



# **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