, parameter land use plan secured at outline application stage, and the requirements of the s106.
- 6.7 Design and Appearance
The West of Horsham SPD sets out that the Neighbourhood Centre Character Area (No.3) is to be *'a local village centre with a sense of place which can be a focus for the expanded community.'* The SPD anticipates that development of this area would be more urban in form with buildings up to three storeys in height that could include flats or offices above shops, prioritising the needs of pedestrians and cyclists. The parameter building height plan secured at outline stage requires buildings in this part of the wider development to be 2, 2.5 and 3 storeys in height with a maximum ridge height of 13.5m. The proposed

neighbourhood centre building is three storeys in height across the main bulk of its frontage, dropping to two storeys at the early years facility at its western end. The stand-alone parish office is single storey. The surrounding development to the south and west is in the main 2-2.5 storeys in height, although 3 storey dwellings 11m in height about the site at its eastern and western ends. The overall height of the development at a maximum 13m is in general accordance with that permitted by the SPD and parameter plan, and would transition suitably in scale to the houses adjacent.

- 6.8 In terms of overall design, the building seeks to echo the main design elements of the wider site by including a largely brick finish with a pitched roofline. The building does though distinguish itself from the surrounding development by way of its overall massing and form with a taller mono-pitch section to the eastern frontage, and by the inclusion of contemporary detailing such as the zinc roof, steel balconies and oak boarding. This taller element is intended to draw attention to the building and the convenience store below in approaches from the east as distinctive from the dwellings adjacent. Aside from this more contemporary element the building provides for a good symmetry and visual interest, and represents a suitable overall design approach. Final details of the materials to be used throughout can be appropriately secured by condition.
- 6.9 The location of the principle windows to the flats at first and second floor level would allow for a good level of natural surveillance, creating a safer more active site than would have been the case with the previously proposed single storey neighbourhood centre scheme. This weighs in favour of providing residential accommodation within the development.
- 6.10 Landscaping
The neighbourhood centre is set to the southern side of the site and orientated north to face the A264 and public open space to be delivered to the north once the A264 downgrade is complete. A small landscaped square with public art is proposed between the two car parks with associated planting and benches, designed to connect to the open space to the north and provide connectivity not just for the residents of Wickhurst Green but also those to Broadbridge Heath across the A264 to the north. Although concerns have been raised over the nature of the landscaping proposed, final details of the hard and soft landscaping, including lighting, for both the Centre and the downgrading works to the A264 that address these concerns can be appropriately secured by condition.
- Impact on the Amenity of Neighbouring Occupiers
- 6.11 Residential properties are located to the south and west of the neighbourhood centre building. Those to the west are set on the opposite side of the street facing the two storey nursery wing of the building. Given this separation no amenity harm is identified. Likewise no harm is identified in respect of the impact of the single storey Parish office building and car park on the amenities of the adjacent properties to the south.
- 6.12 The main impact would be on 1, 3, 73 & 75 Sargent Way and 7-23 Thompson Road, all of which are to the south of the main neighbourhood centre building. In respect of 1 & 3 Sargent Way, these properties are located to the rear of the lower two storey section of the building and its separation set to the north is such that no significant overlooking or loss of light would occur. It is not considered that noise from the nursery or from vehicular movements associated with the nine staff bays and refuse stores rear of the neighbourhood centre would be so harmful to the properties on Sargent Way and Thompson Road as to warrant design alterations or the refusal of permission.
- 6.13 The main part of the neighbourhood centre would be three storeys in height with flat roofed rear elements. Given the location of the building to the north of 7-23 Thompson Road and its separation of 14m and 23m to their rear gardens and windows respectively, it is not considered that the building would unduly oppress outlook or result in significant loss of natural light or outlook. Although the eastern end of the building is deeper than the

remainder of the three storey section and therefore sited closer to 73 & 75 Sargent Way than to 7-23 Thompson Road, the rear outlook to 73 & 75 is west facing and not directly towards the building and so the amenity of these dwellings would not be significantly harmed.

- 6.14 The rear elevation includes balconies to the first and second floor flats within the neighbourhood centre building. Whilst some overlooking from the south facing windows would occur, mainly impacting on 7-23 Thompson Road, the separation between facing elevations is sufficient at 23m to be consistent with back-to-back separations elsewhere in the wider development. Furthermore, the southern windows within the closer east and west wings include high level windows or east-west facing windows only. This is considered sufficient to ensure that any potential overlooking from the first and second floor windows would not be of a degree that would be so harmful as to warrant the refusal of permission.
- 6.15 Four balconies are proposed to rear first and second floor levels. The outer balconies serve flats within the eastern and western wings and are detailed to include full height screening to their southern sides to minimise overlooking. Their main aspect would therefore be over the rear parking bays rather than adjacent gardens and windows. The main outlook would be from the central pairs of balconies which would face south towards 7-23 Thompson Road at a separation of 12.5m to the nearest rear gardens and 21.5m to the nearest facing windows. The scheme has been amended to include less glazing, smaller balconies and screening to help reduce the actual and perceived sense of overlooking. On balance, whilst some degree of overlooking and perception of loss of privacy would be experienced, it is not considered that the harm from these four central balconies would be so significant as to warrant their removal from the development or refusal of the application.
- 6.16 A Noise Assessment has been submitted with the application to address likely impact from plant and the main road opposite. The report concludes that any noise impact can be suitably mitigated through the use of appropriate glazing and passive ventilation. This is secured by condition.
- 6.17 No final details of extraction and plant have been provided as this is a matter for each new occupier of the proposed commercial units to be covered under separate applications. The Noise Report does not raise concern that any extract systems or plant installed in these locations would result in disturbance that could not be otherwise reasonably attenuated, and this is agreed by Environmental Health.
- 6.18 In terms of hours of operation, the applicants have agreed with Environmental Health opening hours for the retail units to be 07:00 and 23:00 Monday to Saturday inclusive and 08:00 to 22:00 Sundays and Public Holidays. The opening hours for the nursery have been agreed to be 07:00 and 20:00 Monday to Saturday, and 09:00 to 20:00 Sundays. These are considered reasonable opening hours having regard the amenities of surrounding properties, and are recommended as conditions.
- 6.19 Environmental Health has raised no objection to the proposals, subject to the above hours of operation conditions and a condition securing a detailed Construction Environment Management Plan [CEMP]. The CEMP would include provisions to manage stakeholder consultation and liaison throughout works, details of contractor parking, measures to minimise noise, vibration and dust/dirt amongst others. Subject to the recommended conditions the proposals would not unduly disturb the amenities of residents in the local area in accordance with Policy 33 of the HDPF.
- Housing Mix and Affordable housing
- 6.20 The application proposes 24 flats set across two floors above the retail units. The flats would comprise 5 one-bed units and 19 two-bed units. Although not including larger units of three bedrooms or more, the site forms part of the wider Wickhurst Green development

which has so far provided 12 one-bed units (1%), 255 two-bed units (28%), 398 three-bed units (43%) and 256 four-bed plus units (28%). This represents a notable shortfall in one and two-bedroom units when assessed against the mix recommended in the latest Market Housing Mix report (November 2016) of 15% one-bed and 40-45% two-bed units within new developments. Given the undersupply of one and two bed units in the wider development the provision of solely this mix of one and two bed units is considered acceptable.

- 6.21 In terms of affordable housing the applicant's viability appraisal has been assessed by independent financial consultants appointed by the Council, who have established that 6 units only are viable to be secured as affordable units. This comprises 25% of the development below the 35% required under Policy 16. It is noted that to provide 6 units onsite would require the sharing of communal areas between affordable and market units making the units less attractive to registered providers who tend to want sole ownership of communal areas.
- 6.22 In many cases where a developer cannot reach agreement with a Registered Provider to take on the affordable units, the Council considers accepting a financial contribution in lieu of on-site provision, which is pooled to provide off-site affordable units elsewhere in the District. However, in this instance it has been agreed to recycle some of the affordable housing commuted sums already paid out by the developer to the Council for the wider Wickhurst Green development to support the provision of 10 affordable rent units within this development. This equates to 42% of the proposed 24 units. Affordable rent is the tenure type with the greatest need in the District and the delivery of additional affordable rented units is a benefit of this development, as it is often more viable for developers to provide intermediate housing such as shared ownership. The ten units would form a single stair core within the development comprising 3 one-bed and 7 two-bed units. This would enable the full policy compliant onsite affordable housing to be provided, and is an approach that has been supported by both the Applicant and the Council Housing team. The final sum is to be agreed and would sit between circa £472,000 and circa £546,000. In the event no Registered Provider wishes to take on the units the sum would be returned to the Council with the appropriate interest accrued and a contribution in lieu of on-site provision secured. Subject to this contribution the development will meet the affordable requirements of Policy 16 providing the benefit of 10 affordable rent units.

Highway Impact, Access, Parking and Servicing

- 6.23 The development proposes two parking areas to the front of the neighbourhood centre building, both with separate accesses and not interlinked to help avoid cars 'rat-running' across the site. The eastern car park is scheduled to be for customer parking only and would provide 26 spaces; the western car park would be exclusively for residents of the flats above and provides 24 parking spaces. A further 8 parking spaces would be located in front of the parish building, with nine staff parking spaces rear of the neighbourhood centre building and five on-street bays for public parking. No objection is raised to the level and split of parking proposed. Whilst the retail parking element falls short of the maximum 40 spaces recommended by the West Sussex County Council (WSCC) parking calculator, it should be noted that the centre is to serve the local community, mainly those properties within walking or cycling distance. Given the large Tesco store to the east the retail units would not likely be destinations stores with a high level of customer parking need. This is supported by the Trip Rate Information Computer System (TRICS) data which indicates a likely demand throughout the day of 12 parking spaces at any one time. Consequently the provision of 26 customer bays to serve the four units is considered acceptable, and is not raised as a concern by the Highway Authority. Likewise whilst there is no dedicated customer parking for the nursery, again this facility is to serve the local community within walking and cycling distance for the majority of users. Any parking demand is likely to be isolated and capable of being met by the customer parking available on-street, fronting the Parish office and fronting the retail units.

- 6.24 No objection has been raised to the provision of 44 cycle parking spaces, 24 of which would be in enclosed stores for residents.
- 6.25 The application has been amended since originally submitted to include the part of the A264 which is to be downgraded under the terms of the s106 attached to the outline planning permission for the wider Wickhurst Green development. The downgrading involves the severing of the A264 fronting the neighbourhood centre with the eastern and western arms diverted into the housing estate either side of the neighbourhood centre building. The downgrading works include a bus link through the severed section of the A264 with pedestrian links north towards Broadbridge Heath. These downgrading works were secured within the s106 for the Wickhurst Green development and have been agreed with WSCC Highways, and they form part of the overall transport and highway improvements for the wider Wickhurst Green development, a key aim of which is the diversion of through traffic between the A281 and A24 away from the A264 to the new A281 link road to the south. Final details of the downgrading works, to include details of the hard and soft landscaping, pedestrian and cycle linkages, measures to restrict the use of the bus lane for busses only and a timetable for delivery are secured by condition. WSCC have previously advised that they wish to see these works be carried out prior to first occupation of the neighbourhood centre.
- 6.26 In terms of servicing, the main retail store would be serviced via a dedicated off-street loading bay to the southeast corner. This would cater for vehicles up to 12m in length with sufficient space to enable delivery vehicles to enter and exit from the eastern arm of the A264 without needing to navigate through the adjacent residential streets. The intention is for the smaller retail units to be serviced from within the customer car park. Given the small size of these stores and the associated small number of deliveries likely, this is not considered likely to impact significantly on parking availability.
- 6.27 Environmental Health has raised some concerns over the impact of noise from early morning deliveries by large Heavy Goods Vehicles (HGVs) on the amenities of adjacent residents including those within the building. The applicants have agreed, with Environmental Health, a condition that restricts deliveries by HGVs (vehicles 7.5 tonnes or more) to be limited to 0800-1800 Mondays to Fridays, 0800-1300 Saturdays and 0900-1300 Sundays and public holidays. A further condition is recommended to secure a Service Management Plan to ensure deliveries are made appropriately respecting neighbouring amenities and to ensure all large vehicles access and exit the retail units from the eastern arm of the A264 only, thereby avoiding passing through the narrow residential street to the south and west.
- 6.28 In terms of managing construction traffic, a condition is recommended for a Construction Environment Management Plan which would include an expectation that construction vehicles access and exit the site via the A264 only and during appropriate hours only, amongst others. Subject to these conditions the scheme complies with Policy 40 of the HDPF and paragraph 32 of the NPPF.

Other Matters:

Ecology

- 6.29 An Ecological Appraisal Report has been submitted with the application to identify, mitigate and enhance the sites' ecological interest. No protected species on the site have been identified. The Report sets out ecological improvements to be included in the development including use of native planting and the installation of bird boxes for sparrows on the Parish office building. A condition is recommended to provide these enhancements.

Section 106 Agreement

- 6.30 A section 106 agreement is required for this development to secure the agreed affordable housing provision set out above, including the mechanism to ensure 10 affordable rent units are provided. It is noted that the wider Wickhurst Green development has provided appropriate contributions based on the 963 dwellings proposed at outline stage, whereas to date the development has only provided 918 dwellings with no further land parcels to develop other than the Primary School site adjacent. Consequently the wider development has already provided for the infrastructure needs for the 24 units proposed under this application therefore no further contributions are directly sought under this application. Notwithstanding this, the s106 will include a clause requiring the necessary contributions to be provided in the event the combination of housing provided for by this development in combination with the wider Wickhurst Green development exceeds the 963 approved at outline application stage.

Conclusions and Planning Balance

- 6.31 The proposed development is considered a good quality design that sits within the parameters for the Neighbourhood Centre as set out in the approved masterplan for Wickhurst Green. Subject to the recommended conditions the proposals would secure the necessary downgrading works to the A264, protect the amenities of surrounding residents from undue disturbance, and ensure the satisfactory appearance of the neighbourhood centre. It is considered the scheme offers notable benefits in terms of additional market and affordable rent housing, helping to provide for a vibrant neighbourhood centre to serve the needs of the Wickhurst Green residents. For these reasons taken as a whole the proposed development is considered acceptable having regard the Wickhurst Green masterplan and s106 requirements, and the relevant policies of the HDPF and NPPF.

7. RECOMMENDATIONS

- 7.1 To delegate authority to the Head of Development to grant permission subject to the completion of a S106 agreement to secure affordable housing and to link the payment of infrastructure contributions to outline application DC/09/2101, and appropriate conditions:
1. A condition listing the approved drawings
 2. **Standard time limit condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 3. **Pre-commencement condition:** No development shall commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. 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 serviced and to comply with Policy 38 of the Horsham District Planning Framework (2015).
 4. **Pre-commencement condition:** No development shall take place until a Construction Environment Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement and Plan shall be strictly adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
 - i. An indicative construction programme
 - ii. The arrangements for stakeholder as well as public consultation and liaison during the construction works
 - iii. Details of construction traffic routing
 - iv. Locations for the parking of vehicles of site operatives and visitors
 - v. Location of the site office
 - vi. Details and locations for the loading, unloading and storage of all plant and materials used throughout the construction of the development

- vii. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- viii. 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)
- ix. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- x. Locations and details for the provision of wheel washing facilities
- xi. Details of measures to monitor and control the emission of dust and dirt during construction
- xii. Details of a scheme for the recycling/disposing of waste resulting from construction works

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

5. **Pre-commencement (slab level) condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows, doors and roofs of the buildings hereby permitted have been submitted to and approved by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

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

6. **Pre-commencement (slab level) condition:** No development above ground floor slab level of the Neighbourhood Centre building, excluding the Parish office, shall take place until a scheme of sound insulation works to the separating structure between the proposed commercial uses and first floor flats above has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed prior to first occupation of any of the residential units hereby permitted and shall be retained as such thereafter.

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

7. **Pre-commencement (slab level) condition:** No development above ground floor slab level of the Neighbourhood Centre building hereby permitted, excluding the Parish office, shall take place until confirmation has been submitted in writing to the Local Planning Authority that the relevant Building Control body shall be requiring all the dwellings to meet the optional requirement of Building Regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The measures installed to meet the optional standard of 110 litres per person per day shall be retained as such thereafter.

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

8. **Pre-commencement (slab level) condition:** No development above ground floor slab level of the Neighbourhood Centre building hereby permitted, excluding the Parish office, shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to all units have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable and method of delivery for high speed broadband (defined as having speeds greater than 24 megabits per second) to each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

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).

9. **Pre-occupation condition:** Notwithstanding the submitted information, prior to the first occupation of the Neighbourhood Centre building details of all screen walls, balcony screens and fences shall have been submitted to and approved in writing by the Local Planning Authority. No unit within the Neighbourhood Centre building shall be brought into use until the balcony screens, screen walls and/or fences associated with that unit have been fully installed. The screen walls and fences shall be retained as approved and maintained in accordance with the approved details.
Reason: In the interests of amenity in accordance with Policy 32 of the Horsham District Planning Framework (2015).
10. **Pre-occupation condition:** Prior to first occupation of A1, A2 or A3 units within the development hereby permitted, a detailed Service Plan for all units within the development shall have been submitted to and approved in writing by the Local Planning Authority. The Service Plan shall include details of the size and frequency of delivery vehicles for each unit, their method of servicing, measures to restrict noise disturbance to residents, and the routing of delivery vehicles to and from the site to avoid passing through the local residential streets. All units shall thereafter operate in strict accordance with the agreed Service Plan.
Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).
11. **Pre-occupation condition:** The Neighbourhood Centre hereby permitted, including the Parish office, shall not be first occupied unless and until the downgrading works to the existing Broadbridge Heath bypass as shown indicatively on drawing no. P201 rev.B received on 19 May 2017 have been designed, laid out and constructed in all respects in accordance with plans and details that have been submitted and approved by the Local Planning Authority. The plans and details shall include details of all hard and soft landscaping, pedestrian and cycle linkages and measures to restrict the use of the bus lane.
Reason: In the interests of highway safety and to encourage sustainable transport modes in accordance with Policy 40 of the Horsham District Planning Framework (2015).
12. **Pre-occupation condition:** The residential units shall not be occupied until the glazing and mechanical ventilation measures as set out within paragraphs 5.6-5.11 of the Noise Assessment (WSP dated 8 February 2017) have been fully implemented. The glazing and mechanical ventilation shall be retained at all times thereafter.
Reason: In the interests of the amenities of future occupiers to accord with Policy 33 of the Horsham District Planning Framework (2015).
13. **Pre-occupation condition:** Prior to the first occupation of any unit within the development hereby permitted, the refuse and recycling storage facilities indicated on the approved plans shall have been fully implemented and made available for use. 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).
14. **Pre-occupation condition:** Prior to the first occupation of any unit within the development hereby permitted, the cycle parking facilities shown on the approved plans shall have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.
Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

15. **Pre-occupation condition:** No unit within the Neighbourhood Centre hereby approved, including the Parish office, shall be brought into use until the parking, turning and access facilities have been provided to serve the relevant building and uses in accordance with plans and details that have been submitted and approved by the Local Planning Authority. The parking, turning and access facilities shall be retained as such thereafter.
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).
16. **Pre-occupation condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall comprise:
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking details
 - Hard surfacing materials: layout, colour, size, texture, coursing and levels
 - Details of the location, type, heights and materials of all walls, fencing and railings
 - The ecological enhancements set out in chapter 5 of the Ecology Appraisal Report (AECOM dated February 2017)
 - Details of all external lighting
 - The location, size and colour and type of all minor artefacts and structures including street furniture, lighting columns and lanterns.
- All hard surfacing, lighting and minor artefacts shall be installed prior to first occupation of the development and shall be retained as such thereafter. The approved planting and ecological enhancements 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 in the interests of visual amenity, and to safeguard the ecology and biodiversity of the area in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).
17. **Regulatory condition:** The anchor store unit and retail units 1, 2 & 3 hereby permitted as detailed on drawing no. P203 rev B received on 19 May 2017 shall not be open for trade or business except between the hours of 07:00 and 23:00 Monday to Saturday inclusive, and 08:00 to 22:00 Sundays and Public Holidays.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
18. **Regulatory condition:** No outside seating shall be permanently sited in connection with the commercial units hereby permitted and any temporary outside seating shall be sited only between the hours of 08:00 and 22:00 daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
19. **Regulatory condition:** The D1 premises hereby permitted shall not be operational except between the hours of 07:00 and 20:00 Monday to Saturday, and 09:00 to 20:00 Sundays.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
20. **Regulatory condition:** No servicing of the A1, A2 or A3 units hereby permitted by vehicles of 7.5 tonnes or more shall take place except between the hours of 08:00 and 18:00

Monday to Friday, 08:00 to 13:00 Saturdays, and 09:00 to 13:00 on Sundays or Public Holidays. All servicing to the A1, A2 and A3 units by vehicles of 7.5 tonnes or more shall take place via the service bay rear of the A1 anchor store as detailed on drawing no. P201 rev.B received on 19 May 2017.

Reason: In the interests of highway safety and to protect the amenities of adjacent occupiers to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

21. **Regulatory condition:** The flexible A1, A2 or A3 use hereby permitted shall apply solely to the first occupation of the retail units 1, 2 & 3 as detailed on drawing no. P203 rev B received on 19 May 2017 after which the flexible use shall no longer apply.

Reason: To protect the vitality and viability of the Neighbourhood Centre and the character and appearance of the area in accordance with Policies 12 and 32 of the Horsham District Planning Framework 2015.

22. **Regulatory condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 or Orders amending or revoking and re-enacting the same, no retail unit (A1 or A2) hereby permitted shall change to D2 or residential (C3) use unless permission is granted by the Local Planning Authority pursuant to an application.

Reason: To protect the vitality and viability of the Neighbourhood Centre and the character and appearance of the area in accordance with Policies 12 and 32 of the Horsham District Planning Framework 2015.

23. **Regulatory condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 or Orders amending or revoking and re-enacting the same, the anchor retail unit as detailed on drawing no. P203 rev B received on 19 May 2017 shall not change to A2, A3, D2 or residential (C3) use unless permission is granted by the Local Planning Authority pursuant to an application.

Reason: To protect the vitality and viability of the Neighbourhood Centre and the character and appearance of the area in accordance with Policies 12 and 32 of the Horsham District Planning Framework 2015.

24. **Regulatory condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 or Orders amending or revoking and re-enacting the same, the Use Class B1a (Office) building hereby permitted shall be occupied solely as an office for Broadbridge Heath Parish Council unless permission is granted by the Local Planning Authority pursuant to an application.

Reason: To protect the community function of the premises in accordance with Policy 42 of the Horsham District Planning Framework 2015.

25. **Regulatory condition:** The neighbourhood centre shall not be occupied unless and until provision has been made within the site to prevent surface water discharging onto the public highway.

Reason: In the interests of highway safety and to prevent flooding to accord with Policies 38 & 40 of the Horsham District Planning Framework 2015.

Informatives:

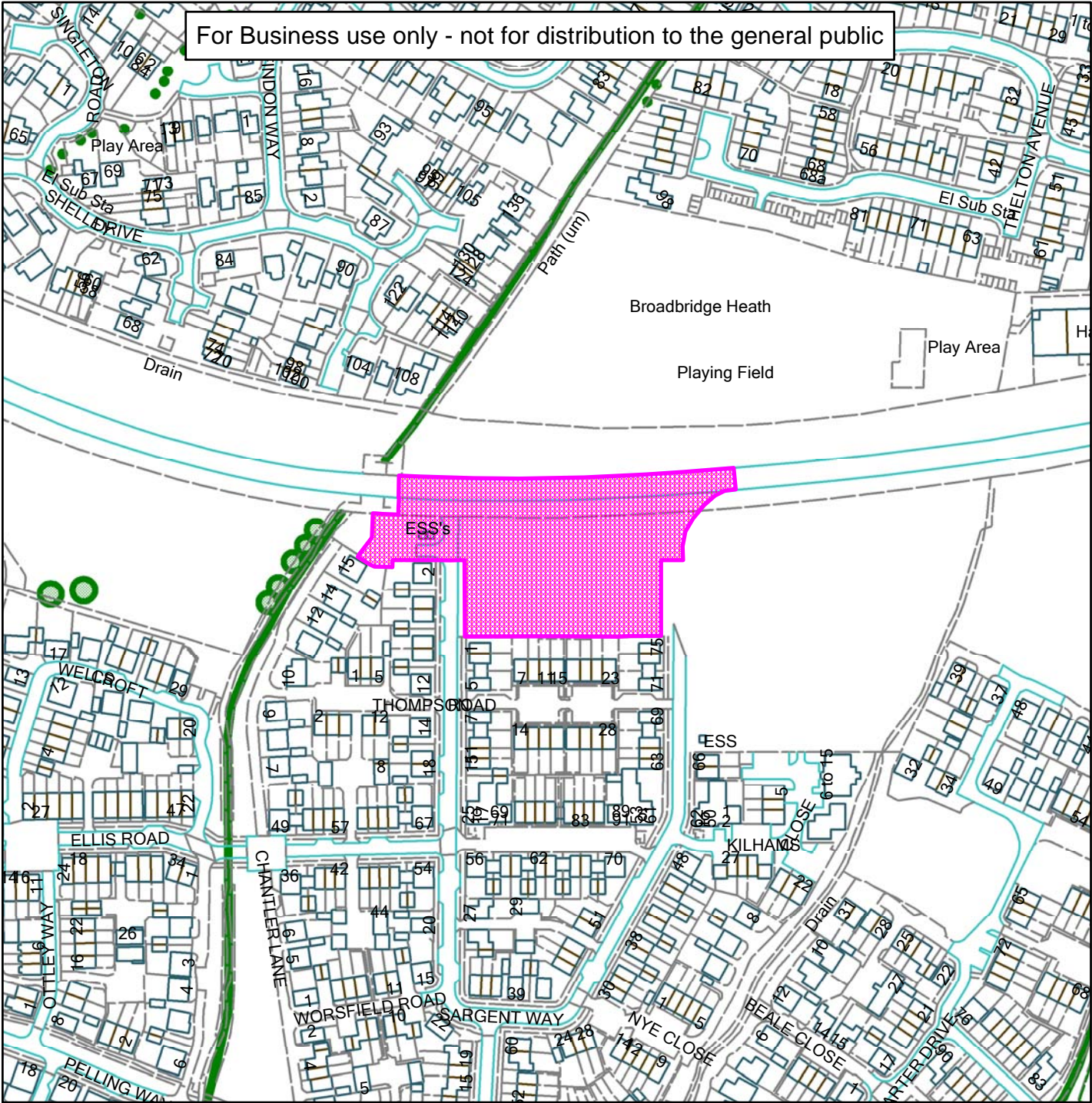
1. The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.

2. The applicant is advised that they will be required to enter into a S278 road agreement with WSCC for the construction of the supporting highway works.
3. The applicant is advised that this permission does not grant consent for any plant or extract systems required to service the development. Any requirements for plant or extract systems by occupiers of the development will require a separate application for planning permission.

Background Papers: DC/17/0388

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Land South of Broadbridge Heath



Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	22/06/2017
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 July 2017

DEVELOPMENT: Demolition of existing Vicarage and erection of 15 dwellings comprising 5 no. 2-bed maisonettes, 6 no. 3-bed houses and 4 no. 4-bed houses together with associated landscaping, vehicle access and car parking.

SITE: The Vicarage Church Street Warnham Horsham, RH12 3QW

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/17/0566

APPLICANT: Mr Mark Hendy

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Ritchie and due to more than 8 letters of objection having been received

RECOMMENDATION: To resolve to grant planning permission (subject to no objection from the Secretary of State) and delegate authority to the Head of Development to grant planning permission subject to the completion of the Phase II Ecology survey, the completion of a S106 agreement and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Full planning permission is sought for a development of 15 residential dwellings within the defined built-up area boundary of Warnham Village, on a 0.8ha site comprising an area of rectangular unused grassland rear of a 1960's Vicarage.

1.3 The application proposes the demolition of the Vicarage to provide access to the 15 dwellings, and includes a new Vicarage on broadly the same site as existing. The dwellings would comprise 5 no. 2-bed maisonettes, 6 no. 3-bed houses and 4 no. 4-bed houses. As submitted the applicant makes no firm commitment to provision of affordable housing, although the supporting planning statement offers the 5 two-bed maisonettes as affordable housing should it be demonstrated to be viable.

1.4 The dwellings are detailed to be two storeys in height and traditional in appearance with pitched tile roofs and brick elevations, some with timber detailing to their gables.

1.5 Access to the site would be via the existing driveway from Church Street, with works proposed to improve visibility and manoeuvrability at its entrance. The development as

amended would provide parking for 35 vehicles set on hardstandings and in private garages.

- 1.6 Amended plans were received during consideration of the application to move the dwellings further away from the tree-lined western site boundary and re-position the replacement Vicarage away from the roadside.

DESCRIPTION OF THE SITE

- 1.6 The site forms a 0.8ha parcel of previously undeveloped former church grassland rear of the church Vicarage on Church Street. It sits adjacent to the central village cricket field within the Warnham Conservation Area and within the defined built-up area boundary.
- 1.7 The cricket field is set immediately to the west of the site and separated by a row of mature trees. A further row of trees and a drainage ditch run along the northern site boundary, with a public right of way and the playing fields to Warnham Church Of England Primary School immediately beyond. Residential dwellings (The Vicarage & The Glebe) sit to the west, with The Vicarage and its driveway forming part of the application site. The Vicarage is a modern building constructed circa 1969 and is of no historic interest. The rear gardens to three Grade II listed buildings sit adjacent to the south of The Glebe at 6-8 Church Street, with further dwellings abutting the site to the south side. Business units including a gymnasium closely adjoin the southeast corner of the site at 16 Church Street. The site is visible in public views from the cricket field and from the public footpath to the north.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

2.2 **National Planning Policy Framework**

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

HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF3 - Strategic Policy: Development Hierarchy
HDPF4 - Strategic Policy: Settlement Expansion
HDPF15 - Strategic Policy: Housing Provision
HDPF16 - Strategic Policy: Meeting Local Housing Needs
HDPF24 - Strategic Policy: Environmental Protection
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF26 - Strategic Policy: Countryside Protection
HDPF31 - Green Infrastructure and Biodiversity
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF34 - Cultural and Heritage Assets
HDPF35 - Strategic Policy: Climate Change
HDPF36 - Strategic Policy: Appropriate Energy Use
HDPF37 - Sustainable Construction
HDPF38 - Strategic Policy: Flooding
HDPF39 - Strategic Policy: Infrastructure Provision
HDPF40 - Sustainable Transport
HDPF41 - Parking
HDPF42 - Strategic Policy: Inclusive Communities

2.4 RELEVANT NEIGHBOURHOOD PLAN

Warnham Parish is a designated Neighbourhood Plan Area. To date no draft Plan has been produced.

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.5 **WN/34/68-** New vicarage and garage. Approved 01/04/1969

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC – Housing:** No objection.

3.3 **HDC - Strategic Planning (Summarised):** No objection.

The principle of residential development has already been established on the application site at the Vicarage in Warnham, as it is currently occupied by a dwelling alongside the vicarage. The proposed development is taking place in the main on previously undeveloped greenfield land partly on previously developed land within the Built Up Area Boundary (BUAB) and it is considered that the proposal complies with policies 2 (1), 2 (8), 3, 15 and 16 3(a) of the HDPF 2015. Subject to detailed policy considerations being acceptable on heritage, landscape, biodiversity and transport, there are no policy objections to the principle of this proposal.

3.4 **HDC – Technical Services (Drainage):** No Objection subject to conditions.

3.5 **HDC – Conservation (summarised):** Comment

The proposal to develop the application site by way of 15 residential properties is considered appropriate. The site is within a residential area and the proposed density shown on the site layout would appear to sit harmoniously against the existing built environment.

The amended scheme now seeks to retain the existing vegetated boundary along the western boundary to the site with a visually lightweight and appropriately designed timber post and rail fence erected along the boundary to the eastern side of the vegetation. Furthermore, it is understood that the protection and maintenance of this boundary will be controlled by way of condition which does provide some comfort. However, this element of the proposal, including the pressure placed on the trees and their impact on amenity of future residents remains a concern- the trees positively contribute to the character and appearance of the conservation area and are a feature that must be retained.

On further consideration of the proposed scheme, the loss of the well-established and aesthetically pleasing, thick hedge running along the existing access lane to the vicarage is a significant soft landscape component within the immediate historic context which enhances the setting of the grade I listed St Margaret's Church. This hedge should be retained and if the case officer is minded to recommend approval for this development, the hedge should be protected. If the loss of the hedge is supported, replacement hedging should be controlled by way of condition with a timeframe set out for the planting- the

hedge should ideally be ready grown/instant hedging so to maintain this soft green feature in the streetscene.

3.6 **HDC – Environmental Health (summarised):** Objection.

The site is adjacent to a previous industrial site which over time included use as a print works, manufacturing and research facility. This site currently has permission for use as a gymnasium and dance studio. Information in regards to noise and contamination has not been supplied and it is therefore not possible to adequately assess this application. In the absence of this information and should the application be granted then, in order to mitigate adverse environmental impacts conditions to secure contaminated land remediation and noise mitigation from the commercial premises should it be found to be required.

3.7 **HDC – Parks & Countryside:** No objection.

3.8 **HDC – Ecology Consultant (summarised):** Comment.

Evidence of roosting bats has been confirmed in The Vicarage, and there is also potential for bats to be roosting in an oak tree.

As stated in paragraph 4.39 of the Preliminary Ecology Appraisal (PEA); *‘Further Phase II bat emergence / re-entry surveys are required to establish the status of the roost, in order that appropriate mitigation can be designed to protect bats during redevelopment of the site, in line with existing legislation and planning policy’*. These nocturnal surveys should be completed by licensed ecologists in accordance with BCT (2016). The results of these surveys are required to fully inform the potential impacts of the proposed development, as well as measures for avoidance, mitigation and enhancement for inclusion with the final proposals. Assuming that planning permission is obtained, a Natural England development licence would be required to proceed with demolishing the roost and as such all mitigation would need to be agreed with Natural England once full planning permission had been granted.

In addition to the roost in The Vicarage, paragraph 4.42 of the PEA states that: *‘The site contains a mature oak on the northern boundary that has several potential roosting features (PRFs)’*. However, it is not clear which tree this is, and the level of potential impact on the tree, and any bats roosting within. As outlined in paragraph 6.17 and 6.18 of the PEA, further assessment / survey is required of this tree to confirm its value to roosting bats, and inform mitigation measures.

We recommend that the proposed specification of the netting is discussed with the applicant’s ecologists, so that they can consider the potential for impacts on protected and notable species such as bats (commuting and foraging, as well as roosting), birds, dormice, hedgehogs etc., and propose appropriate avoidance and mitigation measures if necessary. It is possible that further surveys may be required to inform the netting specification, for example, activity surveys for commuting / foraging bats. It is likely that netting on match days only would be preferable from an ecological point of view. However, if permanent netting is required, then the applicant’s ecologist may consider it less likely to impact bats / birds if it is under tension, rather than loose.

3.9 **HDC – Landscape Architect (summarised):** No objection

From a landscape perspective, the development of the site is acceptable in principle as it sits within the settlement boundary and its context is mainly residential. The site falls within the conservation area of Warnham and the proposed layout must be sensitive to its sensitive location.

To the western boundary of the application site sits the village's cricket ground and a strong line of hedgerow and mature trees form the boundary between this and the application site. Records show that this landscape feature is of considerable age (first available record dates back to 1876) and therefore considered of high value and an asset to the character of the conservation area.

No solid fences or walls should be proposed along the site's western boundary to help the sense of openness and green space and maintain visual amenity. A post and timber fence with planted hedge to provide screening and privacy for residents is supported.

A link between the proposed development and the existing public footpath (PROW1429) running along the northern boundary of the site should be provided to increase the permeability and connections of the site with the village thus encouraging future occupants to use sustainable means of transport.

Update 13/06/2017 following receipt of amended plans:

No objection subject to a clear direction as to how the hedgerow would be maintained and retained in perpetuity. An arrangement could be made, on the Section 106 or property covenants, for the hedge to be maintained in perpetuity either by a management company or the individual owners. The agreement should also make clear that no hedge is to be removed and/or replaced without the fully agreement and prior approval of the Local Planning Authority. The hedge is also to be managed and maintained fully in accordance with the approved Landscape Management and Maintenance Plan.

3.10 **HDC – Arboriculturalist:** Objection

The slight re-siting of the building line along the western boundary of the site (by approximately 1m) is noted; this takes the west-facing flank walls of the dwellings slightly further away from the trees along the western boundary hedgerow (and tree stock). However, this will not make any substantive difference in regard to a key concern, that of the pressure that will inevitably result from this style of layout upon the hedgerow and tree stock along the boundary, resulting in an inappropriate urbanisation of this highly aesthetically pleasing part of the conservation area.

Whilst the matter of shadowing from the tree stock might be seen to have been allayed by the re-siting of the building line (albeit to a very small degree only), the risk to the longevity to the hedgerow (and, indeed, to the trees) remains. The principle that the hedgerow will be within the private gardens to each of the west-facing dwellings on the site is noted. However occupiers of residential dwellings are well known to see the presence of what is in essence an old field hedgerow on their property as inappropriate, especially should they have children; the presence of hawthorn, blackthorn, holly and other 'spikey' or thorny species is seen as unacceptable. The net result has been the loss of the hedgerow, its replacement with urban-type planting of stock seen to be less anti-social and more commensurate with private residential gardens. Should this occur here, within a conservation area, this would result in irreversible damage to the character of the conservation area and the loss of an historic landscape feature.

The threat to both the hedgerow on the western boundary of this site, and to the trees therein, arises simply and solely from the manner in which development on this site has been proposed. Despite the re-siting of the building line, there remains a great deal of open space adjacent to the eastern site boundary (adjacent to the neighbouring property, 'The Glebe') which appears to serve no purpose whatsoever. It is considered that this proposal takes inadequate account of the special circumstances of the site – its position within a conservation area – commensurate with policy 34(4) of the Horsham District Planning Framework (*November 2015*).

No objection to the pruning required to facilitate the temporary cricket ball netting.

OUTSIDE AGENCIES

3.11 **West Sussex County Council – Flood Risk:** No objection

The site is at low risk from surface water flooding and groundwater flooding. There are no records of historic flooding within the confines of the proposed site.

3.12 **West Sussex County Council - Highways (summarised):** No Objection.

Trip Generation

The Transport Statement indicates that the development of 15 dwellings is likely to generate around 11 two way vehicular movements in the AM peak hour and 9 in the PM peak. This level of trips is not expected to give rise to any highway capacity concerns that could be considered severe under paragraph 32 of the National Planning Policy Framework (NPPF).

Vehicle Access/Visibility

There is an existing vehicular access onto Church Street, it is proposed that this cross over style access is modified into a bell mouth (simple priority junction), as indicated in drawing 16_T051 01 Rev E. This drawing demonstrates access to the site in accordance with Manual for Streets (MfS) standards and the advice sought from the Local Highway Authority at the pre application stage.

The internal roadway narrows within the site, although there is enough room for two vehicles to pass at the access and for the first section of roadway to avoid standing traffic in the highway. Given the low vehicle trips related with the site it is not expected that two opposing vehicles would meet frequently. Visibility has been shown from a setback of 2.4m x 25m in each direction; this is in accordance with the 20mph speed limit zone in the vicinity of the access and meets standards set out in MfS

There is a turning head within the site which allows a refuse vehicle and fire appliance to turn, allowing them to enter Church Street in forward gear. This turning head should be kept clear at all times.

Parking

The proposed parking arrangements accord with the West Sussex County Council Parking Demand Calculator. Parking on site will be accommodated via a mixture of garages and driveway spaces, along with some bays off of the internal access road. Covered and secured cycle parking is also proposed to standards either in sheds or in garages.

3.13 **West Sussex County Council – Section 106 (summarised):** Comment.

Contributions are required in relation to School Infrastructure (Primary and Secondary), Library Infrastructure, Transport and Fire & Rescue Service Infrastructure.

3.14 **Sport England:** Objection

The proposed development site and the existing cricket field share a boundary, partially tree-lined. Therefore the chief area of concern is whether the proposed development prejudices the use of the existing cricket field due to ball strike.

In considering this application, Sport England consulted the English Cricket Board (ECB), who are of the opinion that the proposed location of the development would result in the potential for ball strike.

The ECB therefore recommends that a detailed risk assessment be undertaken by a company such as Labosport to determine a solution to mitigate against potential ball strike. Any solution would need to be in place whenever cricket is played at the site. The applicant is strongly encouraged to explore this as a potential way forward.

In light of the above, Sport England objects to the application because it is currently not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Update 20 June 2017

Sport England are reviewing the above objection in consultation with the ECB following the submission of the recommended risk assessment and Applicant's commitment to fund the provision of temporary netting along part of the western site boundary. In the event the objection is not removed as a result of the proposed mitigation, the Town and Country Planning (Consultation) (England) Direction 2009 requires that any determination to grant planning permission to be forwarded to the National Planning Casework Unit for consideration by the Secretary of State as to whether the final decision is to be taken by the Secretary of State or by the Local Planning Authority.

- 3.15 **Southern Water:** No objection.

PUBLIC CONSULTATIONS

- 3.16 **Warnham Parish Council (summarised):** Objection.

Warnham Parish Council accept the principle of development of the site. It is included in the draft Warnham Neighbourhood Plan as a short-listed site and has village support. The Council recommend refusal though on the following grounds:

- The junction of the access road onto Church Street is heavily constrained and represents a potential accident hazard as the visibility splays are minimal. The higher speeds of passing vehicles needs to be considered
- The access drive is to be shared with pedestrians but no pedestrian footpath is provided. It is too narrow for two-way traffic and may require some vehicles to dangerously reverse onto Church Street creating a hazard for passing vehicles and pedestrians. This would be particularly acute during construction work.
- Inadequate parking for visitors and service vehicles. The vicarage regularly holds meetings requiring parking for 5-6 vehicles
- Pedestrian links are requires to the cricket field and footpath to avoid an 'enclave development'
- Broadband connection is required
- There is a danger to future residents from cricket balls entering the gardens
- No mitigation measures are proposed to offset the additional traffic in the village
- The development is isolated from public access. It would promote the antithesis of village life; non-inclusive communities and fragmentation of the public realm in a prime location at the heart of the village

- 3.17 **Councillor Ritchie** has objected on the grounds that the applicant has made insufficient provision regarding the neighbouring Warnham Cricket Club (Nb this objection was received prior to the proposals for netting being submitted).

- 3.18 1 letter of support has been received. The grounds of support include the following points:
- The layout and scale is tasteful and considers neighbouring properties
 - Consideration should be had to moving the public footpath to create a wider access drive

- 3.19 **14** letters of objection have been received from local residents. The grounds of objection include the following points:
- Danger to property and residents from cricket balls, with at least 2-3 balls entering the field at pace every Saturday and Sunday during the cricket season, and some evenings. This will put the cricket club at risk of claims of liability.
 - Any netting may impact on the cricket field, conservation area and the public footpath along the boundary, and gives rise to maintenance and storage issues
 - A full risk assessment and mitigation needs to be carried out for the best solution to stop cricket balls entering properties
 - Increased liability costs would endanger the sustainability of the cricket club
 - The vicarage should be moved back to give more space between its front and the access road
 - The visibility splays rely on the 20mph speed limit along Church Street being observed, which it isn't.
 - Increased traffic on Church Street with associated noise and pollution and accident risk
 - Insufficient parking leading to overspill
 - Overlooking and loss of privacy to properties on Church Street and Hollands Way
 - Loss of views and sunlight
 - Nice area does not need building on
 - Too many houses in Warnham
 - Noise impact
 - Loss of protected species
 - Loss of small and tranquil area in the heart of the village
 - Demolition of Vicarage without merit
 - Impact on boundary wall along southern site boundary
 - Impact of netting on birds and bats
 - Potential fatalities to schoolchildren from increased traffic and high speeds on Church Street
 - The land could alternatively be given to the Village for sporting facilities or allotments
- 3.20 **4** letters of comment have been received from local residents. The comments are as follows:
- Concern with the number of cricket balls that get hit onto this land. This risk needs to be taken into consideration
 - The Vicarage is too close to the access road impairing visibility and should be moved back
 - Insufficient parking for visitors
- 3.21 **Warnham Cricket Club** have raised no objection subject to the agreed £20,000 sum for contribution towards the purchase and maintenance of demountable netting.

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 This application is assessed against the relevant policies of the Horsham District Planning Framework (HDPF) and the national planning policies contained in the National Planning Policy Framework (NPPF), with regard to all other relevant material considerations.

6.2 The main issues for the Local Planning Authority to consider in the determination of this application for planning permission are the principle of the proposed development in land use terms; the impact on the character and visual amenity of the landscape and locality, including the Warnham Conservation Area and adjacent Grade II listed buildings; the impact of the development on prospective and neighbouring residential and business occupiers; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety; whether appropriate provision can be made for car and cycle parking, refuse storage/collection, drainage/flooding and; whether the development can be delivered without harming the interests of nature conservation, flooding and land contamination. Representations have raised concern over the impact of cricket balls entering the site on the future sustainability of Warnham Cricket Club which is also a material consideration.

Principle of Development

6.3 The application site sits within the defined built-up area boundary of Warnham. Strategic policy 3 of the HDPF identifies that development will be permitted within the built-up area boundaries subject to it being of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy. Policy 3 identifies Warnham as a medium village in the hierarchy, defined as being villages with '*a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents, but rely on small market towns and larger settlements to meet a number of their requirements.*'

6.4 The addition of 15 dwellings on this site is considered proportionate to the nature and scale of Warnham, and at 18 dwellings per hectare (dph) would not amount to an overdevelopment of the site relative to existing surrounding development. Warnham Parish Council have supported the principle of housing on this site as being in accordance with their emerging Neighbourhood Plan (although at pre-Regulation 14 stage the draft Plan itself can only carry very limited weight in decision making). 6.5 For these reasons, the principle of the residential development of this mainly previously undeveloped site with 15 dwellings is considered acceptable in accordance with the spatial strategy for Horsham District as set out Policies 2 & 3 of the HDPF.

Dwelling Mix and Tenure

6.5 The proposal is for 15 units of residential accommodation comprising five 2-bed maisonettes (33%), six 3-bed houses (40%) and four 4-bed houses (26%). This mix compares appropriately with the recommended housing mix for rural areas of Horsham District of 45% 2-bed (6.75 dwellings), 35% three-bed (5.25 dwellings), and 5% 4+-bed dwellings (0.75 dwellings) set out in the latest Market Housing Mix report dated November 2016.

6.6 The application proposes the setting aside of the five 2-bed maisonettes as affordable units subject to viability appraisal. This represents 33% affordable housing against policy 16 requirement for 35% affordable housing. The subsequent viability appraisal submitted by the Applicant sets out that no onsite affordable housing or off-site affordable housing contribution is viable for this development. The District Valuation Service (DVS) has

assessed the Applicant's viability appraisal and determined that no affordable housing provision is viable. This is though based on the applicant's stated need to use pile foundations for the new dwellings. The DVS is of the view that such foundations may not prove to be necessary. If ultimately found not to be necessary, the development would be able to support the provision of two of the two-bedroom apartments as affordable rented units. Given this small number of units within part of a block of four, it is highly unlikely a Registered Provider would be willing to take them on. Consequently it is considered appropriate in this instance to accept a commuted sum payment towards the delivery of affordable units off-site, dependant on a review mechanism clause in the s106 should it be established that pile foundations are not necessary. The DVS calculates that a figure of approximately £135,000 would be viable in this scenario.

Impact on heritage assets and the visual amenity of the locality

- 6.7 The site sits within the Warnham Conservation Area and within the setting of three Grade II listed dwellings at 6-8 Church Street. The scale, layout, density and general design of the development is considered to relate sympathetically to the surrounding Conservation Area. While there is no defined architectural style or regular layout to this part of the Conservation Area, buildings are generally of a traditional design set in spacious plots with mature landscaping, and the dwellings vary in age, design and layout. The proposed dwellings are of a traditional design and detailing and as such would complement the traditional forms found in this part of Warnham. Whilst the loss of the glebe field would reduce the openness of this part of the Conservation Area, the field itself and its relationship to the surrounding area is not of significant historic importance, as modern development has already occurred between the church and the glebe field, severing any former visual and functional link between the two. As such no harm to the Conservation Area through its development would arise.
- 6.8 The development of this site would impact on the setting of the listed buildings, however given the position and separation of the site set rear of the rear gardens to these properties with a landscaped buffer between, no harm to the setting of these heritage assets is identified. Consequently the dwellings would not unduly impose on the historic interest of the listed buildings, their gardens, or their wider setting.
- 6.9 It is noted that concern has been raised over the potential impact of the development on the historic and visually important line of trees and hedgerows between the site and the adjacent cricket field which contributes positively to the character of the Conservation Area. These trees and hedgerow sit part within and part outside of the application site. Whilst the buildings themselves would not impact on the trees or their root systems, concern has been raised that shading from the trees across the rear gardens would likely result in future pressure to significantly trim or even fell them. Further concern has been raised at the potential removal of the hedgerow by future occupiers of the houses.
- 6.10 To address the concerns relating to the trees, the proposed dwellings have been moved an additional 1.4m away from the trees to allow for 16m deep rear gardens. In addition a shading study has been provided to help understand the severity of this impact. The tree shading study calculates the level of shading that would occur at 9am, 1pm and 5pm on 21 March, 21 June and 21 September. The report broadly identifies that at least half of each rear garden would receive direct sunlight for a minimum 2 hours per day from April to September, thereby according with British Research Establishment (BRE) guidance. Given that the trees are deciduous, any shading would not be as severe as would result from a building, with the trees creating a 'dappled' shade when cast. Further, given the east-west orientation of the houses the direct sunlight would mostly occur between 11am and 2pm with longer periods closer to 21 June, rather than early morning or late evening.

- 6.11 Whilst noting the concerns from consultees on this issue; having further visited the site to specifically assess the impact of the tree it is not considered that the proximity of the development would result in pressure to excessively trim or fell this important line of trees such that the development requires significant amendment or refusal. As these trees are within a Conservation Area, any future proposals by residents for works to these trees would require approval from the Council.
- 6.12 The application proposes the removal of seven individual trees (3x Oak and 4 x Sycamore) and a single group of Hawthorn trees within the site, all assessed as being low quality category 'C' trees with little/no amenity value. Minor crown lifting is also proposed to five category 'A' and 'B' trees. No objection is raised to these works.
- 6.13 In terms of the hedgerow, the site layout plan details post and rail fencing between the hedgerow and the gardens. To ensure the hedgerow is suitably maintained and retained a clause is included in the s106 to require the maintenance of the hedgerow to be the responsibility of the relevant dwelling occupiers and/or the maintenance company that would take on the communal areas of the site, with the removal of any part of the hedgerow to be first agreed in writing by the Local Planning Authority. This approach has been agreed with the applicants.
- 6.14 Conditions are recommended to secure final details of the materials for the dwellings, suitable hard and soft landscaping, and to ensure the rear boundaries facing the cricket field are of an open fencing and maintained as such through the removal of Permitted Development rights. This will ensure views of the development from the cricket field and surrounding public spaces are not dominated by close-boarded fencing (which would not be in-keeping with the character of the Conservation Area), and will enable the suitable retention of the boundary hedging. The landscaping scheme would also be expected to retain as much of the hedging alongside the access road as possible, and include suitable replacement hedging. Subject to these conditions the proposed development would form an appropriately designed addition to the area that would not harm the Warnham Conservation Area or the setting of the adjacent listed buildings, in accordance with Policies 32, 33 & 34 and the aims of the Warnham Parish Design Statement.

Impact on the Amenity of Existing and Prospective Occupiers

- 6.15 Policy 33 of the HDPF states that developments are required to ensure they are designed to avoid unacceptable harm to the amenity of occupiers / users of nearby properties through, for example, overlooking or noise disturbance. The plans show all units to be of a good size meeting or exceeding the Nationally Described Space Standards. The dwellings are well-spaced to minimise inter-overlooking and set in plots with private gardens commensurate in size to those in the wider area.
- 6.16 In terms of amenity impact, the dwellings are orientated to minimise their impact on adjacent residents, with suitable garden separations. The replacement Vicarage is in broadly the same position as existing and will not have a harmful impact on the amenities of The Glebe bungalow. It is noted that the rear garden to The Glebe has an open timber fence to the application site. The proposed dwellings are set to the opposite side of the access road and adjacent wide landscaped strip from The Glebe thereby reducing their potential dominance in outlook. Details of all fencing is recommended by condition and this will ensure appropriate fencing is included rear of The Glebe to protect their rear windows and garden from undue loss of privacy. Subject to this condition the proposed development would not harm the amenities of adjacent occupiers in accordance with policy 33.

- 6.16 Whilst concerns have been raised over disturbance from additional traffic movements generated by the development, this is not considered to be of sufficient scale or harm to warrant the refusal of permission. Measures to protect residents from harmful effects of noise, vibration and dust during the construction period can be controlled by a suitably worded condition requiring the submission of a Construction Environmental Management Plan.
- 6.17 It is noted that a gymnasium and office businesses occupy 16 Church Street to the southeast corner of the site. This building sits in close proximity to the site boundary and has the potential to cause noise disturbance to future occupiers of the development. Plot 15 sits closest to this building and has the potential to be most impacted. The gymnasium operates from 8.30am to 8.30pm weekdays and 8.30am to 3.00 Saturdays, with no Sunday opening, although its planning consent allows for opening from 8.30am to 9.30pm Mondays to Saturdays. Applications to extend these opening hours have been refused on the grounds of impact on neighbouring amenity, with the last application refused in 2003 under WN/56/03. The report for the 2003 application noted noise complaints that had been received from neighbouring residents. Environmental Health have confirmed that no complaints have subsequently been received.
- 6.18 It is noted that the gym is already located close to existing residential properties which sit to the north, south and east sides. The rear windows to the building however currently face west towards the open field therefore there is the potential for disturbance from these windows to impact on the proposed houses. The gym is laid out with a weights room at rear ground floor level with back-office rooms above. The main studio rooms are to the front of the building. Noise from the weights room, including background music, was negligible within the rear yard at the time of an unannounced site visit. The yard is though laid out with lifting equipment (tyres and parallel bars etc.) which are used mainly in summer months. This has the potential to create some intermittent noise disturbance from users. Environmental Health have raised no objection to the principle of residential development adjacent to the gym subject to a condition requiring a scheme of works to minimise any potential disturbance that may occur. This is considered appropriate in this instance.
- 6.19 On this basis, and subject to the recommended condition, it is not considered that the introduction of residential properties adjacent the gym would likely result in complaints that would prejudice the continued operation of the gym.

Impact on the adjacent cricket field

- 6.20 A number of objections have been received raising concern that the proximity of the housing to the cricket field would prejudice the future of cricket on this land. The concern is centred on the high likelihood of cricket balls landing within the application site risking damage to property and person, and therefore risking claims against the cricket club which could threaten this community facility financially and operationally. Given the small outfield to the cricket pitch and the evidence that balls regularly stray into the application site this concern is considered a relevant material consideration. Following initial consultation Sport England raised objection on these grounds.
- 6.21 The Applicants have sought the advice of Sport England and the cricket club, and have provided a risk assessment conducted by specialists recommended by Sport England and the English Cricket Board (ECB). The risk assessment calculates the likelihood of cricket balls reaching the application site when hit by a non-elite community/amateur player. In response to the risk assessment the Applicants have agreed with the Cricket Club and Parish Council to fund £20,000 necessary to purchase and maintain a 6m high temporary netting set along 20m of the outfield adjacent the application site. The risk assessment confirms that this extent and height of netting is a 'sensible and suitable solution' that would significantly reduce the frequency of shots landing within the application site. The netting

would be hung between poles that are easily removed and raised into position. Minor pruning works are required to the adjacent trees which would not significantly alter their appearance. No objection is raised to these enabling tree works. Sport England have been re-consulted following the submission of the risk assessment and netting proposal and at the time of this report have not formally advised as to whether they wish to maintain their objection. Sport England have been seeking the advice of the ECB and it is understood that it is likely that their objection will be withdrawn. In the event the objection of Sport England is upheld and the application is determined for approval, the Town and Country Planning (Consultation) (England) Direction 2009 requires that the Secretary of State then be consulted prior to the final decision being issued. The Secretary of State would then advise as to whether the final decision is to be taken by the Secretary of State or by the Local Planning Authority.

- 6.22 On the basis that the contribution is provided to allow for the cricket club to source the necessary netting ready for installation prior to the first occupation of the development, it is not considered that the proposed development would prejudice Warnham Cricket Club from being able to operate or remain viable.

Highway Impact, Access and Parking

- 6.23 The development will be served in its entirety from the existing access point from Church Street, which is to be upgraded to reflect the increased vehicles movements the development will generate. The development will provide for 30 parking spaces within private garages, on driveways in front of the dwellings, and on-street. Concerns have been raised in representations over the safety of the access point given passing speeding vehicles and pedestrians and the narrow access road which may result in vehicles needing to reverse onto Church Street when unable to pass.
- 6.24 West Sussex County Council (WSCC) Highways have considered the concerns raised, in particular those raised by the Parish Council, and re-iterated their position that the access point and overall transport and highways impacts are acceptable. Whilst the comments over speeding vehicles were noted, the Highways Officer clarified it is only reasonable to require access points to be designed to the enforceable speed limit. In any case the narrow nature of the access drive beyond the bell-mouth junction is such that vehicles would need to be moving relatively slowly to safely enter and exit the site. In terms of the width of the access road, it has been confirmed that this is sufficient to allow vehicles to pass, in particular when entering and exiting the junction where there is sufficient space for large vehicles to pass without needing to pause partially on the highway or reverse out. Once on the access road there is a suitable passing point if required 27m inside the site where the road splits to form the driveway for The Glebe, with good visibility from this point to the site access. Accordingly it is not considered that vehicles, be it cars or lorries, would need to or be likely to reverse onto the main road in an unsafe manner.
- 6.25 Sufficient parking is to be provided for the development for a total of 35 vehicles, with each dwelling having dedicated spaces including garages and/or hardstandings, with five visitor parking spaces elsewhere. It is not considered that this arrangement in a cul-de-sac would result in overspill parking occurring outside of the site.
- 6.26 In terms of pedestrian access and overall linkage into the wider village, the applicants have revised the plans to include a pedestrian link opposite the vicarage to link directly to the adjacent public footpath. This will alleviate concerns the development would be isolated within the centre of the village.

- 6.27 Subject to conditions to secure a Construction Management Plan and the timely delivery of the enlarged site access, driveway and parking facilities, the proposed development would accord with Policy 40 of the HDPF and paragraph 32 of the NPPF.

Ecology

- 6.28 The application is supported by a Preliminary Ecological Appraisal report. The report identifies a bat roost in the Vicarage building and the potential for a bat roost in a mature oak tree along the northern site boundary. The report recommends further Phase II surveys are carried out to identify the type of bat roost present in order for an EPS licence for their demolition to be granted. The Phase II surveys will enable an appropriate scheme of mitigation to be identified. A bat-sensitive lighting scheme is recommended for the development.
- 6.29 In terms of other ecology, the report recommends avoidance measures and enhancements for dormice, although the likelihood of dormice being present in the boundary hedge is identified as being low. Ecological enhancements by way of bird boxes, planting and hedgehog-friendly fencing are also recommended.
- 6.30 Further bat surveys have been requested on the Vicarage building and oak tree in line with the Appraisal report recommendation to inform a scheme for ecological mitigation and management. These surveys are currently being carried out, and the recommendation is to not grant planning permission until they are complete and have identified that any impacts can be suitably mitigated. Any mitigation necessary would be secured by the recommended condition. The ecology consultant has also requested that the potential impact of ball-stop netting on protected and notable species be considered, with a preference for temporary match-day netting.
- 6.31 Subject to the recommended condition securing the additional surveys and mitigation scheme the proposed development would comply with Policy 31 and paragraph 118 of the NPPF.

Flooding and Drainage

- 6.32 The site is located outside of Flood Zones 2 & 3 and subject to a condition requiring the approval and implementation of a sustainable drainage system the proposed development would not increase risk of local ground or surface water flooding, thereby according with Policy 38.

Land Contamination

- 6.33 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.
- 6.34 Environmental Health have identified that the site sits adjacent to a previous industrial site which included a print works, manufacturing and research facility. These uses may have resulted in localised land contamination. No contaminated land information has been submitted with the application however given the nature of the potential risk such matters can be suitably addressed by condition.

Legal Agreement

- 6.35 Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions towards indoor and outdoor sports provision, community facilities, libraries, education, transport infrastructure, fire and rescue, transport infrastructure and affordable housing of up to £156,528 could potentially be secured, subject to a relevant CIL-compliant project for the contributions being identified.

WSSC Transport Access Demand	£37,422
WSSC Education (Primary)	£41,308
WSSC Education (Secondary)	£44,458
WSSC Libraries	£4,159
Fire and Rescue	£1,520

HDC Community Centre & Halls:	£5,490
HDC Open Space and Recreation:	£24,858

WSSC Total: £128,867

HDC Total: £ 27,661

- 6.36 The County Council have identified CIL-compliant (Community Infrastructure Levy) projects in connection with their requested contributions. In terms of the potential District Council contributions, in this case, the site is not of a size appropriate to provide on-site community infrastructure such as play areas, and therefore consideration can be given to the provision of a financial contribution to off-site provision, subject to meeting the tests of the Community Infrastructure Levy (CIL) Regulations. In order to be CIL compliant a contribution must only be sought where this is necessary to make the development acceptable in planning terms; where the contribution is fairly and reasonably related in scale and kind to the development; and, where it is directly related to the development. The Planning Obligations SPD includes a Contributions Calculator, which provides an assessment of the level of contributions that a development should be able to afford to provide, and also the amount of contribution that it is reasonable to secure towards infrastructure based on the typical occupancy rates of the proposed dwellings. Based on the housing mix proposed, the Contributions Calculator indicates that £27,661 would be a proportionate sum, subject to specific CIL-compliant projects, which would be necessary to make the development acceptable in planning terms, being identified for the funding. Following responses from the Council's Community and Culture department and the Parish Council, unfortunately, in this instance no CIL compliant schemes have been identified at the time of drafting this report.

- 6.37 A further contribution of £20,000 would also be included in the agreement to be payable to Warnham Cricket Club to enable them to fully purchase and maintain the necessary temporary ball-stop netting. Subject to these necessary contributions the development would provide for the infrastructure needs it would generate in accordance with Policies 16 and 39 of the HDPF.

Planning Balance and conclusion

- 6.38 The application site is located within the defined settlement boundary of Warnham and the development of this field would not harm the historic character or appearance of the Warnham Conservation Area or the setting of the adjacent Grade II listed buildings. Whilst concern has been raised that the addition of housing on this land in the manner proposed may result in pressure to undertake works to the adjacent historic line of hedging and trees to the west, on balance the separations and garden lengths are considered sufficient such

that any risk is low. Likewise the addition of dwellings on this site is not considered to significantly impact on the operation of the adjacent gymnasium or vice versa.

- 6.39 The application would provide for benefits in terms of local housing provision and the re-development of the currently vacant Vicarage building, would provide for its access and parking needs without resulting in highway safety issues, and would provide appropriate contributions towards affordable housing and local infrastructure improvements, including the provision of ball-stop netting for the adjacent Warnham Cricket Club. Appropriate conditions would also appropriately secure the ecological interest of the site and ensure the development is suitably landscaped
- 6.40 For these reasons the proposed development is considered acceptable in accordance with the Horsham District Planning Framework, National Planning Policy Framework and all other relevant material considerations.

7. RECOMMENDATIONS

- 7.1 To resolve (subject to no objection from the Secretary of State) to delegate authority to the Head of Development to grant permission subject to the completion of the Phase II Ecology survey, the completion of a S106 agreement, appropriate conditions:
1. A condition listing the approved plans and requiring development to be carried out in accordance with them.
Reason: For the avoidance of doubt and in the interest 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 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 be adhered to throughout the construction period. The Plan shall provide for, but not be limited to:
 - a. An indicative programme for the carrying out of the works
 - b. Hours of construction works
 - c. The arrangements for public consultation and liaison prior to and during the demolition and construction works
 - d. The anticipated number, frequency and types of vehicles used during demolition and construction works,
 - e. The method of access and routing of vehicles during demolition and construction,
 - f. Details for the provision of a vehicle turning space within the site throughout the duration of the works to enable all vehicles to exit the site in a forward gear.
 - g. 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)
 - h. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - i. The parking of vehicles of site operatives and visitors
 - j. The location for the loading and unloading of plant, materials and waste
 - k. The location for the storage of plant and materials used in constructing the development
 - l. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

- m. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- n. Measures to monitor and control the emission of dust and dirt during construction
- o. 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 adjacent occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

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

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

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

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

7. **Pre-commencement condition:** No development, including any works of demolition or site clearance, shall commence until an Ecological Mitigation and Management Plan has been submitted to and approved by the Local Planning Authority in writing. The Ecological Mitigation and Management Plan shall incorporate the measures set out in Section 6 of the Preliminary Ecology Appraisal by ACD Ecology (March 2017) and include the following details:

- Findings of Phase II nocturnal bat surveys of the Vicarage building and oak tree;
- Details of a scheme for the protection for retained habitats including protected and notable species (such as bats, dormice and nesting birds), to be implemented prior to development commencing (including works of site clearance and demolition);
- Details of enhancement measures for biodiversity across the site, to be implemented prior to first occupation of the development and retained as such thereafter.
- A licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the development to go ahead; or a statement in writing from Natural England to the effect that it does not consider that the development will require a licence.

The Plan will be revised if necessary to incorporate any methodologies agreed with Natural England during the licensing process. Any such measures shall thereafter be implemented in

accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

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

8. **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 within the Arboricultural Impact Assessment and Method Statement (ACD Environmental revision A dated 30/05/2017) as well as those off-site whose root protection areas ingress into the site, to include also the hedgerow along the western site boundary, 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).

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

(a) A preliminary risk assessment which has identified:

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

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

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

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

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

10. **Pre-commencement condition:** No development shall commence until such time as revised plans and details incorporating the recommendations given in the Stage 1 Road

Safety Audit and accepted in the Designers Response within the Transport Statement (Iceni Projects Ltd dated March 2017) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

11. **Pre-commencement condition:** No development shall commence until the approved vehicular access serving the development onto Church Street has been constructed and made available for use. The access shall include visibility splays of 2.4 metres by 25 metres which 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. The access shall be retained as such thereafter.

Reason: In the interests of road safety to ensure adequate access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

12. **Pre-slab 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 proposed buildings have been submitted to and approved by the Local Planning Authority in writing and all materials used 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).

13. **Pre-slab 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).

14. **Pre-occupation condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

15. **Pre-occupation condition:** The dwellings hereby permitted shall not be occupied until their respective covered and secure cycle parking spaces/facilities have been provided in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained at all times solely for that purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies including Policy 40 of the Horsham District Planning Framework (2015).

16. **Pre-occupation condition:** The dwellings hereby permitted shall not be occupied until their respective refuse and recycling storage facilities have been fully implemented and made available for use in accordance with plans and details that shall have been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
17. **Pre-occupation condition:** No dwelling shall be first occupied until the roadways, footways, vehicle turning areas and parking spaces necessary to serve that dwelling have been constructed, surfaced, drained and been made available for use.
Reason: To provide the necessary vehicle and pedestrian access to serve each dwelling in accordance with Policy 40 of the Horsham District Planning Framework (2015).
18. **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 and in compliance with the provisions of the National Planning Policy Framework, particularly paragraph 42 and Policy 37 of the Horsham District Planning Framework (2015).
19. **Pre-occupation condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include:
- Details of existing and proposed levels for all external works associated with the landscape proposal
 - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking/underground guying details
 - A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
 - Hard surfacing materials - layout, colour, size, texture, coursing, levels
 - Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
 - Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns
- 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).
20. **Pre-occupation condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

21. **Pre-occupation condition:** Prior to first occupation of the development hereby permitted, details of all external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in full accordance with the approved details prior to first occupation of the development and shall be retained as such thereafter.

Reason: To ensure safe operation of the roadway and to safeguard the ecology and biodiversity of the area in accordance with Policies 31 and 40 of the Horsham District Planning Framework (2015).

22. **Pre-occupation condition:** Units 12-15 shall not be occupied until a scheme of works to reduce the intrusion of noise to habitable rooms and amenity spaces from the adjacent commercial uses has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements of BS8233:2014, shall have been fully installed prior to first occupation of Units 12-15, and shall be retained as such thereafter.

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

23. **Pre-occupation condition:** Prior to first occupation of the development hereby permitted, the pedestrian link to the adjacent public right of way running along the northern boundary of the site as detailed on drawing no.1325.PLN.101 rev.A received on 24 May 2017 shall be fully implemented and made available for use. The pedestrian link shall be retained as such thereafter.

Reason: To ensure pedestrian access is sufficiently provided for in accordance with Policy 40 of the Horsham District Planning Framework (2015).

24. **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 boundary treatments falling within Part 2 of Schedule 2 (amend classes and schedule as necessary) of the order other than those hereby permitted shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity in accordance with Policies 33 & 34 of the Horsham District Planning Framework (2015).

25. **Regulatory condition:** The garage buildings shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety and to comply with Policy 40 of the Horsham District Planning Framework (2015).

26. **Regulatory condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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

Informatives:

Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.

A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.

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.

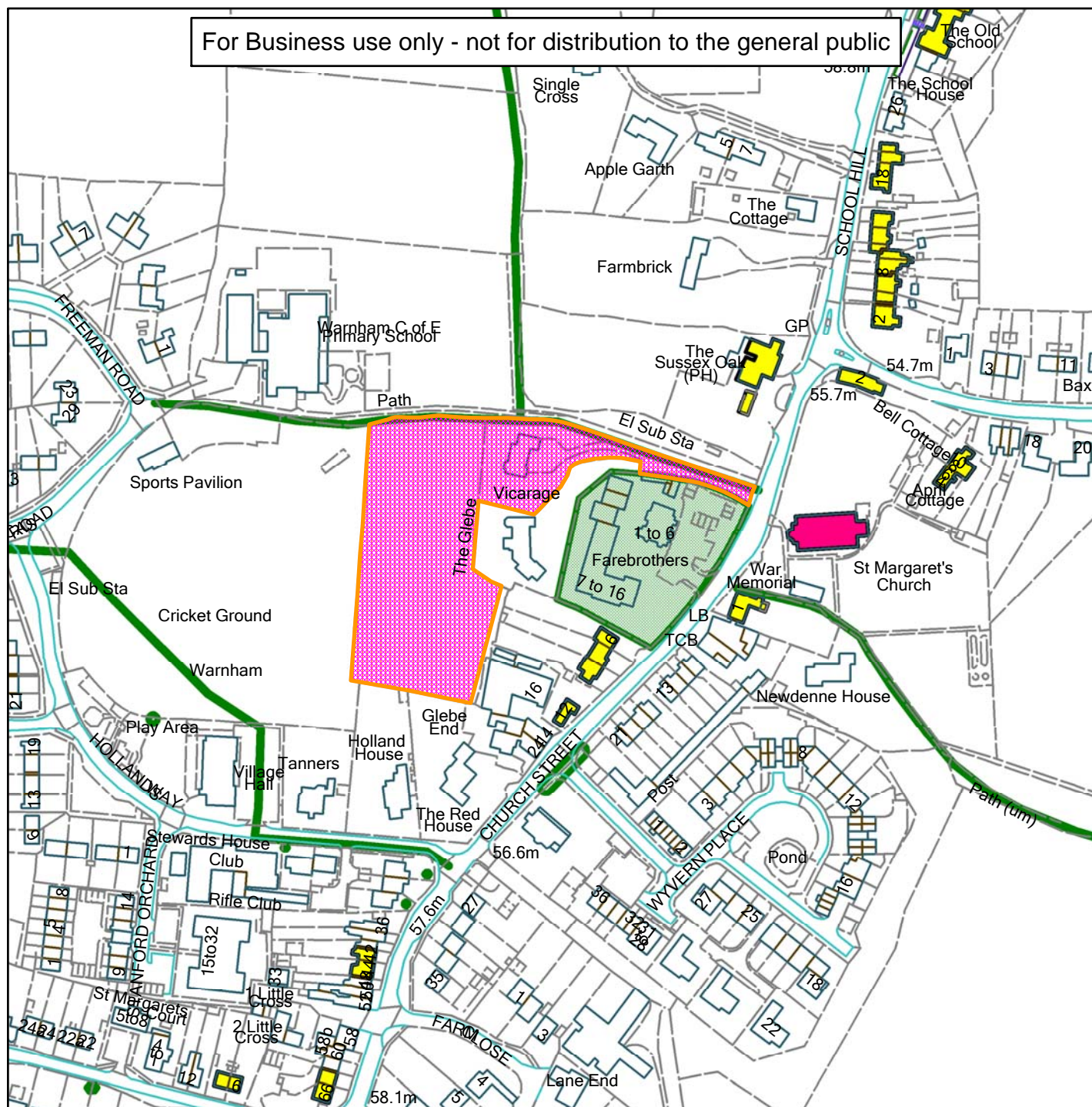
The applicant is advised that as the estate roads are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that the estate roads would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced and drained, and that the works are appropriately certified from a suitably qualified professional confirming the construction standard.

Background Papers: DC/17/0566



The Vicarage, Church Street

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	22/06/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 04 July 2017

DEVELOPMENT: Application for approval of reserved matters (appearance, landscaping, layout and scale) following outline approval DC/15/1946

SITE: Land Parcel at Nuthurst Road Monks Gate West Sussex, RH13 6LG

WARD: Nuthurst

APPLICATION: DC/17/0667

APPLICANT: Mrs Nicola Humphrey

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters have been received which are contrary to the Officers' recommendation

RECOMMENDATION: To approve the application, subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1. To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks approval of Reserved Matters pursuant to outline planning permission DC/15/1946, which permitted the erection of 10 dwellings, served by a new access from Nuthurst Road. The outline planning permission reserved all matters except for access. As such, this application must consider whether the matters of layout, scale, appearance and landscaping are acceptable.

1.3 The proposed layout shows a cul-de-sac arrangement which runs approximately east to west. The housing mix is proposed as follows:

- 4 x 4 bedroom detached houses (up to 8.3m in height)
- 2 x 3 bedroom detached bungalows (up to 6m in height)
- 1 x 2 bedroom semi-detached house (up to 8.2m in height)
- 3 x 3 bedroom semi-detached houses (up to 8.2m in height)

Each dwelling is served by a driveway and plots 5-10 are also served by a garage.

1.4 The application has been accompanied by a number of supporting documents, including:

- Planning statement
- Drainage and Flood Risk Assessment
- Drainage Statement

- Ecological Survey Report
- Ecological Mitigation and Management Plan
- Reptile Survey Report
- Landscape Management Statement
- Landscape performance specification
- Tree and landscape report
- Site waste management proposal

DESCRIPTION OF THE SITE

- 1.5 The site is an un-developed paddock located in open countryside outside of a built-up area boundary. It is set back from Nuthurst Road by an existing landscape strip containing various trees and hedges, and a pond surrounded by a grassed area. Some of the trees on the boundary with the application site are protected by a Tree Preservation Order. A public footpath runs along the western side of the site, and is separated from the site by a low hedge of mainly brambles. The site slopes gently up to the south, and the slope continues to rise to the south of the site. As a result, the site is visible from further south along the public footpath. There is an open post and rail fence to the boundary with the rear gardens of the pair of semi-detached dwellings at Southlands. The site is separated from Great Ventors Farm by a retained area of paddock.

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:

Chapter 1 – Building a strong, competitive economy
 Chapter 4 – Promoting sustainable transport
 Chapter 6 – Delivering a wide choice of high quality homes
 Chapter 7 – Requiring good design
 Chapter 8 – Promoting healthy communities
 Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
 Chapter 11 – Conserving and enhancing the natural environment
 Chapter 12 – Conserving and enhancing the historic environment

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 – Sustainable Development
 Policy 2 – Strategic Development
 Policy 3 – Development hierarchy
 Policy 4 – Settlement expansion
 Policy 15 – Housing Provision
 Policy 16 – Meeting local housing needs
 Policy 24 – Environmental Protection
 Policy 25 – The Natural Environment and Landscape Character
 Policy 26 – Countryside Protection
 Policy 31 – Green Infrastructure
 Policy 32 – The Quality of New Development

Policy 33 – Development Principles
 Policy 34 – Cultural and Heritage Assets
 Policy 35 – Climate Change
 Policy 36 – Appropriate Energy Use
 Policy 37 – Sustainable Construction
 Policy 38 – Flooding
 Policy 39 – Infrastructure Provision
 Policy 40 – Sustainable Transport
 Policy 41 – Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Nuthurst Neighbourhood Development Plan 2015-2031 was made by the Council on 21st October 2015.
- 2.5 Relevant Policies of the Neighbourhood Plan are 1 (A Spatial Plan), 5 (Land at Great Ventors Farm, Monks Gate), 10 (Housing Design), 13 (Local Green Spaces) and 14 (Green Infrastructure Biodiversity).
- 2.6 Nuthurst Parish Design Statement is also a relevant material consideration.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/15/1946	Outline application for the erection of 10x dwellings with all matters reserved except access.	Application Permitted on 26.08.2016
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3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk. Amended plans showing a revised layout were submitted by the applicant on 30th May in response to consultee comments. These plans were subject to a two week re-consultation. Where additional comments have been received these are summarised below. Where revised comments have not been received, the following comments are still considered to be relevant.

INTERNAL CONSULTATIONS

- 3.2 **HDC Community and Leisure:** No objection.
- 3.3 **HDC Environmental Health:** No objection.
- 3.4 **HDC Drainage Officer:** No objection.
- 3.5 **HDC Consultant Ecologist:** The Ecological Mitigation and Management Plan included with the reserved matters application is not the most recent version, and needs to include the requested amendments made during the consideration of DISC/17/0078 for approval of details pursuant to condition 23 on DC/15/1946. The original Tree Protection Plan submitted on the 22nd March highlighted a dead / weak tree for removal – confirmation was requested as to whether this tree is the tree considered to have potential to support roosting bats in the Extended Phase 1 Ecological Survey. If so, further information would be required to confirm whether roosting bats are likely to be present, and, if so, any mitigation / licensing requirements. However, based on the revised Tree Protection Plan

submitted on the 8th May, tree T10 is now proposed to be retained, and as such, no further information is required regarding this tree.

- 3.6 **HDC Arboricultural Officer:** No objection.
- 3.7 **HDC Landscape and Horticultural Officer:** The proposal has no significant implication for green space / recreation provision but it is advised that the selection of tree species close to housing is appropriately considered.
- 3.8 **HDC Landscape Architect:** In terms of overall design, the location of 2 storey dwellings adjacent to the public footpath would not provide a good design transition into the countryside. An access path to connect the proposed development with the existing footpath should also be provided. The applicant's intention of dealing with the landscape matters (hard and soft) through condition is noted but the following comments are of relevance. Any landscaping proposals should be fully co-ordinated with underground services; closed board fence should be resisted due to the rural location of the site and post and rail fence should be used if hedgerow alone is not sufficient; there should be some amendments to planting in close proximity of the proposed dwellings.
- 3.9 **HDC Conservation Officer:** Plots 1-2 would be unduly prominent when looking from Brighton Road, between the properties Cherrington Cottage and Southlands. Built form in this location should be limited to single storey and should be positioned to maintain open space to preserve the glimpse view from Brighton Road. Also, any boundary treatment to these plots should be a post and rail timber fence with a hedgerow planted to the north east side of the fence so to soften the boundary and maintain the more rural character of the locality. The soft landscaping and buffering is important in maintaining the contained feel to the site and in screening the presence of the built form in this development and therefore, details of the proposed future management and maintenance of the buffers and additional planting is required.

OUTSIDE AGENCIES

- 3.10 **WSCC Highways Comments:** Vehicular access has previously been considered at outline stage. In terms of the internal layout, there should be a continuous 2m footway on at least one side of the carriage way and a link should be provided from a footway within the site to footpath 1718. Finally, the applicant needs to demonstrate that service vehicles, including fire appliances, can access all properties.
- 3.11 **WSCC Public Rights of Way:** The route to the west of the site is likely to experience increased use. The route is currently un-surfaced and any improvements would be advantageous. Alteration or replacement of the existing boundary or erection of a new fence line must be done in consultation with the WSCC rights of way team. No structures for example gates or stiles may be erected on the public right of way without prior consent of WSCC rights of way team.
- 3.12 **WSCC Lead Local Flood Authority:** No objection.
- 3.13 **Southern Water:** Initial investigations indicate that Southern Water can provide foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public to be made by the applicant or developer. Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

PUBLIC CONSULTATIONS

- 3.14 **Nuthurst Parish Council:** The Parish Council has no objection to this application as it generally conforms to the principles and policies in the Nuthurst Neighbourhood Plan and the Guidance in the Nuthurst Parish Design Statement. However, some general concerns are raised in relation to the long term management of the nature reserve area and the impact on existing sewerage capacity.

PUBLIC CONSULTATIONS

- 3.15 11 letters of objection have been received by the council, which include the following points:
- Concerns relating to surface water runoff and increased risk of flooding
 - Concerns relating to capacity of foul drainage systems to cope
 - Concerns that increased lorry movements will be needed due to sewerage system not being able to cope
 - Negative impact on the adjacent footpath and its ability to be used by members of the public
 - Concerns that hedges and existing screening along Nuthurst Road are not adequately protected
 - Concerns over management of the nature reserve
 - Concerns that site will not be adequately screened
 - Loss of day light / dark skies for properties adjoining the site
 - Loss of privacy for houses adjoining the site
 - Concerns over noise from the development during construction and once built
 - The development does not provide a mix of dwelling types
 - The development does not conform to the criteria set out in the neighbourhood plan
 - The development does not make clear how it will protect the pond and the surrounding area
 - Cutting down an oak tree is unjust and unnecessary
 - Management of the Wildlife Corridor should include existing residents of Monks Gate, not just the new residents
 - Concerns that the nature reserve area is not being properly protected for community use – the land should be transferred to the parish council to be managed
 - Developer has not engaged with the local community

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

Introduction

- 6.1 This is an application for approval of reserved matters pursuant to outline planning permission DC/15/1946 for 10 dwellings. As such, the principle of development has already been considered acceptable and consideration is now limited to whether the reserved matters of layout, scale, appearance and landscaping are acceptable.

Layout

- 6.2 The reserved matters application, as originally submitted, was in conformity with the indicative site layout submitted at outline stage. As was previously acknowledged at outline stage, the development is unable to replicate the road-fronting development which characterises Monks Gate due to the site's location setback from Nuthurst Road. Notwithstanding this, the proposed layout does reflect the linear form of development which is prevalent in the settlement.
- 6.3 Policy 5 of the Nuthurst Parish Neighbourhood Plan allocates the site, plus the paddock to the east, for residential development, and the explanatory text of the Policy at paragraph 4.23 advises that between 9 and 12 dwellings are expected to come forward on the site as a whole. The outline application and this reserved matters application does not include the entirety of the land allocated in the Nuthurst Parish Neighbourhood Plan, with a paddock at the eastern end of the site being retained by the applicant. The proposed layout shows a cul-de-sac arrangement which terminates close to the boundary with the retained paddock. The layout of the site allows for access into the remainder of the allocated site so that it does not become sterilised. Therefore, the development of only part of the site allocation has not prejudiced the remainder of the site coming forward for development at a later date. This aspect of the scheme is considered to be acceptable.

Scale

- 6.4 In terms of design and appearance, the proposal incorporates a mix of one and two storey housing types which add interest to the development. Some concerns were originally raised in relation to the scale and bulk of the proposed dwellings which did not reflect existing nearby dwellings. In response to these concerns, the applicant has since submitted amended plans which have significantly reduced their scale and bulk to be more in line with the local surroundings.
- 6.5 In addition, concerns have been raised at both outline and reserved matters stage in relation to the potential landscape impact of siting two storey dwellings along the western boundary of the site adjoining the existing public footpath. As such, the Applicant has subsequently submitted amended plans which have sought to address this issue. These plans show a revised layout which still includes a two storey house adjacent to the footpath, but of a slightly smaller scale and lower height than other two storey dwellings within the development. Whilst the siting of the bungalows adjacent to the footpath would in this instance be the preferred option, the Applicant has advised that their submitted layout incorporates bungalows at plots 5 and 6 to reduce the apparent scale of the development when viewed through the new access from Nuthurst Road. The proposed amendments have taken into consideration the potential for landscaping impacts along the western boundary and have proposed measures which will help mitigate this impact. Therefore, the scale is considered to be acceptable.

Appearance

- 6.6 In terms of appearance, the proposed design is broadly in keeping with the character and appearance of dwellings which are already located within Monks Gate and the wider Horsham area. The proposed dwellings generally meet the requirements of the Nuthurst Parish Design Statement; they are brick built and finished with either tile hanging or weatherboarding. Plots 5-10 also have an internal or free standing brick built garage. The general form and appearance of the dwellings as proposed is considered to be acceptable however, a condition is recommended which requires the applicant to submit details of the proposed materials to the council for approval before works can commence on site.

Landscaping

- 6.7 The site is located in the open countryside and is visible in the wider landscape from the public footpath to the south which rises to higher ground than the site. To the north of the site is an area of land which is not included in the red edge of the application site, which is to be retained as a nature reserve and also act as a buffer between the proposed development and the Nuthurst Road (as required by Policy 5 of the Nuthurst Parish Neighbourhood Plan and secured through the outline application section 106 agreement). The Applicant has submitted a Landscape Management Statement, Landscape Performance Specification and Tree and Landscape report as part of this application.
- 6.8 In reviewing the scheme, a number of matters were considered which require clarification and amendment. These include concerns over proposed planting, ensuring co-ordination with underground services and proposed planting, concerns relating to the proposed use of boundary treatments of an inappropriately urban appearance (such as close boarded fencing) and the need to submit hard landscaping details. Further information should also be provided in relation to the Landscape Management Statement. These however, are planning concerns which have already been secured through condition as part of the outline permission (condition 7 requires approval of boundary treatments, condition 20 requires approval of hard and soft landscaping and condition 22 requires approval of a landscape maintenance plan). In addition, it was also requested that access to the existing footpath from the development should be provided. The Applicant has since produced a revised plan which shows access from the development, through the existing gate, to the footpath. Therefore, Officers are therefore satisfied that appropriate landscaping can come forward through the existing landscaping and boundary treatment conditions.

Conservation and Heritage

- 6.9 The heritage concerns that have been raised relate primarily to the urbanising effect that development could have and in particular, for the potential of plots 1-2 to be viewed from Brighton Road, between Cherrington Cottage and Southlands. It has been suggested that these plots should be single storey in height and positioned to preserve the glimpse view from Brighton Road. This includes implementing boundary treatment which is sympathetic to the rural character of the area (post and rail timber fencing and hedgerow) and implementing sufficient landscaping and buffering to maintain the contained feel of the site and effectively screen the development from view.
- 6.10 It is acknowledged that the development will result in a significant change in the character of this site, and therefore of the wider setting of a number of heritage assets. However, the explanatory text following the allocation Policy 5 in the Nuthurst Parish Neighbourhood Plan, anticipates up to 12 dwellings of up to two storeys in height. The proposed development has now been reduced in both scale and bulk. Plots 1 and 2 were originally proposed with heights in excess of 9.4m however, through revisions these dwellings have been lowered to 8.2m and the roof forms amended to allow for a more spacious appearance. The scale and bulk of the plots have therefore been considerably lowered. Whilst the heritage concerns are noted it is nevertheless considered through these

revisions and the existing landscaping conditions on the outline application, that the limited harm arising from the siting of two storey dwellings on plots 1-2 is outweighed by the benefits arising from the delivery of new dwellings in accordance with an allocation in a made Neighbourhood Plan.

Amenity

- 6.11 Policy 33 of the HDPF requires development to be designed to avoid unacceptable harm to the amenity of occupiers/ users of nearby property and land. In addition, criterion (ii) of the Nuthurst Parish Neighbourhood Plan allocation requires the layout to be sympathetic to nearby houses and establish a clear and defensible boundary along the southern edge of the site.
- 6.12 The closest neighbouring properties are Southlands Cottages, Corner House and Cherrington Cottage which are located to the north east of the site, behind plots 1-4. The proposed dwellings are located some distance from the existing dwellings with a strip of undeveloped land outside of the application site separating the proposed residential gardens from the adjoining existing gardens. To the north west of the site there is another dwelling (Cloisters) however, there is sufficient separation (approximately 30m) between the closest proposed dwelling and the existing dwelling to prevent any material harm to the amenity of occupiers of this neighbouring dwelling. In terms of impact on the amenity of footpath users, whilst it is acknowledged that the development will be visible from the footpath; this is considered to be limited in the context of the routes wider setting, given the close relationship of the site with the existing developed area of Monks Gate. In addition, the landscaping and boundary treatment conditions on the outline application will aid in mitigating the visual impact of the new development. As such, it is considered that the proposed development would not appear visually overbearing or have an adverse impact upon the amenities of the occupiers of these neighbouring dwellings or users of the nearby land.
- 6.13 In terms of provision for future residents, the layout demonstrates that the scheme provides suitable gardens for each dwelling and does not result in overlooking or overbearing appearances within the layout. As such, no concerns are raised in respect of amenity.

Affordable Housing and Housing Mix

- 6.14 Criterion (i) of the Nuthurst Parish Neighbourhood Plan allocation requires the scheme to comprise a mix of 1 to 4 bedroom houses. The proposed housing mix is in conformity with the indicative mix submitted with the outline application. It is proposed as follows:
- 4 x 4 bedroom detached houses
 - 2 x 3 bedroom detached bungalows
 - 1 x 2 bedroom semi-detached house
 - 3 x 3 bedroom semi-detached houses
- 6.15 This is in broad conformity the Nuthurst Parish Neighbourhood Plan (Policy 5 at paragraph 4.2) which seeks a scheme that comprises a mix of 1-4 bedroom houses. Whilst it is acknowledged that no 1 bedroom houses are proposed, a mix of houses between 2 and 4 bedrooms has been proposed, with the majority comprising of 3 bedroom dwellings. As such, the proposed housing mix is in line with the findings of the Crawley Borough Council and Horsham District Council Housing Mix Report (published in November 2016), which recommends the future market mix for Horsham's rural areas and smaller towns be made up of 35% of 3 bed dwellings. Comparatively, in terms of 1 bedroom dwellings, only 15% of dwellings are recommended. In addition, the mix of two storey dwellings and bungalows broadly reflects the varying character of the local area and the mix of surrounding properties. As such, it is considered that the housing mix proposed is adequate for the proposed location and in light of the size of this development.

- 6.16 In terms of affordable housing, the outline planning permission was subject to a Legal Agreement requiring the developer to provide 4 affordable housing units on site, or to provide a commuted sum calculated in accordance with HDC's Draft Affordable Housing Supplementary Planning Document (SPD) (or other guidance superseding it), i.e. £280 per square metre. In accordance with the requirements of the Section 106, the developer duly notified the council that they have been unable to find a Registered Provider to take on the four affordable units. Since submitting this notification, the Council has not proposed any alternative Registered Providers and as such, in consultation with Housing, it considered that a financial contribution towards off-site provision of affordable housing is acceptable in this instance.

Parking and Highways

- 6.17 Access to the site from Nuthurst Road was previously approved under the outline permission and as such only the internal layout and parking will be considered as part of this application.
- 6.18 An internal layout which allows each dwelling to have 2 car parking spaces has been proposed. These are provided on hardsurfacing for plots 1-4, while plots 5-10 also have garages. This application has been reviewed by West Sussex County Council Highways who raised some concerns in relation to the proposed internal footways, the ability of service vehicles to navigate the site and the need to provide a link from the development to the existing footpath. The Applicant has since provided revised plans which have considered these concerns. The footpath has been extended to the north and east of the site and a link provided to the west of the site from the development to the existing footpath. In addition, the outline permission requires the Applicant to submit details relating to car parking to the council for approval. No concerns are therefore raised in relation to parking and highways.

Other Matters

- 6.19 The outline permission has already secured through condition a number of additional details to be submitted and approved by the Local Planning Authority. As such, the applicant has confirmed that rather than submitting these details as part of the Reserved Matters application, the details will be submitted pursuant to the relevant conditions. The Planning Service however has the following comments in relation to these matters:

Biodiversity and Trees

- 6.20 As part of this application, the Applicant has also submitted an Ecological Survey Report, Ecological Mitigation and Management Plan and Reptile Survey Report. Details of ecology have previously been addressed through an application for approval of details pursuant to condition 23 on DC/15/1946 (under reference DISC/17/0078). In reviewing the scheme, HDC's consultant ecologist requested that further details were submitted in relation to tree T10 which was shown to be removed. In response, the Applicant has submitted amended plans which now show this tree to be retained. As such, HDC's consultant ecologist is now satisfied that the ecology of the site has been appropriately considered.

Flooding and Drainage

- 6.21 Criteria (v) and (vi) of the Nuthurst Parish Neighbourhood Plan requires the scheme to make satisfactory provision for managing sewage treatment and mitigating localised flooding. The comments made by Nuthurst Parish Council, Monks Gate Residents Association and through written representations in respect of existing flooding and drainage problems in the area are noted. The Council cannot however require a developer to rectify an existing off-site problem. Where flooding is an issue, it should be demonstrated

that the proposal would not make any existing problem worse. As such, the application is accompanied by a Flood Risk Assessment and Drainage Statement which sets out a drainage strategy for the site. In this case, Southern Water, the Council's Drainage Officers and the Lead Local Flood Authority have raised no objections to the proposed drainage strategy. In addition, appropriate drainage conditions were previously applied at outline stage which require the applicant to submit the detailed design of the scheme to the Council for approval before works can commence on site. As such, it is considered possible and appropriate for an acceptable means of managing surface water and foul drainage to come forward through the existing conditions applied to the outline application condition.

Conclusion

- 6.22 This is an application for approval of reserved matters pursuant to outline planning permission DC/15/1946. As such, the principle of development has already been considered acceptable and only the reserved matters of layout, scale, appearance and landscaping are for consideration now. As outlined above, the scheme has an acceptable layout, scale and appearance and that concerns relating to landscaping can be addressed through pre-existing conditions. The scheme is therefore considered to comply with the above – mentioned planning policies and it is recommended that this scheme is approved.

7. RECOMMENDATIONS

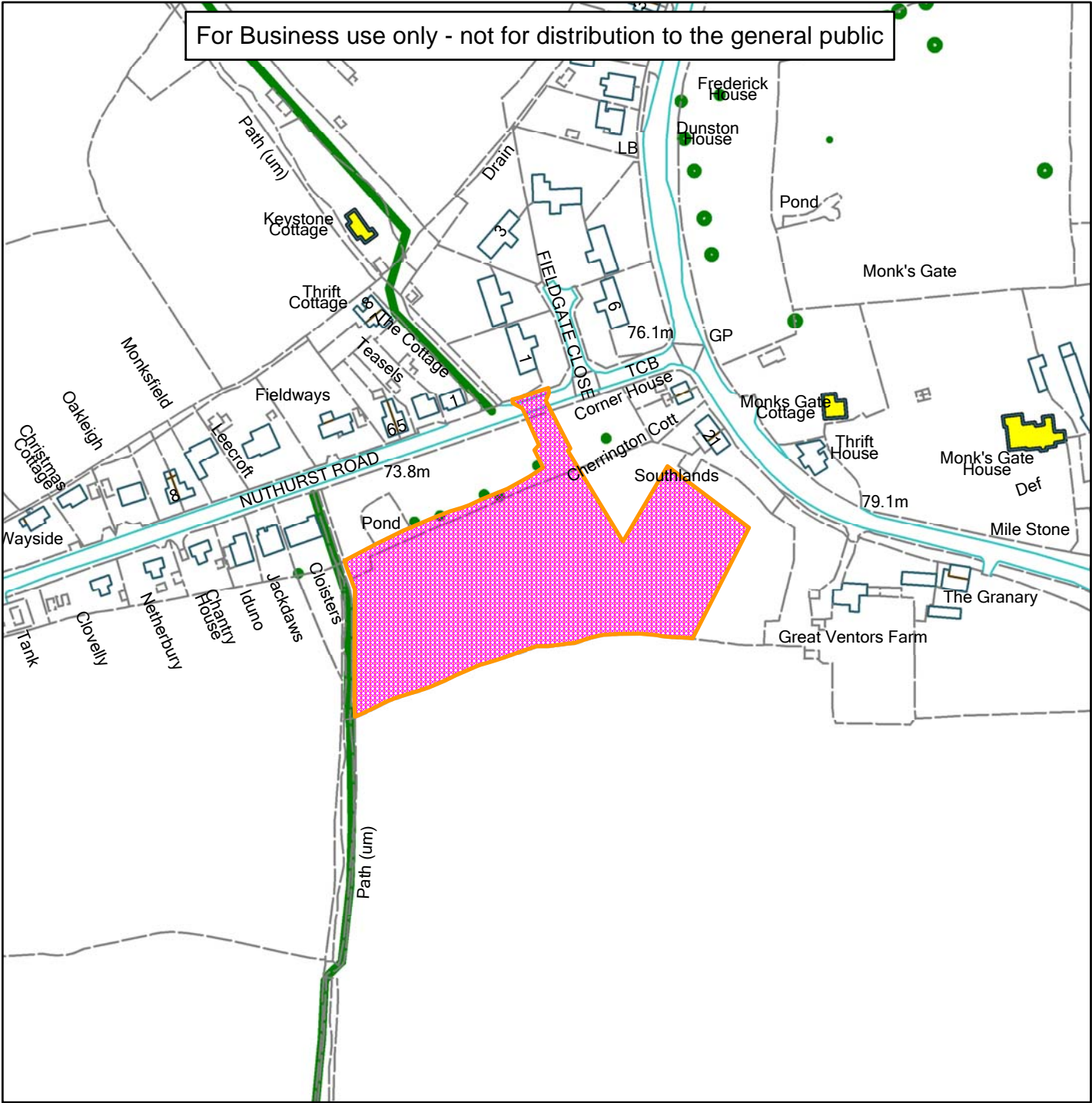
To permit the application subject to the following conditions:

1. A condition listing the approved plans
2. No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the approved landscaping scheme and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.
Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).
3. Pre-commencement condition (slab-level): No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.
Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).
4. Pre-occupation condition: Prior to the initial occupation of the development hereby permitted, the pedestrian link from the site to the adjacent public right of way Footpath 1718 as shown on drawing number 048-02-02, received by the Local Planning Authority on 30th May 2017 shall be constructed and shall thereafter remain in place.
Reason: In order to provide suitable connections to the local public rights of way network in the interests of sustainable travel choices and in the interests of the amenity of future occupiers in accordance with Policies 32, 33 and 40 of the Horsham District Planning Framework (2015).

5. Pre-occupation condition: The development hereby permitted shall not be occupied until the first floor side window(s) on Plots 7, 8, 9 and 10 on Plan 048-02-02 Rev A (received 30.05.2017) have been fitted with obscured glazing. Once installed the obscured glazing shall be retained permanently thereafter.
Reason: To protect the privacy of the approved dwellings in accordance with Policy 33 of the Horsham District Planning Framework (2015).
6. Regulatory Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed on the side elevations of plots 2, 3, 7, 8, 9, and 10 of the development without express planning consent from the Local Planning Authority first being obtained.
Reason: To protect the amenities of adjoining residential properties from loss of privacy and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
7. 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 dormer windows or other roof extensions shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.
Reason: In the interest of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).
8. Regulatory Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no gates, walls or fences shall be erected, constructed or placed along the southern boundary of the site, western boundary of the site or forward of the principal elevations of any dwelling within the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.
Reason: In the interest of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers:

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Organisation	Horsham District Council
Department	
Comments	
Date	22/06/2017
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 July 2017

DEVELOPMENT: Non material amendment to DC/16/1844 to extend the footprint of the building by 1m and make minor elevational and landscape changes.

SITE: Broadbridge Heath Leisure Centre Wickhurst Lane Broadbridge Heath

WARD: Broadbridge Heath

APPLICATION: DC/17/1285

APPLICANT: Horsham District Council

REASON FOR INCLUSION ON THE AGENDA: The application is made by the Council

RECOMMENDATION: To approve the amendments as non-material to planning permission DC/16/1844

1. THE PURPOSE OF THIS REPORT

1.1 To consider the proposed non-material amendments to planning permission DC/16/1844.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks amendments to full planning permission DC/16/1844 for the following elements:

- Increase building footprint by 1m to the north- total additional 27sqm of floorspace.
- Reduction of internal ground floor ceiling height by 0.5m with associated external alteration to increase the base of the first floor cladding.
- Removal of roof level rooflight screening and lowering of rooflights
- Removal of shallow northern and eastern angled oversail detail
- Minor alterations to the car park layout to increase capacity by one to 175 vehicles, access paths and soft landscaped areas

DESCRIPTION OF THE SITE

1.3 The application site lies within the built-up area of Broadbridge Heath and comprises the existing Broadbridge Heath Leisure Centre and land adjacent. The site is bounded to the east by the Indoor Bowls Club, to the south by sports pitches and to the west by housing development at Wickhurst Green. Broadbridge Heath Tesco and car park sits to the north alongside the main site access.

1.4 A group of trees covered by Tree Preservation Order trees sits along the southern boundary.

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:

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 4 (Strategic Policy: Settlement Expansion)
Policy 24 (Strategic Policy: Environmental Protection)
Policy 31 (Green Infrastructure and Biodiversity)
Policy 32 (Strategic Policy: The Quality of New Development)
Policy 33 (Development Principles)
Policy 35 (Strategic Policy: Climate Change)
Policy 37 (Sustainable Construction)
Policy 38 (Strategic Policy: Flooding)
Policy 39 (Strategic Policy: Infrastructure Provision)
Policy 40 (Sustainable Transport)
Policy 41 (Parking)
Policy 42 (Strategic Policy: Inclusive Communities)
Policy 43 (Community Facilities, Leisure and Recreation)

RELEVANT NEIGHBOURHOOD PLAN

None

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1844	Demolition of existing leisure centre and associated facilities, demolition of existing Bowls Club canopy and existing external sports pitches. Erection of new 2- storey leisure centre with associated parking, landscaping and facilities	Application Permitted on 15.11.2016
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3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

None

OUTSIDE AGENCIES

None

PUBLIC CONSULTATIONS

None

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 issue is whether the nature of the amendments falls to be considered as non-material under S96A of the Town and Country Planning Act 1990. The Planning Practice Guidance (PPG) advises that:

'There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application.'

- 6.2 In considering what a local planning authority should take into account when making its decision, the PPG further advises that:

'The local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.'

- 6.3 Although increasing the footprint by 27sqm by extending the building 1m further to the north, in the context of the overall scale of the building (63m by 46m) this alteration would not be perceptible and is not considered to materially impact on the appearance of the building or its wider impact. Likewise the alterations to the building's external appearance and hard and soft landscaped areas are very minor in nature and do not materially change the appearance of the building and site from that approved. In any case final details of the landscaping are reserved by condition 4 of the planning consent for separate agreement.
- 6.4 The amendments are therefore considered non-material under S96A of the Act and as such would not require the submission of an application for, or the grant of, a further planning permission.

7. RECOMMENDATIONS

- 7.1 To grant the amendments as non-material to planning permission DC/16/1844.

Conditions:

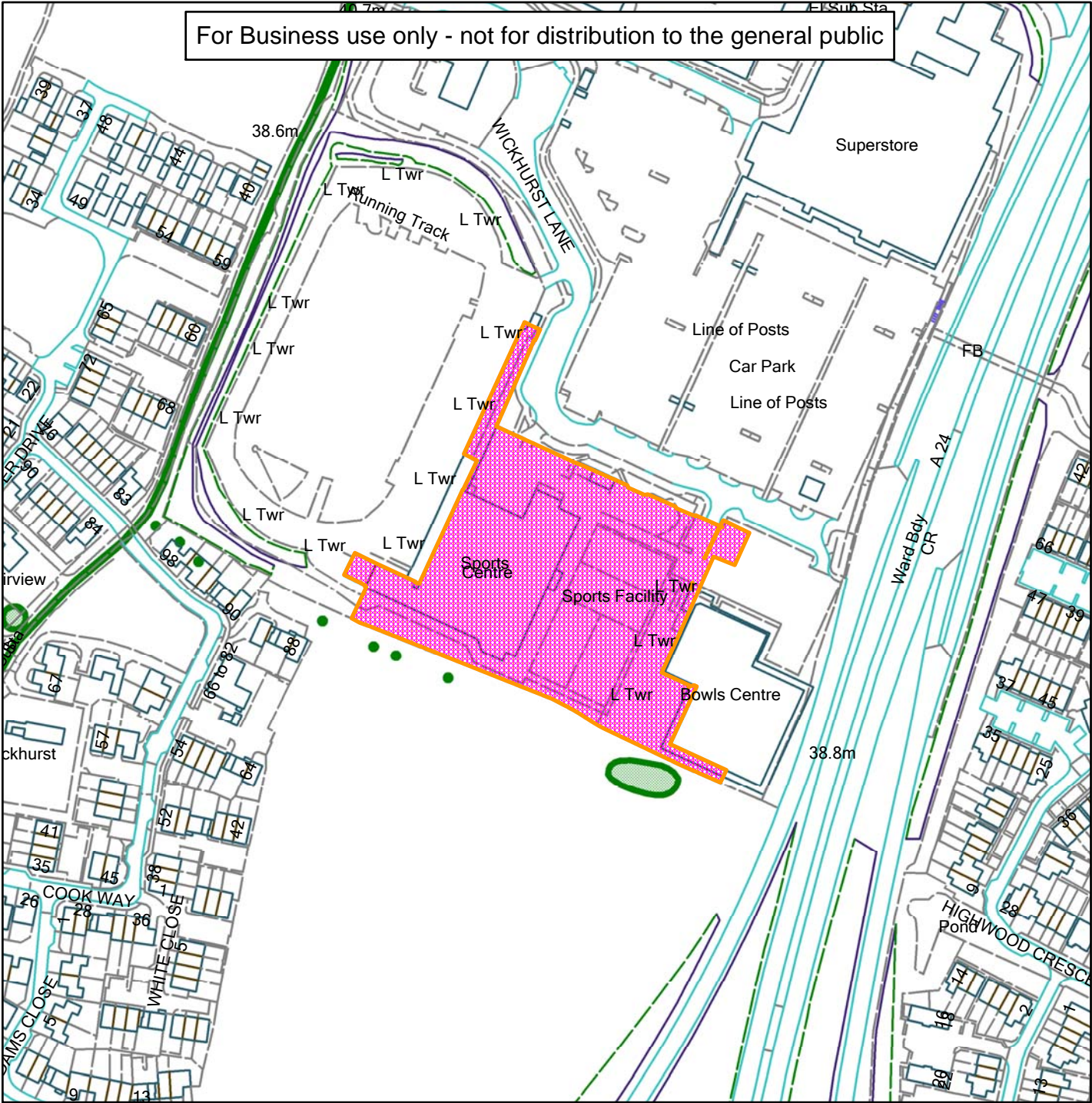
None

NOTE TO APPLICANT

1. The applicant is reminded that the conditions of planning permission DC/16/1844 remain valid and the development must be completed in accordance with their requirements.

Background Papers: DC/17/1285 & DC/16/1844

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Organisation	Horsham District Council
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Comments	
Date	22/06/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 4 July 2017

DEVELOPMENT: Non material amendment to DC/16/1263 to amend the position and size of the MUGAs and the footpath access

SITE: Land South of Broadbridge Heath Leisure Centre Wickhurst Lane
Broadbridge Heath Horsham RH12 3YS

WARD: Broadbridge Heath

APPLICATION: DC/17/1286

APPLICANT: Mr Brian Elliott, on behalf of Horsham District Council

REASON FOR INCLUSION ON THE AGENDA: The proposed amendment relates to an approved planning application made by this Council

RECOMMENDATION: To approve the amendments as non-material to planning permission DC/16/1263

1. THE PURPOSE OF THIS REPORT

1.1 To consider the proposal.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks amendments to full planning permission DC/16/1263 (which permitted the development of 5 Multi Use Games Areas [MUGAs] and ancillary facilities) for the following elements:
- Reduction in length and width of one the five MUGAs and the re-positioning of all five MUGAs to the west. The supporting statement advises the shortening of one of the MUGAs is required to avoid impacting on the root protection area to the trees covered by a Tree Preservation Order (TPO) adjacent
 - Re-positioning and widening of the access footpath from the Leisure Centre to the north
- 1.3 The submitted plans also alter the finished levels of the development relative to datum, but with the relationship with the existing and adjacent ground levels remaining the same as approved.
- 1.4 As a result of the Applicant's discussions with the relevant end users of the MUGAs, the application was amended following submission to reduce the length of one of the MUGAs by 2m as opposed to all five by 2m as initially proposed.

DESCRIPTION OF THE SITE

- 1.5 The site forms part of a larger parcel of open space situated to the south of the Horsham District Indoor Bowls Club and lies inside the settlement boundary. It is bounded to the east by the slip road from the A24, to the west and south by wider sports pitch land associated with the adjacent Wickhurst Green housing development, and to the north by the boundary with the Bowls Club. Broadbridge Heath Leisure Centre and associated MUGAs sits adjacent to the west of the Bowls Club. Beyond the sports pitches to the west is a large housing development at Wickhurst Green which is currently under construction. Beyond the Bowls Club to the north lies the Broadbridge Heath Tesco and car park. Wire fencing runs along the northern boundary of the site, demarcating the site with the Bowls Club and Leisure Centre facilities.
- 1.6 A group of TPO trees sits along the northern boundary with the Bowls Club and adjacent Leisure Centre MUGAs.

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:

National Planning Policy Framework 2012

Horsham District Planning Framework (HDPF 2015)

HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF24 - Strategic Policy: Environmental Protection
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF35 - Strategic Policy: Climate Change
HDPF36 - Strategic Policy: Appropriate Energy Use
HDPF37 - Sustainable Construction
HDPF40 - Sustainable Transport
HDPF41 - Parking
HDPF42 - Strategic Policy: Inclusive Communities
HDPF43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

None

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1263	Development of 5no MUGA playing pitches with associated floodlights, fencing and access footpath on open land south of Broadbridge Heath Leisure Centre.	Application Permitted on 07.09.2016
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3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

None

OUTSIDE AGENCIES

None

PUBLIC CONSULTATIONS

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

- The proposal is not non-material
- The proposed modification to reduce the scale of the MUGA provision is potentially in breach of NPPF 74 & also HDPF 43 which seeks to ensure 'equivalent or better' re-provision. Shorter & non Sport England Standard provision is (in our view) clearly not therefore the changes should not be considered as being 'non-material'.
- The revision to keep 4 of the 5 MUGAs at the approved size (37m x 18.5m) with the fifth reduced to 35m in length is encouraging however, given the 'equivalent or better' planning policy requirements there is a need to understand if this is completely unavoidable.
- It is not clear whether all options to keep the fifth MUGA at the Sport England standard size have been explored. If it is impossible to have the full size fifth MUGA this would be reluctantly accepted but conditional on user engagement in a thorough review of options.
- The s106 required 5 standard MUGAs
- The reduction to the MUGAs would destroy their purpose to allow for tennis
- Only one of the MUGAs should be reduced to accommodate the TPO trees, not all five

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 issue is whether the nature of the amendments falls to be considered as "non-material" under S96A of the Town and Country Planning Act 1990. The Planning Practice Guidance advises that:

'There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application.'

- 6.2 In considering what a local planning authority should take into account when making its decision, the PPG further advises that:

'The local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of

notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.'

- 6.3 NPPF74 sets out that *'existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless.. [amongst others]... the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.'* Policy 43 of the HDPF sets out that the loss of community facilities (which can include MUGAs) will be resisted unless *'an alternative facility of equivalent or better quality and scale to meet community needs is available, or will be provided at an equally accessible location within the vicinity.'*
- 6.4 The existing MUGA provision at Broadbridge Heath Leisure Centre comprises four tarmac areas each 36.6m by 18.3m totalling 2676sqm of MUGA provision. The replacement MUGAs granted planning permission under DC/16/1263 comprise five areas 37m by 18.5m of all-weather macadam porous polymeric surfacing totalling 3422.5sqm, an improvement in both area and quality.
- 6.3 In this instance, although one of the MUGAs would reduce by 2m in length, the size of the other four would remain as approved. The overall MUGA provision would remain both larger (at 3385.5sqm) and of better quality than the existing, with four of the five courts meeting the Sport England standard, the same quantum as existing. As such despite the small reduction to one of the courts, the overall MUGA provision would remain an improvement on the existing. As such this application does not result in policy conflict such that the proposed amendment should be considered material.
- 6.4 The alterations to the size and position of the MUGAs and footpath access would not appreciably alter the appearance of the site or its impact on the surrounding area, including the relationship with the adjacent A24 and to ensure no harmful impact on TPO trees.
- 6.5 The approved drawings also included annotated site levels. These have since been re-surveyed and the annotations updated to reflect the more accurate recent survey. The proposed site levels, both within and adjacent the site, remain as approved. As such, the correction of the annotated site levels on the drawings does not amount to a material change.
- 6.6 The amendments are therefore considered non-material and as such would not require the submission of an application for, or the grant of, a further planning permission.

7. RECOMMENDATIONS

- 7.1 To grant the amendments as non-material to planning permission DC/16/1263.

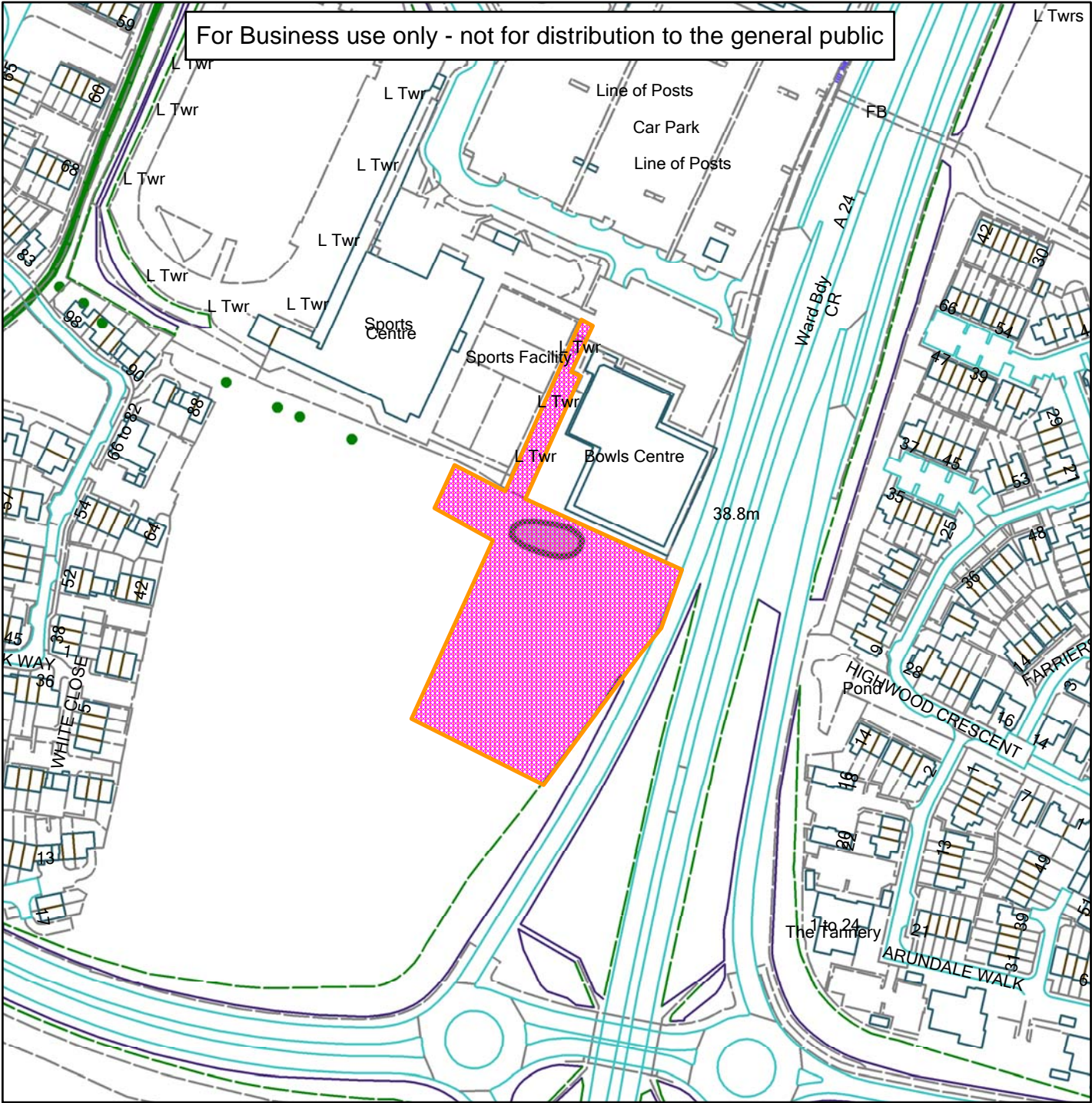
Conditions:

None required

NOTE TO APPLICANT

1. The applicant is reminded that the conditions of planning permission DC/16/1263 remain valid and the development must be completed in accordance with their requirements.

Background Papers: DC/17/1286 & DC/16/1263



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SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Head of Development
DATE: 04 July 2017
DEVELOPMENT: Erection of single storey rear extension with a glass link (Full Planning)
SITE: Old Lodge, Christs Hospital, Horsham, West Sussex, RH13 0LB
WARD: Southwater
APPLICATION: DC/17/0466
APPLICANT: Mr & Mrs Budgen

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

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for a single storey rear extension with glass link to the main building.
- 1.2 The proposed extension would measure to a width of 9.7m, and would extend to a total depth of 7.1m from the rear elevation of the dwelling. The proposal would incorporate a half-hipped roof extending to a height of 5m, slightly set down from the ridgeline of the main dwelling.
- 1.3 The main bulk of the proposed extension would be set back from the host dwelling, and connected by a glazed link to a depth of 2m. The proposal would be finished in timber cladding, with clay tiles to the roof.

DESCRIPTION OF THE SITE

- 1.4 The application site consists of a single storey Grade II Listed Building positioned to the north of Christs Hospital Road and west of Two Mile Ash Road.
- 1.5 The site lies in a relatively small plot that is bound by hedging and posit and rail fencing, with the amenity space to the rear built above the application dwelling.

- 1.6 Access is provided to the south-west, with gravel hardstanding positioned to the west of the dwelling.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework:**

NPPF7 - Requiring good design

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

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

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Southwater Neighbourhood Development Plan
- Designated (Regulation 7) – May 2016

- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/0617	Change of use of agricultural land within the curtilage of Old Lodge to residential use for the purposes of site access, parking and turning area	Application Permitted on 06.06.2014
DC/15/1667	Erection of a 2 bay oak frame garage (Householder application for Listed Building Consent)	Application Permitted on 02.12.2015

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Design & Conservation Advisor:** Objection on grounds of scale, massing, bulk, positioning and design, and the harm caused to the special historic and architectural interest of the Listed Building and its setting.

OUTSIDE AGENCIES

- 3.3 None.

PUBLIC CONSULTATIONS

- 3.4 **Parish Council:** Object, the proposal contravenes guidelines regarding the development of Grade II listed buildings.
- 3.5 12 letters of support have been received, and these can be summarised as follows:
- Proposal would conserve the building and make it suitable for modern living standards
 - Proposal is an interesting and thoughtful development
 - Sympathetic to the Listed Building
 - No impact upon 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

Principle of Development

- 6.1 Policy 33 of the Horsham District Planning Framework is the main policy against which proposals for extensions are considered. It requires that new development is of a high standard of design and layout having regard to its natural and built surroundings in terms of scale, density, height, massing, siting, orientation, views, character, materials and space between buildings. An extension should be locally distinctive in character and respect the character of the surrounding area. For this reason the proposed development is considered to be acceptable in principle subject to it meeting the requirement set out above.

Character and appearance

- 6.2 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings. In addition, policy 34 states that work to Listed Buildings should reinforce and make a positive contribution to the special character of the historic environment through appropriate siting, scale, form and design; including the use of traditional materials and techniques.
- 6.3 The significance of the Old Lodge is considered to be its architectural detailing and scale (including its size, height and massing) and the building form. The building is a quaint and modestly sized Lodge cottage of a stone material palette and distinctive built form. These elements are considered to be an intrinsic part of the building's significance, and contribute to a very particular and distinctive vernacular. In addition, the quaint stone building, sitting prominently on the corner of a heavily trafficked road, sits in the plot well, and the balanced composition of the building and 'neat' form is enhanced by the open space immediately surrounding the building.

- 6.4 The proposed extension would measure to a width of 9.7m, and would extend to a total depth of 7.1m from the rear elevation of the dwelling. The main bulk of the proposed extension would be set back from the host dwelling, and connected by a glazed link to a depth of 2m. The proposal would incorporate a half-hipped roof extending to a height of 5m, slightly set down from the ridgeline of the main dwelling. The proposal would be finished in timber cladding, with clay tiles to the roof.
- 6.5 Given the historic and architectural significance of the Listed Building, any proposed addition should be of an inspired design that does not compete or conflict with the parent building. Such common threads could include design, form, material palette, proportions, fenestration, and detailing; with these designed to harmonise with the host building. Any proposal should be recessive and low-key, and should seek to be subservient in form and function to the main Listed Building.
- 6.6 The proposed development is considered to be of a scale, bulk and visual massing that would compete and overwhelm the modest character of the dwelling. In particular, whilst the footprint of the extension is considered reasonable, the cumulative impact caused by the siting of the extension and its form, scale and massing is considered to result in a large and bulky addition that does not respond well to the principal building. The proposed extension, reflecting a Sussex Barn style, would not reflect the architectural integrity, historic evolution or setting of the Listed Building, and would appear as a physically and visually discordant addition that would compete with the host dwelling.
- 6.7 Although noted that the height of the proposed extension has been reduced, with the depth of the glazed link increased, the design and form of the proposal is considered to enhance the bulk and massing of the extension, resulting in an unbalanced addition whose proportions and appearance compete with the special and distinctive character of the parent building.
- 6.8 The proposed material palette, and in particular the use of timber cladding, is considered to take little reference from the principal building, which given its architectural significance, would not be contextually accurate. The use of timber cladding, coupled with the barn-style design, is therefore considered to visually compete with the distinctive character and vernacular of the dwelling. As a result, the proposed addition is considered to be of a proportion and form that would unbalance the dwelling, eroding the character, significance and interpretation of the distinctive built form.
- 6.9 The existing building functions as a home and there is not considered to be tangible public benefits of the scheme which would offset the potential harm to the heritage asset. The proposed extension which would sit awkwardly against the Listed Building would be a permanent and irreversible addition which would harm the special interest of Old Lodge.
- 6.10 Whilst amendments have been submitted, the proposed development is still considered to result in an incongruous and visually discordant addition that would be at odds with the principal building. In addition, the appearance, primarily determined by the material palette and detailing, is not considered to reflect or harmonise with the parent building. As such, the proposed extension is considered to result in harm to the special character, significance and setting of the Listed Building, and is not considered to relate sympathetically to the locally distinctive character of the building. Therefore, the proposal is considered to be contrary to Policies 32, 33 and 34 of the Horsham District Planning Framework (2015).

Impact on neighbouring amenity

- 6.11 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.12 Given the isolated nature of the site, the proposed development is not considered to materially harm the amenities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Conclusion

- 6.13 The proposed extension would physically and visually compete with the existing built form of the dwelling, and would detract from the architectural integrity and character of the Grade II Listed Building. The proposed addition is considered to be of a design, form and finish that would detract from the special interest and significance of the dwelling, in a manner that would not reflect the character and appearance, contrary to Policies 32, 33, and 34 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 To refuse the application for the following reason:

- 1 The proposed single storey extension would be of a design, scale, mass and bulk that would result in an unacceptable, permanent, and irreversible adverse impact upon the special character and distinctiveness of the Listed Building, resulting in an overtly large, disproportionate and visually discordant addition that would contribute to the incremental and cumulative erosion of the immediate setting of the cottage, contrary to policies 32, 33 and 34 of the Horsham District Planning Framework (2015).

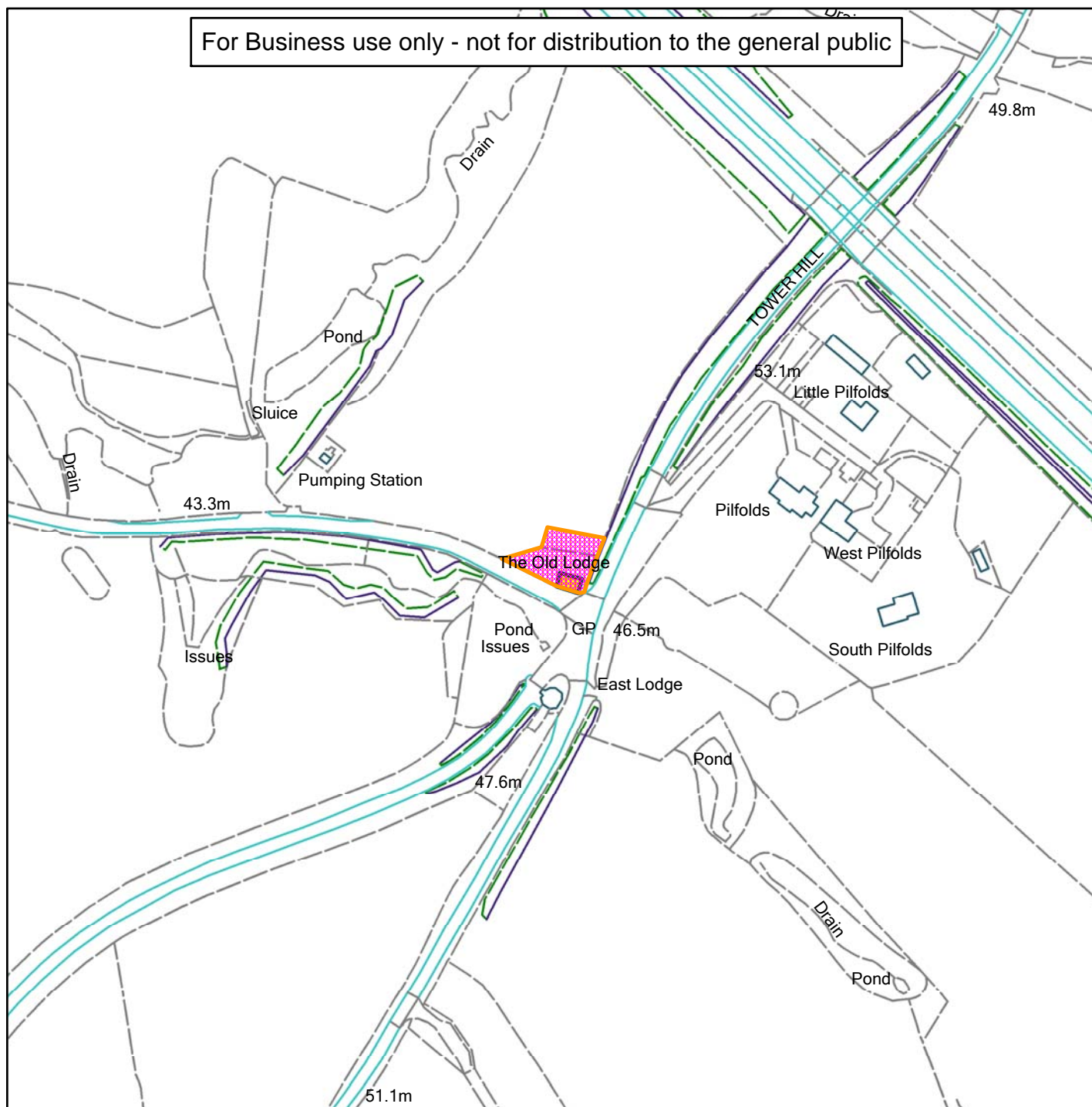
Background Papers: DC/17/0466
DC/17/0467

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Old Lodge, Christs Hospital

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 04 July 2017

DEVELOPMENT: Erection of a single storey rear extension with a glass link and removal of internal partition (Listed Building Consent)

SITE: Old Lodge, Christs Hospital, Horsham, West Sussex, RH13 0LB

WARD: Southwater

APPLICATION: DC/17/0467

APPLICANT: Mr & Mrs Budgen

REASON FOR INCLUSION ON THE AGENDA: At the discretion of the Head of Development

RECOMMENDATION: To refuse Listed Building Consent.

1. THE PURPOSE OF THIS REPORT

To consider the Listed Building Consent application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks Listed Building Consent for a single storey rear extension with glass link, and removal of internal partition.
- 1.2 The proposed extension would measure to a width of 9.7m, and would extend to a total depth of 7.1m from the rear elevation of the dwelling. The proposal would incorporate a half-hipped roof extending to a height of 5m, slightly set down from the ridgeline of the main dwelling.
- 1.3 The main bulk of the proposed extension would be set back from the host dwelling, and connected by a glazed link to a depth of 2m. The proposal would be finished in timber cladding, with clay tiles to the roof.
- 1.4 Internally, a partition between the bedroom and dining room would be removed as part of the proposal, with the retention of a nib adjacent to the fireplace.

DESCRIPTION OF THE SITE

- 1.5 The application site consists of a single storey Grade II Listed Building positioned to the north of Christs Hospital Road and west of Two Mile Ash Road.

- 1.6 The site lies in a relatively small plot that is bound by hedging and posit and rail fencing, with the amenity space to the rear built above the application dwelling.
- 1.7 Access is provided to the south-west, with gravel hardstanding positioned to the west of the dwelling.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework:**
 NPPF7 - Requiring good design
 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
 HDPF33 - Development Principles
 HDPF34 - Cultural and Heritage Assets

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Southwater Neighbourhood Development Plan
 - Designated (Regulation 7) – May 2016

- 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/15/1668	Erection of a 2 bay oak frame garage (Listed Building Consent)	Application Permitted on 02.12.2015
DC/14/0617	Change of use of agricultural land within the curtilage of Old Lodge to residential use for the purposes of site access, parking and turning area	Application Permitted on 06.06.2014

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Design & Conservation Advisor:** Objection on grounds of scale, massing, bulk, positioning and design, and the harm caused to the special historic and architectural interest of the Listed Building and its setting.

OUTSIDE AGENCIES

- 3.3 None.

PUBLIC CONSULTATIONS

- 3.4 **Parish Council:** Object, the proposal contravenes guidelines regarding the development of Grade II listed buildings.

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development

- 6.2 Policy 34 of the Horsham District Planning Framework is the main policy against which works to Listed Buildings are assessed. Development should reinforce the special character of the district's historic environment through appropriate siting, scale, form, and design, and should make a positive contribution to the character and distinctiveness of the area. In addition, development should preserve and ensure clear legibility of locally distinctive vernacular building forms and their setting, features, fabric and materials, and should seek to secure the viable and sustainable use of heritage assets through continued preservation by uses that are consistent with the significance of the heritage asset.

Special character of the Listed Building and its setting

- 6.3 Policy 34 states that work to Listed Buildings should reinforce and make a positive contribution to the special character of the historic environment through appropriate siting, scale, form and design; including the use of traditional materials and techniques.
- 6.4 The significance of the Old Lodge is considered to be its architectural detailing and scale (including its size, height and massing) and the building form. The building is a quaint and modestly sized Lodge cottage of a stone material palette and distinctive built form. These elements are considered to be an intrinsic part of the building's significance, and contribute to a very particular and distinctive vernacular.
- 6.5 The proposed extension would measure 9.7m in width, and would extend to a total depth of 7.1m from the rear elevation of the dwelling. The main bulk of the proposed extension would be set back from the host dwelling, and connected by a glazed link to a depth of 2m. The proposal would incorporate a half-hipped roof extending to a height of 5m, slightly set down from the ridgeline of the main dwelling. The proposal would be finished in timber cladding, with clay tiles to the roof.
- 6.6 Given the historic and architectural significance of the Listed Building, any proposed addition should be of an inspired design that does not compete or conflict with the parent

building. Such common threads could include design, form, material palette, proportions, fenestration, and detailing; with these designed to harmonise with the host building. Any proposal should be recessive and low-key, and should seek to be subservient in form and function to the main Listed Building.

- 6.7 The proposed development is considered to be of a scale, bulk and visual massing that would compete and overwhelm the modest character of the dwelling. In particular, whilst the footprint of the extension is considered reasonable, the cumulative impact caused by the siting of the extension and its form, scale and massing is considered to result in a large and bulky addition that does not respond well to the principal building. The proposed extension, reflecting a Sussex Barn style, would not reflect the architectural integrity, historic evolution or setting of the Listed Building, and would appear as a physically and visually discordant addition that would compete with the host dwelling.
- 6.8 Although noted that the height of the proposed extension has been reduced, with the depth of the glazed link increased, the design and form of the proposal is considered to enhance the bulk and massing of the extension, resulting in an unbalanced addition whose proportions and appearance compete with the special and distinctive character of the parent building.
- 6.9 The proposed material palette, and in particular the use of timber cladding, is considered to take little reference from the principal building, which given its architectural significance, would not be contextually accurate. The use of timber cladding, coupled with the barn-style design, is therefore considered to visually compete with the distinctive character and vernacular of the dwelling. As a result, the proposed addition is considered to be of a proportion and form that would unbalance the dwelling, eroding the character, significance and interpretation of the distinctive built form.
- 6.10 The existing building functions as a home and there is not considered to be tangible public benefits of the scheme which would offset the potential harm to the heritage asset. The proposed extension which would sit awkwardly against the Listed Building would be a permanent and irreversible addition which would harm the special interest of Old Lodge.
- 6.11 Whilst amendments have been submitted, the proposed development is still considered to result in an incongruous and visually discordant addition that would be at odds with the principal building. In addition, the appearance, primarily determined by the material palette and detailing, is not considered to reflect or harmonise with the parent building. As such, the proposed extension is likely to result in harm to the special character, significance and setting of the Listed Building, and is not considered to relate sympathetically to the locally distinctive character of the building. In this regard the proposal is considered to be contrary to Policy 34 of the Horsham District Planning Framework (2015).
- 6.12 Notwithstanding the above, internally, while the removal of an original partition would be regrettable the proposal allows for retention of a nib which would allow an interpretation of the historic plan layout. As such there is no objection to the internal alterations, which would accord with Policy 34 of the Horsham District Planning Framework (2015).

Conclusion

- 6.13 The proposed extension would physically and visually compete with the existing built form of the dwelling, and would detract from the architectural integrity and character of the Grade II Listed Building. The proposed addition is considered to be of a design, form and finish that would detract from, and be harmful to, the special interest, significance, character and appearance of the subject property; , contrary to Policy 34 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

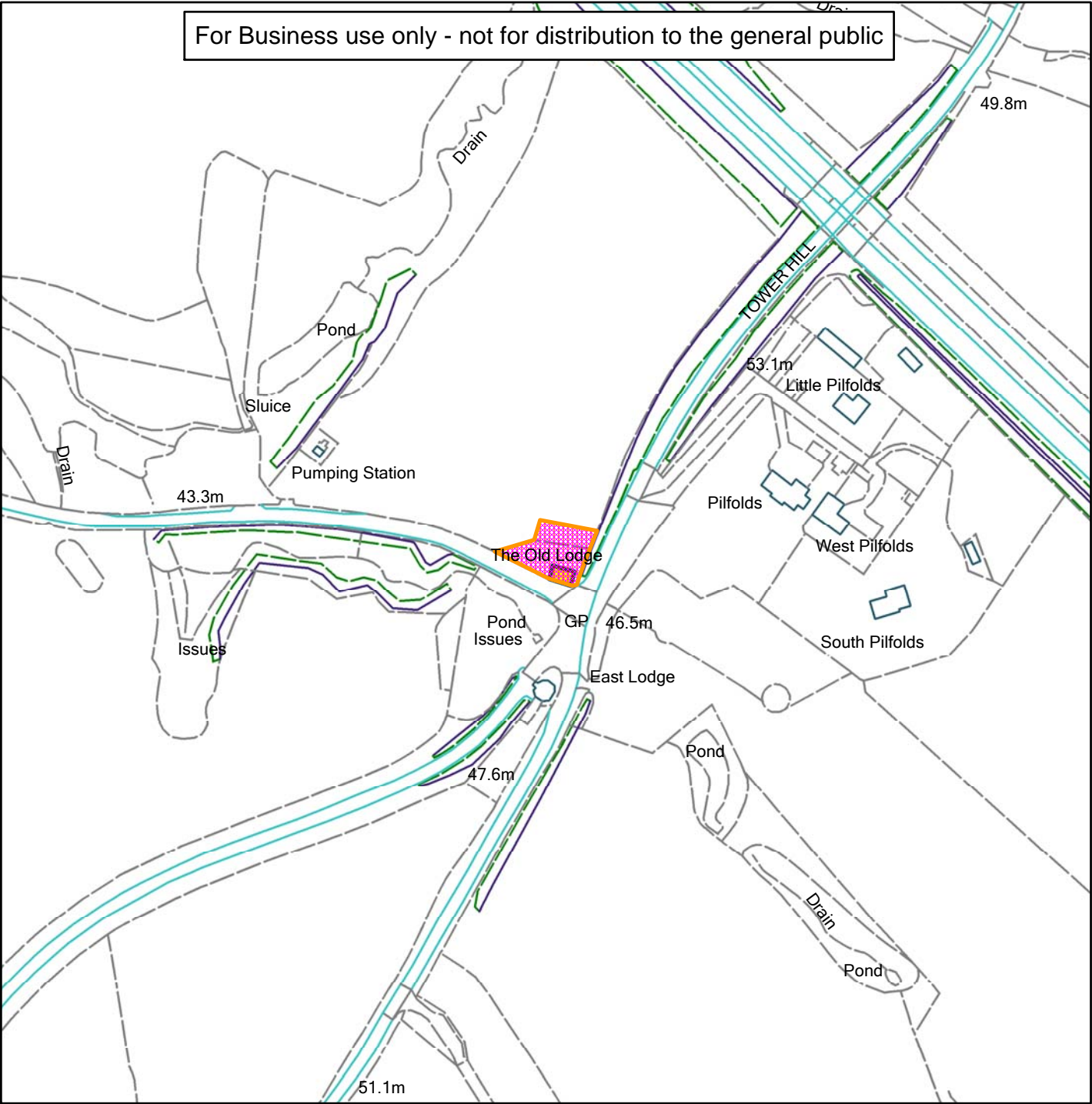
7.1 To refuse the application for the following reasons:

- 1 The proposed single storey extension would be of a design, scale, mass and bulk that would result in an unacceptable, permanent, and irreversible adverse impact upon the special character and distinctiveness of the Listed Building, resulting in an overtly large, disproportionate and visually discordant addition that would contribute to the incremental and cumulative erosion of the immediate setting of the cottage, contrary to policy 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/0467
DC/17/0466

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Date	22/06/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Head of Development
DATE: 4 July 2017
DEVELOPMENT: Approval of details reserved by condition 2 to planning permission DC/16/2568
SITE: Twigs Bashurst Hill Itchingfield Horsham, RH13 0NY
WARD: Itchingfield, Slinfold and Warnham
APPLICATION: DISC/17/0186
APPLICANT: Mr Duncan Jagger

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Youtan

RECOMMENDATION: To approve the details submitted in respect of condition 2 of DC/16/2568

1. THE PURPOSE OF THIS REPORT

1.1 To consider the submitted details.

DESCRIPTION OF THE APPLICATION

1.2 Members will recall that at the April 2017 meeting of the Planning Committee North, retrospective planning permission was granted for the tarmacking of an area of land to the front of Twigs. The application as originally submitted included an area measuring approximately 50sqm; however, following discussions with the Highway Authority this was reduced to approximately 18sqm.

1.3 The application was granted subject to the following condition:

- Within one month of the date of this permission, details outlining the removal of the tarmacked area and the restoration of the affected land to grass verge, as indicated on the approved site layout plan received 3 March 2017, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out within 2 months of the date of approval of the details and retained thereafter.*

Reason: In the interests of the visual amenity of the area in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

1.4 An application for approval of details reserved by condition 2 has now been submitted. The applicant has advised that following the grant of planning permission, a professional landscape contractor was employed to provide a specification in order to lay a grassed

area over the former tarmacked area. 150mm of topsoil was used and turf laid on the finished graded surface. The finished graded surface was provided with a slight incline up to the surrounding levels of the raised bank of the stream and a natural valley installed in the turf to take away any excess rainwater and prevent localised flooding and rainwater run-off onto the adopted highway. Organic matter was dug into the soil to add structure to the soil, improve its ability to retain moisture and nutrients and improve drainage.

DESCRIPTION OF THE SITE

- 1.5 The application site comprises a square-shaped residential plot, on which a two storey property has recently been constructed following the demolition of a bungalow that previously existed on the site. The plot is located on the west side of Bashurst Hill in a countryside location. Bashurst Hill is characterised by large detached dwellings set in very generous plots.
- 1.6 An area of land between a stream that runs to the front of the site and the highway and to the north of the existing vehicular crossover forms the site of this application.

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
 NPPF11 - Conserving and enhancing the natural environment
 NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 HDPF1 - Strategic Policy: Sustainable Development
 HDPF2 - Strategic Policy: Strategic Development
 HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
 HDPF26 - Strategic Policy: Countryside Protection
 HDPF32 - Strategic Policy: The Quality of New Development
 HDPF33 - Development Principles
 HDPF40 - Sustainable Transport
 HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Parish of Itchingfield was designated as a Neighbourhood Development Plan Area on 1 September 2015.
- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2568	Retrospective application for the tarmacking of existing hardstanding area between stream and highway to front of site	Application Permitted on 07.04.2017
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3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Landscape Officer** – No objection – specification provided is acceptable and the turf should fully establish. Suitable drainage measures have been put in place. The watering of the turf may be required in hot weather.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways** – No overriding concerns with the principle of the plans and details. The works on the public highway must be implemented under licence to a specification obtained from WSCC Highways.
- 3.4 **Itchingfield Parish Council** – *“...the verge must be returned to its natural state and not just have dirt put over the tarmac.”*

MEMBERS COMMENTS

- 3.5 **Councillor Youtan** – *“I think we should ensure as best we can that the grass verge is restored and not allow the applicants to ignore HDC.”*

PUBLIC CONSULTATIONS

- 3.6 6 representations (from 5 households) have been received which raise the following concerns:
- Members were advised at the meeting on 4 April 2017 that the applicant would be required to break up and remove the tarmac under the soil/grass
 - The submitted details and works undertaken do not comply with the requirements of the condition
 - Concerns in relation to drainage if the tarmac remains
 - Precedent for similar areas of tarmac on the highway verge

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 At its meeting on 4 April 2017, Members resolved to grant retrospective planning permission for the tarmacking of an area between the stream and highway to front of site subject to the following condition:

- *Within one month of the date of this permission, details outlining the removal of the tarmacked area and the restoration of the affected land to grass verge, as indicated on the approved site layout plan received 3 March 2017, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out within 2 months of the date of approval of the details and retained thereafter.*

Reason: In the interests of the visual amenity of the area in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

- 6.2 The applicant has advised that following the grant of planning permission, a professional landscape contractor was employed to provide a specification in order to lay a grassed area over the former tarmacked area. 150mm of topsoil was used and turf laid on the finished graded surface. The finished graded surface was provided with a slight incline up to the surrounding levels of the raised bank of the stream and a natural valley installed in the turf to take away any excess rainwater and prevent localised flooding and rainwater run-off onto the adopted highway. Organic matter was dug into the soil to add structure to the soil, improve its ability to retain moisture and nutrients and improve drainage.
- 6.3 The Local Highways Authority has advised that they have no overriding concerns with the principle of the plans and details submitted. They have however advised that the works are on the public highway and therefore must be implemented under licence to a specification obtained from WSCC Highways. The works require further consent from the Highway Authority and this is a separate, non-planning, matter which would not be a reason to oppose the discharge of the condition.
- 6.4 The Council's Landscape Officer has advised that *"The specification provided of 150mm topsoil is suitable for the requirements and the turf should successfully establish. I understand the tarmac has been left in situ but it's not clear if it has been broken up or if it was left completely impermeable. Nonetheless, suitable drainage measures have been put in place and the only slightly concern I have is that the area will dry out a lot quicker and therefore needs added attention (watering) during the hot weather."*
- 6.5 In terms of the character and appearance of the streetscene, the area in question appears as a grassed highway verge and the tarmacked area beneath is not visible. It is not therefore considered to be unacceptable in visual amenity terms. The Council's Landscape Officer has confirmed that suitable drainage provision has been incorporated into the verge and it is not therefore considered that the resultant tarmacked area beneath this area of the verge will result in flooding of the local highway.
- 6.6 Whilst the details as submitted do not strictly comply with all of the requirements of the condition attached to DC/16/2568 it is considered that the end result is the same in that the grass verge has now been restored and is acceptable in its appearance. The condition requires that the works are retained thereafter and as such the developer will need to ensure that the grass verge is maintained to an acceptable standard. In this regard the comments from the Landscape Officer are noted in that, as the tarmac has not been removed from underneath the grass verge; additional watering will be required during hotter weather.
- 6.7 Having regard to the above considerations, it is considered that this is now an acceptable form of development which complies with the NPPF and policies 32 and 33 of the HDPF.

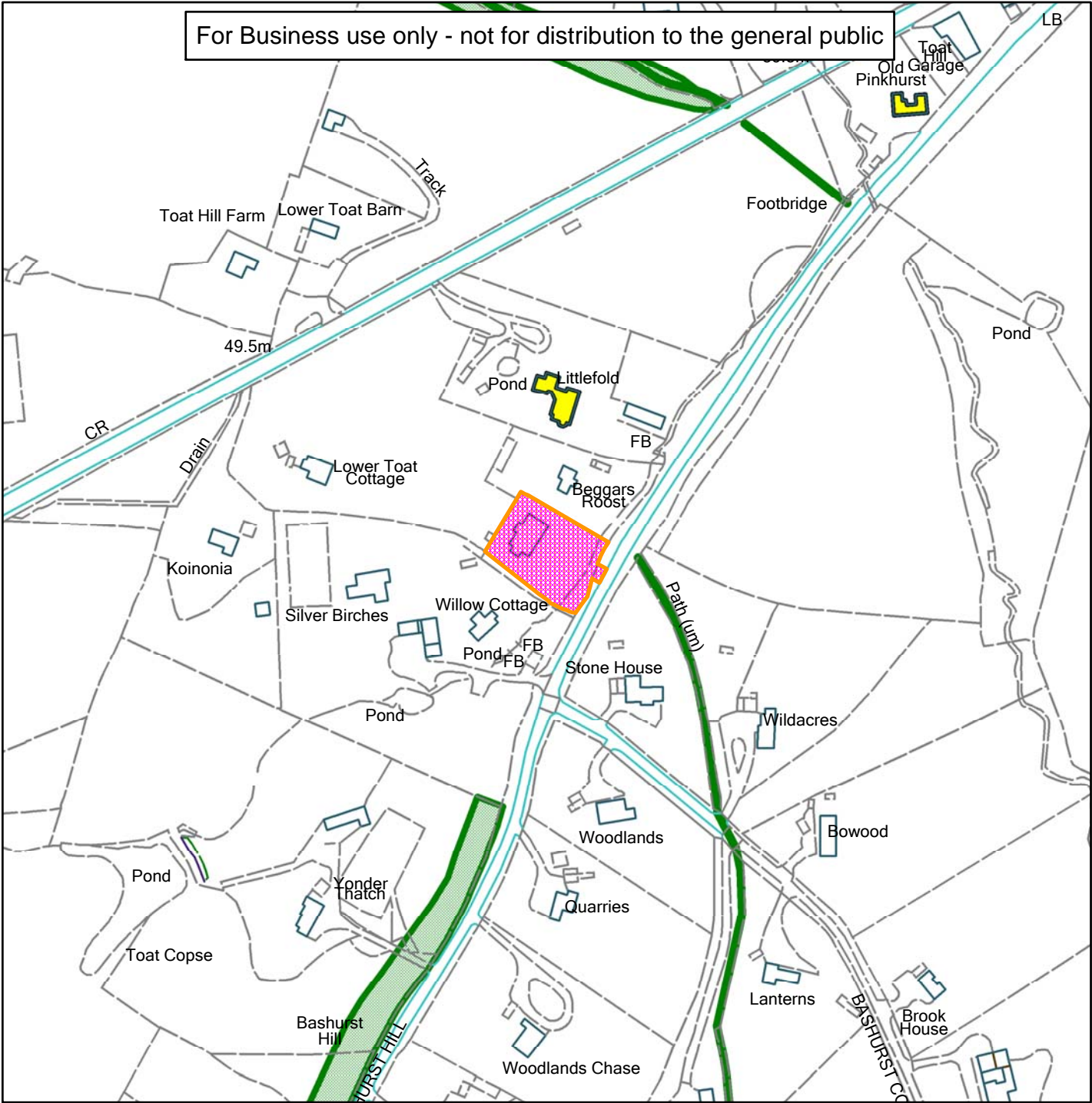
7. RECOMMENDATIONS

7.1 It is recommended that the submitted details be approved.

Background Papers: DISC/17/0186
DC/16/2568

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Twigs, Bashurst Hill



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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Head of Development
DATE: 4 July 2017
DEVELOPMENT: Proposed automatic truck wash and screening
SITE: Hop Oast Depot Worthing Road Horsham West Sussex RH13 0AR
WARD: Southwater
APPLICATION: DC/17/0788
APPLICANT: Horsham District Council

REASON FOR INCLUSION ON THE AGENDA: The applicant is Horsham District Council

RECOMMENDATION: Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for a proposed lorry wash system and open enclosure for cleaning of refuse vehicles in association with the existing use of the site as a refuse recycling depot for Horsham District Council. Waste water from vehicle wash is to be stored in underground tanks as per submitted drainage drawing. These are to be emptied periodically.
- 1.2 The lorry wash system would be located in the south west corner of the Hop Oast Depot site. The dimensions of the proposed enclosure are approximately 18m long x 7m wide x 6m high, the chassis wash pit itself is approximately 26m long x 6m wide. The proposed underground attenuation tank is approximately 10m long x 8.5m wide and 0.8m deep with a total volume capacity of 68 cubic metres. The existing septic tank is to be retained for the dispersal of foul waste from the building.
- 1.3 The proposed materials comprise a concrete base for lorry under wash system under a metal box profile sheeting roof and side walls, all polyester powder coated in dark grey to closely match the new depot building. All guttering will be metal dark grey to closely match new depot building.

DESCRIPTION OF THE SITE

- 1.4 The application site is located at the interception of the A24 Worthing Road and B2227 Hop Oast Roundabout between the current 'Park and Ride' facility to the north, the Household Waste recycling facility to the west and the Shell Petrol Station to the south.
- 1.5 The area surrounding the application site is largely industrial / commercial in nature with the nearest buildings being either warehouse or farm buildings. There are no residential properties within the immediate vicinity of the application site. The nearest residential properties are located approximately half a mile to the south of the site.
- 1.6 The site levels slope across the south east axis and there is a change in levels with the creation of a sharp incline to the north culminating on a soil bank. The site is enclosed along its external boundaries by trees and vegetation of varying heights and views through the site are therefore fairly limited. There is an 8m chain link fence around the perimeter of the site
- 1.7 Although located within the countryside outside of any defined built up area boundaries, the site is well located with regards to the strategic road network and the District of Horsham.
- 1.8 The Hop Oast development is located within 1km of Flood Zone 1 and the site is less than 1 hectare, as such a Flood Risk Assessment was not required with this application.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework:**
 - NPPF1 - Building a strong competitive economy
 - NPPF3 - Supporting a prosperous rural economy
 - NPPF7 - Requiring good design
 - NPPF11 - Conserving and enhancing the natural environment
 - NPPF14 - Presumption in favour of sustainable development
 - NPPF32 – Promoting Sustainable Development
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 - HDPF Policy 1 – Sustainable Development
 - HDPF Policy 2 – Strategic Development
 - HDPF Policy 7 – Economic Growth
 - HDPF Policy 9 – Employment Development
 - HDPF Policy 10 – Rural Economic Development
 - HDPF Policy 24 – Environmental Protection
 - HDPF Policy 25 – District Character and Natural Environment
 - HDPF Policy 26 – Countryside Protection
 - HDPF Policy 31 – Green Infrastructure and Biodiversity
 - HDPF Policy 32 – The Quality of New Development
 - HDPF Policy 33 – Development Principles
 - HDPF Policy 40 – Sustainable Transport
 - HDPF Policy 41 - Parking

2.3 RELEVANT NEIGHBOURHOOD PLAN

There is currently no Neighbourhood Plan for the Parish of Southwater.

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

HR/200/63	Proposed entrance road	Application Permitted on 13.12.1963
HR/200/73	Construct by-pass and associated works and improvements	Application Permitted on 10.08.1973
HR/121/85	Construction of civic amenity site	Application Permitted on 18.08.1986
DC/15/2814	The redevelopment of a waste recycling depot. The existing dated facilities are to be replaced with a new workshop building and adjoining single storey office facilities. The existing buildings are to be demolished once the new building is nearing completion so the depot can continue to function throughout the building works	Application Permitted on 20.05.2016
DC/16/1944	Variation of condition 1 of DC/15/2814 to alter floor levels, entrance and canopy	Application Permitted on 05.10.2016

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Environmental Health**: No comments.
- 3.3 **Property Services Drainage**: No comments.

OUTSIDE AGENCIES

- 3.4 **Southwater Parish Council**: Object as it is not screened sufficiently from the A24 and will be visible from the road. Consider repositioning further into the corner by trees and consideration of increasing screening from view.
- 3.5 **Southern Water**: Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The applicant is advised to discuss the matter with Southern Waters Trade Effluent Inspectors.
- 3.6 **WSCC Highways**: No objections.
- 3.7 **Environment Agency**: Any comments received to be advised orally at committee.

PUBLIC CONSULTATIONS

- 3.8 No representation letters have been received.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main considerations in the determination of this application are considered to be the visual and environmental impact of the proposed development, the effect on neighbouring occupiers and traffic/highway implications.
- 6.2 The application seeks planning permission for the erection of a lorry wash system and open enclosure for cleaning of refuse vehicles in association with the existing use of the site as a refuse recycling depot for Horsham District Council. The lorry wash structure would be located to the south west corner of the site at the far end of the parking bays for the refuse vehicles (as previously approved). The underground attenuation tank would be located to the north of the lorry wash structure.

Principle

- 6.3 The principle of the use of the site for refuse and recycling purposes in this countryside location is long established. A recent application under DC/15/2814 (as amended under DC/16/1944) for redevelopment and the erection of a new refuse and recycling vehicle depot building of dual height, comprising a single storey office with a larger attached commercial workshop of contemporary design has been implemented and the redevelopment is well under way. The lorry wash system is required as part of the overall upgrading of the refuse and recycling site and the need for more modern and improved associated apparatus in connection with the wider use of the site. It is considered that the use of the site for such purposes is therefore acceptable in this countryside location and the use of the land complies with Horsham District Planning Framework (HDPF) Policy 26, Countryside Protection.

Character and appearance

- 6.4 Policies 32 and 33 of the HDPF seek to ensure that development is of a high quality which makes efficient use of land and ensures that the scale, massing and appearance of development relates sympathetically with the built surroundings and is locally distinctive in character and represents the character of the surrounding area.
- 6.5 The lorry wash system would be located in the south west corner of the Hop Oast Depot to the north of the sub-station enclosed within a crash barrier as shown on plan. Details of the proposed lorry wash system have been submitted and it is advised that the dimensions of the proposed enclosure are approximately 18m in length x 7m wide x 6m high, the chassis wash pit itself is approximately 26m long x 6m wide. The proposed underground attenuation tank is approximately 10m long x 8.5m wide and 0.8m deep with a total volume capacity of 68 cubic metres. It is advised that the existing septic tank is to be retained for the dispersal of foul waste from the building.
- 6.6 The proposed materials comprise a concrete base for the lorry under wash system located under a metal box profile sheeting roof and side walls, all polyester powder coated in dark

grey to closely match the new depot building, with all guttering to be dark grey metal to closely match new depot building.

- 6.7 Views of the proposed lorry wash structure from the main A24 Worthing Road would be relatively well screened from the carriageway given the existing tree screen along the northern boundary of the site and its separation from the site by the intervening Petrol Station. It is considered that the further screening around the perimeter of the site would serve to reduce views on approach from the south and west of the site and would limit the visual impact of the proposed lorry wash. As a result it is considered that the proposal would not result in significant harm to the character and appearance of the area. A landscaping condition was previously imposed as part of the requirements of DC/15/2814 (and as amended under DC/16/1944) in order to mitigate against any adverse visual impact from the new Hop Oast Depot development, as such it is considered that a further landscaping condition is not required as part of the current application.

Impact on neighbouring amenity

- 6.8 There are no residential properties in the immediate vicinity of the application site. Therefore, the proposed lorry wash structure associated with the recycling and refuse facility would not result in any loss of private amenity.

Highways

- 6.9 The Local Highway Authority (LHA) has not raised any concerns with the proposed automatic truck wash facility or to the revised turning circle and vehicle tracking details. The proposals are not located in an area that would have an adverse effect on the public highway. The LHA have advised that they do not consider that the proposal would have a 'severe' impact on highway safety or be contrary to Paragraph 32 of the National Planning Policy Framework (NPPF). The proposal is therefore considered acceptable in transport terms.

Conclusion

- 6.10 It is considered that subject to a landscape condition the proposed automatic lorry wash facility is acceptable within the Hop Oast Refuse and Recycling site and it is recommended that planning permission be granted.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is 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.

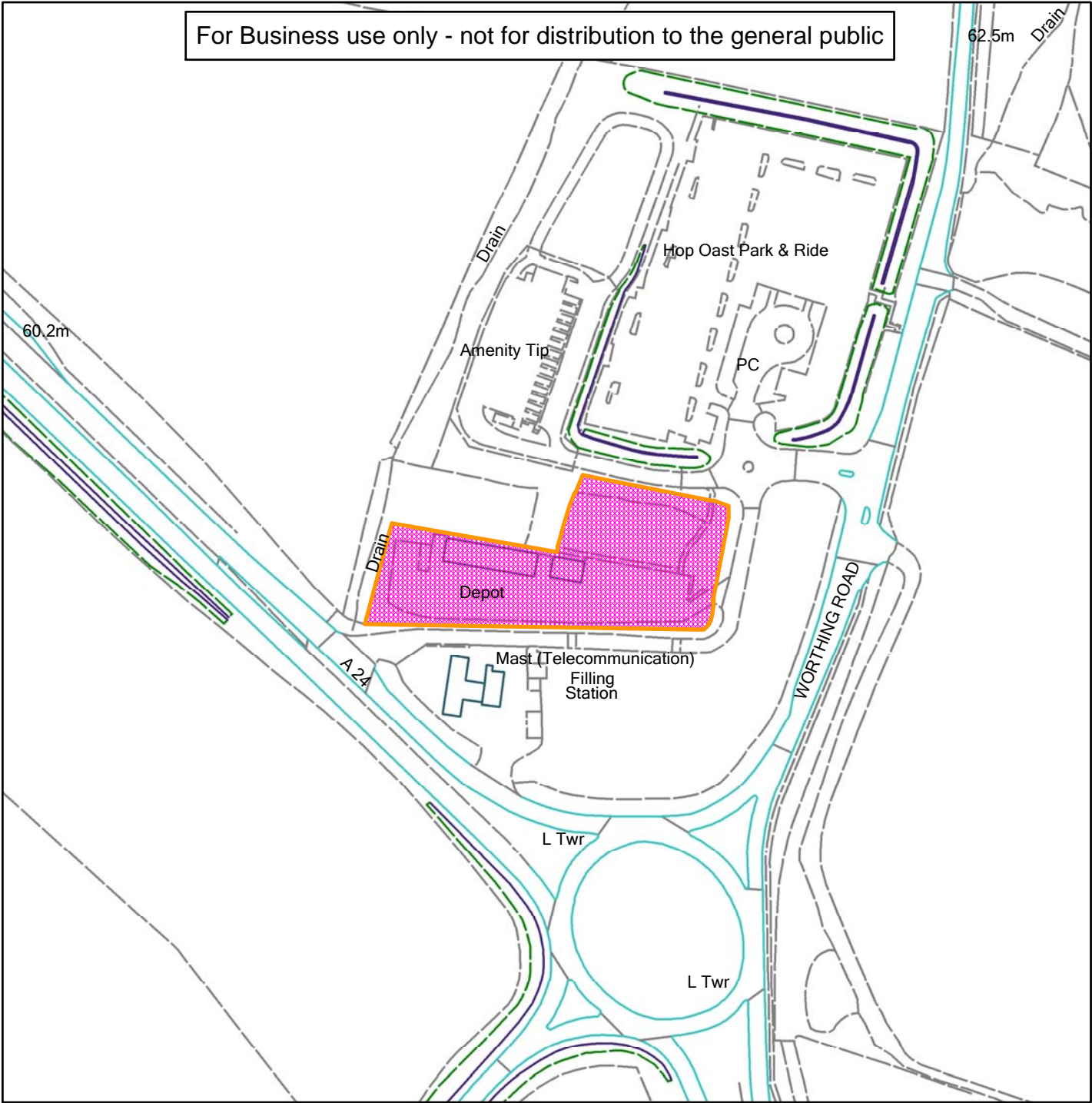
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Background Papers: DC/17/0788
DC/16/1944
DC/15/2814

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