



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 17 October 2017

DEVELOPMENT: Outline planning permission (with all matters reserved except for access from Stane Street (A29)) for up to 6 commercial buildings up to a maximum combined floor area of 14,068sqm comprising a mix of B1, B2 and B8 Use Classes

SITE: Brinsbury Fields Brinsbury College Pulborough

WARD: Chanctonbury

APPLICATION: DC/17/0177

APPLICANT: **Name:** Chichester College **Address:** C/O ECE Planning

REASON FOR INCLUSION ON THE AGENDA: The application is a departure from the development plan. More than 8 letters of objection have been received

RECOMMENDATION: To delegate authority to the Head of Development to grant permission subject to the completion of a S106 agreement, and appropriate conditions. In the event that the legal agreement is not completed within three months of the decision of this committee, the Director of Planning, Economic Development and Property be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks Outline planning permission for the development of up to 6 commercial buildings comprising a mix of B1, B2 and B8 uses on a parcel of open, undeveloped agricultural land (Brinsbury Field) to the east side of the A29 Stane Street approximately 500m north of Brinsbury College. All matters are reserved for later consideration with the exception of access. Access is proposed via a new entrance junction from the A29.

1.3 The indicative site layout and parameters plan details six units set either side of a central access road, with each building varying in size from 1,500sqm to 3,700sqm in size and 7-8m in height. Whilst this application is in outline a number of concerns were raised by officers relating to the extent of development across the site. To seek to address this the applicants amended the indicative layout to re-order the position of the 6 units, reduce the size of one of the units by 1,145sqm, increase the landscape buffer to the A29 to 35m, reduce the indicative degree of hard surfacing within the site, and include a footpath link to the adjacent development site under consideration to the south (DC/16/2963).

- 1.4 The application is supported by a Planning and Heritage Statement, Landscape and Visual Impact Assessment, Transport Assessment, Noise Assessment, Preliminary Ecological Appraisal, Flood Risk Assessment, Air Quality Assessment, Arboricultural Report, Commercial Report and an Education Statement.

DESCRIPTION OF THE SITE

- 1.5 The application site comprises the northern half (6.8ha) of an open agricultural field located on the east side of the A29 Stane Street between Brinsbury College and the small settlement of Adversane. The field is referred to as Brinsbury Field and forms part of the Brinsbury campus of Chichester College, although it is not currently in active agricultural use. The London-South Coast railway runs to the rear/east of the site, partially sunk below the surrounding land levels. The site is bounded by scattered trees and bushes along its western boundary with the A29, and by a more consistent line of trees and bushes along its northern boundary..
- 1.6 The area is rural in character from other development, with Adversane separated from the site by a further field and woodland to the north, and from Brinsbury College by the remaining field and a further field to the south. Within the northernmost corner of this southernmost field sits Hepworth Brewery, a development approved under application DC/13/2328. Adversane Caravan Park, comprising twelve permanent residential caravans, sits opposite the A29 to the west. The boundary of the Adversane Conservation Area sits approximately 150m to the north of the site. The Conservation Area includes a number of Grade II listed buildings.
- 1.7 A concurrent application has been submitted for the development of the southern half of the field with car showrooms, workshops and commercial units under DC/16/2963.

BACKGROUND INFORMATION

Brinsbury College

- 1.8 Brinsbury College was merged with Chichester College in 2002 and established as a Centre for Rural Excellence in 2009. The campus comprises a 570 acre (250ha) landholding which has its own commercial farm used as the basis for much of the practical teaching that takes place at Brinsbury. The campus also includes a vineyard, conference centre, workshops and restaurant facilities. In order to support and grow its future as a Centre for Rural Excellence the Applicant advises that the campus is seeking to develop new and improved educational facilities and develop undertakings with development partners to add value to the campus activities and strengthen and diversify its educational offer.
- 1.9 Chichester College itself delivers training and education to over 15,000 part-time and full-time students across its two campuses at Chichester and Brinsbury, with further campuses at Crawley and now Horsham. It offers a range of A Level, NVQ and other HE courses alongside adult education, apprenticeships, professional and workplace courses. These include courses in:
- Agriculture and conservation,
 - Animal management
 - Construction crafts
 - Countryside management
 - Crafts
 - Engineering
 - Motor Vehicle Studies
 - Equine
 - Farriery
 - Floristry
 - Management and Professional Services
 - Horticulture

- 1.10 Following the merger in 2002 Brinsbury campus has received £16.6m of investment to improve the very poor estate infrastructure. The sale of Brinsbury Field would allow the College to apply for match funding from the Coast to Capital Local Enterprise Partnership which would then be spent on the highest priority projects across the College's estate. Supporting documents detail the improvements required to Brinsbury campus on a priority basis based on a conditions survey. These include works to repair, improve or replace a number of workshops, stables, barns and other buildings used for teaching purposes.
- 1.11 The College has identified that it needs to increase student numbers through course diversification and links to businesses, principally as the Brinsbury campus is one of the smallest agricultural colleges in the southeast with 575 enrolments as of January 2017 (by comparison Plumpton enrolled 1,787, Guildford 1,076 and Berkshire College 701).

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)

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF4 - Strategic Policy: Settlement Expansion

HDPF7 - Strategic Policy: Economic Growth

HDPF9 - Employment Development

HDPF10 - Rural Economic Development

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

Site Specific Allocations of Land Development Plan Document (November 2007)

SUPPLEMENTARY PLANNING GUIDANCE

Brinsbury Centre of Rural Excellence SPD (February 2009)

RELEVANT NEIGHBOURHOOD PLAN

West Chilington Parish is a designated Neighbourhood Plan Area. The draft Neighbourhood Plan has been subject to Regulation 14 consultation as of 21 June 2017. The site is not included as a development site within the draft Plan.

PLANNING HISTORY AND RELEVANT APPLICATIONS

Northern half of field:

Southern half of field:

DC/16/2963- Full plans application to construct new car showrooms with associated offices and ancillary facilities, vehicle workshops, a Head Office for the Harwoods Group, B2/B8 use class business units and substantial soft landscaping and infrastructure works, all with the related provision of educational facilities for Chichester College - Brinsbury Fields Campus. Under consideration

DC/10/0284- Erection of a new winery and finishing building, security lodge, access, parking and landscaping (Land north East of Chichester College Brinsbury Campus and north of Ashton Park School). Approved 18.05.2017.

This permission was not implemented.

Hepworths Brewery:

DC/13/2328- To relocate brewery from Horsham to Brinsbury College campus with the erection of buildings, the forming of parking and turning areas and security fencing, upgrade of the existing field access, provision of reed bed system for waste water, solar panels and landscaping. Approved 26.03.2015.

This permission has been implemented, with condition 7 restricting operation hours to between 0600 hours and 2200 hours everyday; administration office hours to between 0700 hours and 1900 hours everyday; the loading and unloading of vehicles to 0700 hours and 1900 hours everyday; the shop / visitor centre to between 0900 hours and 2000 hours Monday to Saturday and 1000 hours and 2000 hours on Sundays and bank holidays; and Brewery Tours to between 0900 hours and 2000 hours Monday to Saturdays only.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 **Strategic Planning:** Comment

It is considered that the application fails to comply with Policies 3 and 4 of the HDPF, although the area has been identified as a centre or Rural Excellence in policy AL15 of the Site Allocations of Land Development Plan Document. Policy 7(8) of the HDPF – Economic Growth - recognises the need to support education and training which can then lead to wider economic growth. Paragraph eight of this policy encourages the expansion of higher education facilities related to research and development and employment training activity. Policy AL15 of the Site Allocations of Land document sets out certain criteria by which development at Brinsbury Campus would be regarded as acceptable in order to continue to support the rural economy.

However, it is not considered that the development accords with the criteria set out in Policy AL15 and the Brinsbury Centre of Rural Excellence SPD on the basis that no end users have been identified and therefore no linkage between the proposal and the college has yet been proved. This proposal is therefore contrary to HDPF and the Site Allocation policies that form the Council's development plan.

3.2 **Economic Development:** Support

There is a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies. This is reflected in the poor performance of the District in terms of business rates growth and the lack of opportunities to allow existing companies to expand. The past twelve months has seen a steady rise in the number of businesses contacting the Economic Development team seeking new premises and sites to develop for new premises. The majority of enquiries come from companies currently located in the District but there has been an increase in enquiries from companies outside

the area. Currently there are few vacancies on the commercial property database, with companies seeking more modern premises and flexible floorspace.

This proposal is strongly supported in providing a significant amount of new commercial floorspace and would represent an attractive offer to companies seeking to relocate and expand. The college has received a number of expressions of interest from businesses, with an opportunity to establish strong links between the business community and the college. This proposal would significantly enhance the District offer in terms of allowing some existing businesses to expand and attracting new businesses into the area. As such it aligns with Priorities 1 and 2 of the Economic Strategy.

3.4 **Landscape Architect:** Comment

The Landscape and Visual Impact Assessment (LVIA) provided as part of the application and produced by Lizard Landscape Design and Ecology concludes the proposals to have a *short term moderate adverse effect* on the intrinsic character of the local landscape and *short term minor adverse effect* on the visual amenity. In the mid-long term, it's said that the urbanising effect will be softened by planting and the minor elements which the development is likely to introduce into views screened. The conclusions are the same for both applications, the Harwood Site and the College Site.

The Landscape Architect is in agreement with the identified moderate adverse effect on the landscape character but differs on the minor adverse effect identified for the visual amenity. Although the site is relatively well contained from public footpaths and higher visual sensitivity receptors, from Stane Street the scheme would cause a significant deterioration to the character of the existing view and seen to considerably intrude into the open countryside.

The landscape strategy presented does not appear to lessen the identified effects and therefore the mid-long term effect is considered to stay the same, moderate adverse for the local landscape character and major-moderate adverse to the visual amenity for passengers on the train to the east of the Site and passengers, drivers of cars along the A29 Stane Street to the west of the Site and to a lesser extent students using the end of Public Footpath 1984 to the east of the Chichester College Brinsbury Campus.

The effect assessed for the Adversane Conservation Area is considered *negligible* although this is contrary to the advice provided by the council's Conservation Officer.

The conclusions of the effects on the special qualities of the South Downs National Park are agreed.

The cumulative effects are considered within the LVIA to remain *consistent with the effect identified to either of the site alone*, which is disagreed upon.

The site provides an important separation gap between the hamlet of Adversane and the existing Brinsbury Campus. The infill of the site will considerably reduce this gap adversely affecting the character of Adversane and compromising its rural setting.

The proposed developments combined will also be further extending and exacerbate the ribbon of development along Stane Street and generate urbanising effects such as lighting and traffic movements.

HDC policy and guidelines available, all refer to the potential development within the area being supported so long it is demonstrated that the *'proposed built-form is of an appropriate scale and design to the rural location both in itself and in terms of the cumulative impact of development in this location...'*

The proposals for the College Site are considered out of scale and intruding considerably into the settlement setting of Adversane, reducing the open rural gap between the hamlet and the Brinsbury Campus and thus significantly changing the character of the area.

3.5 **Design and Conservation:** Objection

The hamlet of Adversane lies to the north of the application site; there are grade II listed buildings within the rural settlement which also lies within the Adversane Conservation Area. The designated heritage assets are located within half a mile of the application site and the site is considered to form part of their wider setting.

The setting of a heritage asset is defined as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve” at Annex 2: Glossary (pg 56) of the NPPF; and as set out at section 12 (para 126) of the NPPF, local planning authorities should “recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.” Para 137 further advises that new development within the setting of heritage assets should enhance or better reveal their significance.

The supporting information submitted as part of the application is considered insufficient and contrary to para 128 of the NPPF which advises local planning authorities to “require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.” Whilst a document entitled ‘Planning and Heritage Statement’ has been submitted with the application, the document fails to identify the Adversane Conservation Area and there appears to be no assessment of the significance of the heritage assets, the relationship between the heritage assets located within the hamlet Adversane, and the application site, and the potential impact of the development on that significance.

The application site is an open green field which is used for agricultural grazing and arable land. The open fieldscape allows far distance views from the heavily trafficked Roman Road, Stane Street (A29) and the rather flat topography to the open fieldscape reinforces the strong rural character to the locality and contributes to the wider rural backdrop to the hamlet of Adversane.

It is considered that the fields positively contribute to the rural sense of place and the application site currently offers pleasant landscape relief between the two hamlets, Adversane and Codmore Hill. With this in mind, the proposal to develop the site by way of an industrial estate-type development which would be at odds with the rural character of the area, is considered inappropriate.

This is a speculative application and the development would not have any tangible links to the agricultural ethos of the college; with this in mind, and contrary to para 134 of the NPPF, it would appear that the development would not offer tangible public benefit which would offset the potential harm to the setting of the Adversane Conservation Area.

The proposal is therefore considered contrary to local and national planning policy and guidance.

3.6 **Drainage Engineer:** No objection subject to conditions

3.7 **Environmental Health:** Comment

The Land Contamination Assessment submitted with this application suggests that further investigation is required.

The Noise Assessment submitted suggests that the impact of noise from the proposed development upon neighbouring residential dwellings will not be significant. I am concerned that insufficient weight has been attached to the impact of tonal or impulsive noise from plant and machinery upon residents as well as mitigation of the impact of

activities and operating hours associated with the potential proposed usage. I would therefore suggest further clarification is sought prior to determination.

- 3.8 **Access officer:** Comment
Insufficient detail on accessible parking

OUTSIDE AGENCIES

- 3.9 **WSCC Highways:** Comment Accessibility by sustainable modes is a major concern primarily as a function of the distance from the site to any nearby settlement. The poor accessibility of the site should be considered by the Local Planning Authority on balance alongside other matters that may weigh more in favour of the proposed development.

Notwithstanding the concerns over accessibility, subject to the departures from standard being approved by the LHA and the Safety Auditor confirming that the revised northbound bus stop arrangements is acceptable, there are no highway safety or capacity grounds upon which this development could be resisted.

- 3.10 **WSCC Flood Risk Management:** No objection
- 3.11 **WSCC Rights of Way:** No objection
- 3.12 **Archaeology:** No objection subject to condition
- 3.13 **Ecology:** No objection subject to conditions
- 3.14 **Network Rail:** No comment received (Nb no objection was raised to the adjacent development under DC/16/2963)
- 3.14 **Natural England:** No objection
- 3.15 **Southern Water:** No objection

PUBLIC CONSULTATIONS

- 3.16 **West Chiltington Parish Council:** Objection
- The application has not demonstrated the synergy with Brinsbury College that was promised.
 - The application would be in breach of HDPF Policy 27, in that it would generate urbanising effects within the settlement gap, including artificial lighting, noise and increased traffic flows contrary to Policy 27.2. It would not contribute to the conservation, enhancement and amenity of the countryside and it would not provide opportunities for quiet informal recreation, contrary to Policy 27.4.
 - The development would be within the Upper Arun SSSI Impact Risk Zone.
 - There is no demonstrated need for industrial units in the area.
 - It would lead to a loss of good agricultural land when other more suitable land is available.
- 3.17 **Pulborough Parish Council (adjoining Parish):** Objection
Pulborough Parish Council strongly endorses the objections and comments made by Billingshurst Parish Council and West Chiltington Parish Council.
- 3.18 **Billingshurst Parish Council (adjoining Parish):** Objection
- This is an urban development and is wholly unsuitable for the rural location. It will lead to a change in the character and landscape of the area and it is located in close proximity to the Conservation Area and a number of Grade II Listed Buildings;
 - Loss of agricultural land;
 - The proposed access to the site is very close to the Caravan Park access;
 - Development here would set a precedent for development on the opposite side of the road which would have a negative impact on residents of the Caravan Park;

- Increase in noise, light and air pollution;
- Increase in traffic which will particularly impact on the crossroads, where there is a Montessori pre-school, as well as creating a potential hazard on the fast-moving A29 as large vehicles enter and exit the site at low speeds onto a 60mph road;
- Insufficient wildlife study – residents have reported regular sightings of barn owls, buzzards and badgers;
- The application fails to demonstrate the supposed synergy with Brinsbury College. Expressions of interest in the units have come from diverse businesses including an aircraft parts supplier, a high end juice drink manufacturer, supplier of TVs to hotel and hospitals, manufacturer of pollution filters, concrete product manufacturer, swimming pool contractor and plant hire, sales and repairs. The only link to Brinsbury and rural business comes from an equine clothing and supplies retailer;
- The impact studies are insufficient;
- The proposed landscaping is insufficient in terms of screening the development from the road. The development will be a distraction to passing drivers;
- There is no demonstrated need for this type of industrial estate in the area.

3.19 **9 letters of objection** have been received stating:

- This is nothing less than an industrial estate in a rural area
- No demonstration of synergy with Brinsbury College- it is simply a means of obtaining funds at total disregard for the local environment
- Buildings should be located around the urban core of the college
- Irreparable damage to area and would not contribute to enhancement or conservation of the local rural environment
- Out of keeping with rural nature of site
- Creeping urbanisation
- Increased traffic including big industrial lorries
- More pollution, light pollution and noise
- Overdevelopment
- Building heights too high
- Precedent for future development
- Loss of countryside.
- Loss of Green Belt land and prime agricultural land
- Insufficient screening
- Loss of wildlife
- Wrong/unsustainable location
- Extension to education facilities should be situated within the current college site where existing buildings are located and which is well landscaped
- Increased accidents at the Adversane crossroads

3.20 **1 letter of support** has been received stating:

- The proposals will enable local business to grow whilst providing jobs and contributing to the local economy

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The main issues for the Local Planning Authority to consider in the determination of this outline application are the principle of the proposed development in land use terms having regard the relevant Policies of the Development Plan, including the Site Allocations of Land DPD and Brinsbury Centre of Rural Excellence SPD, any harm arising from the proposal with consideration given to matters including the provision of additional employment land and the links to the educational courses at the Brinsbury Campus, and the acceptability of the access arrangements, the impact of the development on the landscape and rural character of the area, the setting of the Adversane Conservation Area and its listed buildings, neighbouring amenity, ecology, highway safety matters and flood risk are also material considerations.

Principle of Development

6.2 The application is for employment development in the open countryside, comprising the development of up to 6 commercial buildings comprising a mix of B1, B2 and B8 uses, all currently with no identified end user. The applicants have referenced data within the HDC Economic Growth Assessment Supplementary Report (April 2015) which sets out a requirement for between 109,350sqm and 125,000sqm of B1c, B2 & B8 floorspace during the plan period to 2031. The argument is that the 12ha of employment land proposed for both halves of Brinsbury Field under this application (which includes up to 14,000sqm of employment floorspace) and the concurrent application DC/16/2963 would help address this shortfall. Whilst the Economic Growth Assessment Supplementary Report (April 2015) identifies a up to 125,000sqm of employment floorspace needs, it is noted this is a gross figure factoring in existing industrial floorspace that would be lost and not replaced during the Plan period. It does not include demand for B1a office accommodation. The net figure within the Report is 53,300 assuming no future loss of existing floorspace.

6.3 Policy 7 sets out the sustainable employment strategy for the period up to 2013, with the pre-ambles at the start of Chapter 5 setting out a number of issues facing the District in terms of employment. These include:

- A lack of employment land in the district, with much of the business accommodation stock low grade and not meeting the requirements of existing businesses or attracting new businesses.
- There is a shortage of business floorspace in terms of both the types and sizes needed, whilst office stock is outdated and is unsuitable for modern business needs.
- There is a need to provide suitable high quality space for business that wish to move into the district and a need for opportunities for existing businesses to grow, expand and change to meet modern business demands.
- There is a need to ensure that Horsham District contributes to the role of the Gatwick Diamond. This includes providing support for development and training opportunities.
- There is an on-going need to enhance the rural economy by enabling the diversification of rural employment space and maximising visitor spending through tourism across the district.

6.4 The approach of Policy 7 is to protect, regenerate and grow existing employment sites, including in particular the Key Employment Areas, encourage local employment growth through neighbourhood plans, and to encourage the expansion of higher education facilities related to research and development and employment training activity. Bullet point 9 also seeks to identify additional employment areas to meet the need for appropriate new business activity. The identification of new employment sites to meet the bulk of the needs of the district through the remainder of the plan period is scheduled to occur in part through the Neighbourhood Plan process but mainly via the early review of the HDPF and the production of an accompanying Site Allocations document. As it stands based on the Economic Growth Assessment Supplementary Report (April 2015) the industrial employment floorspace needs to be met during the Plan period to 20131 stands at between 109,000 and 125,000sqm. Of this, 46,450 of B1c employment floorspace is secured within the North Horsham development. This leaves a shortfall of between 63,000sqm and

79,000sqm which the short-term strategy under Policy 7 is to be met primarily by way of smart growing existing employment sites.

- 6.5 Policy 10 (Rural Economic Development) encourages sustainable rural economic development in order to generate local employment opportunities and economic, social and environmental benefits for local communities, thereby allowing the principle of some employment development within open countryside to be supported. Policy 10 sets out specifically that:

'In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must:

1. Contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either:

a. Be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or

b. Result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first.'

- 6.6 In this instance the proposal for six B1, B2 and B8 units with no defined end user cannot by its nature be said to be necessarily appropriate to the countryside location. Rather, the submitted plans propose a nature and indicative scale of development more readily synonymous with an industrial estate. The development is not located within existing buildings or an established rural industrial estate, and cannot be said to result in substantial environmental improvement and a reduction in the impact on the countryside. The proposed development does not therefore comply with Policy 10.

- 6.7 The application site is located within open countryside, outside of any defined built up area boundary. The site does not therefore comply with the HDPF strategy to focus development within defined built-up area boundaries as required by Policies 2 and 4. Further, when assessed against Policy 26, it is not considered that the nature and extent of development indicatively shown on the submitted plans is essential to this countryside location.

- 6.8 The site is though allocated within the Site Specific Allocations of Land Development Plan Document (November 2007) under policy AL15 Centre of Rural Excellence at Brinsbury. Although pre-dating the NPPF, this DPD was carried forward with the adoption of the HDPF and as such is considered to continue to carry full weight despite its age. The preamble to Policy AL15 at paragraph 3.54 sets out that the Campus is a '*location where the development of new and/or extended uses, which may include new buildings, may be acceptable in pursuit of the objective of creating a Centre of Rural Excellence. The intention is to enable the College to develop its facilities in order to ensure the Campus' viability for rural land-based education. Growth of the College in accordance with this principle, which could include businesses operating in collaboration with the College, would increase opportunities for education and training.*'

- 6.9 Policy AL15 of the DPD specifically sets out that:

'Developments in support of the expansion and enhancement of Chichester College Brinsbury Campus as a Centre of Rural Excellence will be permitted solely in order to ensure the Campus' financial and educational viability for rural land-based education, and provided any proposals meet the following requirements:

- a. careful siting and design of all buildings and associated facilities;
- b. the introduction of sustainable transport systems linked in with the Campus;
- c. appropriate access provision from the A29;
- d. compliance with the financial and educational viability tests as set out in a Supplementary Planning Document;
- e. an archaeological investigation of the site for any proposals for development adjoining Stane Street; and
- f. a specific flood risk assessment to refine the need for open space provision only alongside the watercourse running through the site (which is within Flood Zones 2 and 3) and to identify the requirement for Sustainable Drainage Systems.

Development should reflect the rural location of the Brinsbury Campus and be related to the objectives of the Centre of Rural Excellence with regard to land-based education and training and the linkages with rural enterprises. Development should not detract from the rural environment, and should include provision for landscape enhancement. A Supplementary Planning Document will be prepared in order to provide details of the Policy's principles and approach to the Campus area. Appropriate planning applications will, under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999, be accompanied by an Environmental Impact Assessment.'

- 6.10 In approving Policy AL15 subject to the formation of a complementary SPD, the examining inspector commented (see Appendix B of the SPD) that this (Brinsbury Campus) is an area where a specific rural initiative should be encouraged to support the future viability of the campus for rural land-based education, and that development '*in this unsustainable, prominent rural location*' is only justified to meet this specific need. Further, the inspector identified that '*if this need became no longer relevant (for whatever reason) or proposals under the Policy became more than a small and limited means of achieving this need, then development should not be permitted*'.
- 6.11 The Brinsbury Centre for Rural Excellence SPD was adopted in February 2009 to support policy AL15 and better define the circumstances by which development on the campus would be supported. Principally, the SPD sets out that its focus is on '*the assessment of the potential to locate 'Development Partners' at the campus*' (paragraph 1.17) to provide an income stream to help improve the campus facilities. The SPD is clear that the Development Partners must not only be complementary to the role and operations of the College, but also that '*the location, type, scale and operations of such partners do not detract from the rural setting of the Campus*' (paragraph 3.6). It is noted that neither the DPD nor the SPD map or allocate an area within the 250ha campus where relevant development to support the Campus' financial and educational viability for rural land-based education would be considered acceptable.
- 6.12 The SPD sets out three Tests of Appropriateness that new development at the campus will need to adhere to:
- Test 1:
'Development should reflect the rural location of the Brinsbury Campus and be related to the objectives of the Centre of Rural Excellence with regard to land-based education and training and the linkages with rural enterprises.'
- 6.13 Test 2:
'Development should not detract from the rural environment, and should include provision for landscape enhancement.'
- 6.14 Test 3:
'Development should, where possible, contribute to the District's Rural Strategy and objectives.'

6.15 The SPD sets out further educational and environmental criteria which proposed developments must meet. In respect of educational criteria, the SPD requires proposals to demonstrate:

- The degree of synergy of the potential development partner with the College's aspirations and vision, and its contribution to the ongoing provision of education and training.
- The suitability of the potential Development Partner and having regard to their reputation, covenant strength and their ability to deliver.
- The extent to which a potential Development Partner exhibits innovation and use of up-to-date technology.
- The manner in which a potential Development Partner embraces the environmental management.
- The potential Development Partner's capacity to provide work experience and training for learners.
- The potential Development Partner's potential as sources of local employment.'

6.16 In terms of environmental criteria, the SPD requires that:

'the proposed built-form is of an appropriate scale and design to the rural location both in itself and in terms of the cumulative impact of development in this location.'

This mirrors the requirements of Policy 26 which also seeks to ensure development does not individually or cumulatively lead to a significant increase in the overall level of activity in the countryside and protects, conserves and/or enhances the landscape character of the area. In this regard in addition to the current application on the adjacent half of Brinsbury Field, it is noted that other developments have been permitted in the immediate area under Policy AL15 and the Brinsbury SPD. These include the Hepworths Brewery site adjacent to the south (DC/13/2328), now built, and a Winery building on this application site under DC/10/0284, the permission for which has now expired. A further development opposite the site at Architectural Plants was approved prior to Policy AL15 and the SPD under DC/05/1331, and latterly amended under DC/11/1091, which also included links and support for Brinsbury College. This application therefore falls to be considered cumulatively with the Hepworths Brewery site to the south, Architectural Plants site opposite, and the current application for car showrooms, workshops and business units on the southern half of Brinsbury Field.

Financial and Education Viability

6.17 As set out at paragraph 6.9 above, Policy AL15 sets out a need for major capital investment at the Campus to retain its attractiveness and viability as a place of education. This is the driving reason for this policy allocation, although it is now 8 years old and has not been updated. The Applicants have provided supporting information (Supplemental Statement dated 18 August 2017) setting out how the sale of the field for development would support the ongoing need for improvements to the College infrastructure, including that at Brinsbury campus, to retain the viability of Brinsbury as an educational and training facility. Whilst there is no explicit evidence that the Brinsbury campus would necessarily become unviable and close if such improvements were not carried out, the College have set out that the ongoing sustainability of Brinsbury campus is reliant on increasing student numbers and diversifying courses in a competitive market. The College further set out that investment in facilities across its portfolio (i.e. not solely at Brinsbury) have become increasingly difficult in light of funding reductions and increased costs. The College therefore argue that the sale of Brinsbury Field for development is necessary to help sustain and grow the College generally which includes the campus at Brinsbury. It is considered based on the evidence from the College that the need for investment to secure the longer term viability of the Brinsbury campus remains pressing therefore Policy AL15 remains a significant material consideration in support of this planning application.

Location

6.18 The College have provided detail setting out their justification for developing Brinsbury Field rather than other sites within the 250ha landholding. This detail is set out in the Supplemental Statement and is broadly replicated within a 'Brinsbury Sequential Report'.

The Report details that the majority of the College's landholding is located west of the A29, with the Field having best access from the A29. This land west of the A29 is used as the main campus and for the main farming activities. It is accessed via the main site entrance with a secondary entrance off Blackgate Lane to the west. The Report sets out that the introduction of business traffic at these entrances would result in safety and security risks for students and other road users, and would potentially harm the ecology off Blackgate Lane which in the applicants view is the most environmentally sensitive part of the wider land holding.

- 6.19 In terms of the adjacent land south of the application site but east of the A29, this is currently used for stabling with associated classrooms, riding areas and grazing land. The Supporting Statement sets out an aspiration for all curriculum activities take place to the west side of the A29 necessitating the relocation of these facilities. This though remains an aspiration and there are no plans for if/when this would take place. The Report instead sets out only that this area is needed to meet the College's equine offer. The Report concludes that the application site is least important for the operation if the College and has safest access from the A29.
- 6.20 It is considered that the case for developing land east of the A29 rather than the land to the west has been suitably demonstrated, albeit the justification for developing Brinsbury Field rather than the equine facility directly opposite the campus is less detailed.

Educational and Training Links

- 6.21 In respect of Test 1 and the educational criteria, given the unknown end users for each unit it is difficult to establish with certainty whether the development would suitably link with the objectives of the College in its function providing land-based education.
- 6.22 To address this, the application is supported by a 'Developing Educational Links at Brinsbury Business and Education Park' statement which sets out some of the interest the College has received from prospective development partners and the potential educational links they could provide with the College. In terms of potential development partners, interest has been received from amongst others aircraft part suppliers, manufacturers of industrial pollution filters, widget distributors, plant (digger) hire, sales and repairs, high end juice drink manufacturers, an equine clothing and (bulky) supplies retailer, and an aquaria manufacturer and distributor. The statement sets out that many of these are well established local companies within a 30minute drive time of the site who are wanting to expand and/or have outgrown their existing premises. The College's preferred six occupiers would be able to provide approximately 165 full-time jobs although it is unclear how many of these are new jobs or existing jobs within the District.
- 6.23 The statement advises that the College has explored education links with each of the interested development partners. These include links to the courses currently on offer and future courses that these businesses may create demand for, to be delivered through apprenticeships, commercial courses, work experience opportunities, live case studies, guest lecturers and careers guidance. The College have advised that many of the potential partners are keen to implement the educational links as they currently find it difficult to recruit suitably qualified staff, need to improve existing staff skills through specialist courses, prefer to develop staff through apprenticeship schemes and use the links to aid research and development projects.
- 6.24 Based on the potential development partner's core areas of business, business delivery services and business support services, the statement identifies a number of current curriculum subject areas that best align. These include:
- Business Management
 - Construction
 - Motor Industry
 - Agriculture
 - Equine

- Customer Services
- Business Administration
- IT Services
- Engineering (specific to end user)
- Landscaping and Horticulture
- Blacksmithing & forging
- Farriery
- Farm and livestock management, and
- Landscaping and Horticulture

6.25 The statement provides further detail on how the necessary links to these courses could be realised, these include through measures such as:

- Enabling access to each unit for each development partner to provide up-to-date knowledge of their respective industry. Each development partner would agree with the College the timing and frequency of this commitment to ensure that course requirements are met
- Hosting of visits from groups of selected students to deliver work experience opportunities and provide relevant context for study programmes.
- Providing advice and guidance on the industry requirements (such as equipment or processes) to deliver the necessary course curriculum.
- Providing masterclass lectures and talks to meet the curriculum requirements.
- Enabling site visits to each development partner (and key suppliers where practicable).
- Engaging apprentices appropriate to the needs of the business supporting their own commitment to 'home-grow' their own staff.

Means to secure these links are identified to include requirements for each development partner to take on an agreed number of apprentices at the relevant level in appropriate functions within the business; to make a commitment to meet an agreed minimum number over an agreed period of years; and to provide work experience opportunities to an agreed number and type of student over the period of the academic year.

6.26 Given the variety of business types identified in the statement, it is clear that not all could be described as being rural enterprises specialising in land-based activities as required by the SPD. The SPD is however eight years old and the College have advised that the courses they offer have evolved and expanded since to reflect demand. On this basis there is sufficient evidence that the College would be capable of providing courses and links for transferrable skills that could support other rural enterprises. In the event permission is granted it is considered that such matters could be satisfied through a s106 agreement that phases the development of this site according to when end users have been found that would link appropriately to the courses run at the Campus. It would be expected that such linkages would include details on the type and frequency of work placements, lectures, site visits etc to ensure the links are realistic and tangible. The s106 would require such linkages to run subsequent to all other occupiers.

6.27 On this basis it is considered that there is sufficient evidence to demonstrate that suitable educational linkages with Brinsbury campus and the College as a whole are achievable to meet the thrust of policy AL15(d), and to meet the educational link requirement of Test of Appropriateness 1 within the accompanying Brinsbury SPD.

Design and Landscape Impact

6.28 Both Policy AL15 and the Brinsbury SPD set out that development should reflect the rural location of the Brinsbury Campus, should not detract from the rural environment, and should include provision for landscape enhancement. The SPD requires that the proposed built-form is of an appropriate scale and design to the rural location both in itself and in terms of the cumulative impact of development in this location. As such the policy expectation is that any development to support the Campus' financial and educational viability must be carefully considered in terms of its design approach and assimilation into its rural setting. This sits parallel with the requirements of Policies 25 and 26 of the HDPF

which seek to protect the rural character and undeveloped nature of the countryside from inappropriate development and Policy 33 which seeks to conserve and enhance the natural and built environment. It also sits alongside Policy 27 which seeks to resist urbanising effects within settlement gaps in order to maintain the separate identities of rural settlements and the sense of leaving one place and arriving at another.

- 6.29 The site is located within the J1 Billingshurst and North Heath Farmlands Area of the Horsham District Landscape Character Assessment (2003). The Assessment identifies this area as having a gently undulating topography, with small to medium size fields enclosed by frequent hedgerows, copses and small to medium sized woodland blocks. Mature field trees follow hedgerows and lanes, whilst the landscape is semi-enclosed with some longer range views. The overall landscape condition is categorised as 'good', and 'moderately' sensitive to any large scale housing or commercial development. The Assessment seeks planning to conserve the mostly rural character of the area, ensure any appropriate new development responds to the historic settlement pattern and local design and materials, and ensure such development is well integrated with the surrounding landscape by setting it within the existing pattern of small native woodlands, hedgerows and shaws.
- 6.30 The subsequent Landscape Capacity Assessment (2014) identifies the site as falling within Character Area 45 'Brinsbury College and surrounds'. The Assessment identifies that '*There is some limited capacity for employment development which logically would be restricted to a small area around the Brinsbury Campus of Chichester College*', but considers the landscape sensitivity to large scale employment to be 'Moderate- High', with the overall landscape capacity for large scale employment to be 'low-moderate' taking into account the lower value of the landscape.
- 6.31 The site as existing forms an open field between the A29 Stane Street to the west and the rail line to the east. A line of trees and intermittent hedgerows line the side of the A29 outside the application site, with a dense belt of trees along the northern field boundary. Otherwise the site is open to the south and east. The topography rises from west to east by approximately 4m at the southern part of the site, with a flatter topography to the northern end. The surrounding area is characterised by open fields beyond the rail line to the east, beyond the A29 to the west, with a further field beyond the northern site boundary. The character of the area is therefore very much rural in nature with clear field separations to Brinsbury Campus to the south and Adversane to the north. The proposed development would not therefore sit in ready association with any existing settlement or cluster of buildings. Rather, it would sit somewhat isolated in the otherwise open countryside.
- 6.32 The final layout, scale, appearance and landscaping of the development are reserved matters however a parameters plan, indicative site layout plan and indicative landscape masterplan encompassing both this site and the concurrent full application site on the southern half of the field has been submitted. The plans show that the proposed development as submitted would consume the majority of the 6.8ha site with hardstandings and built structures, interspersed with grass and tree planting between plots, along the access road, and as buffers on all sides of the site. The parameters and indicative layout plans detail the six units would have a total footprint of up to 14,068sqm (21% of the site) with the frontmost two units up to 7m in height to ridge and the rearmost four units up to 7-8m in height. The buildings are shown to be simple pitched roof structures which could be completed in green cladding at reserved matters stage to give a more agricultural appearance in the manner of Hepworths Brewery.
- 6.33 The setback of the buildings from the A29 with new tree planting to the front would screen/soften the appearance of the development when travelling south on the A29, given the existing vegetation to the northwest boundaries in particular. Nevertheless the dominant character of the site would significantly change from being an open field to a commercial development uncharacteristic and out of keeping with its rural setting, particularly in views from the south and opposite to the west. At this stage no details of any necessary security fencing etc have been submitted however this could be managed by

condition with the expectation any that such fencing is kept to a minimum and disguised within planting.

- 6.34 In terms of lighting, little detail has accompanied the application beyond a high-level External Lighting Strategy Report. This report recognises the sensitivity of the site in open countryside with little existing brightness and acknowledges the impact artificial lighting can have on bat roosts, their access points and flight paths. The report sets out that the lighting strategy will be sensitive to minimise impact on bats and other wildlife, to include mitigation methods such as the use of baffles to focus light and lighting controls to limit the amount of time artificial light is use. Nevertheless given the nature of B1/B2/B8 uses it would be expected that light impact from artificial lighting and vehicle headlights would have the potential to be highly intrusive in this countryside setting.
- 6.35 To mitigate this impact, alongside details of all lighting a condition is recommended to ensure all external lighting is switched off no later than 30mins after close of business daily and are switched on no earlier than 30mins before the start of business, with no site activity to take place outside of the agreed business hours. This restriction is considered necessary to ensure the ecology, peace and tranquillity of the countryside is suitably protected from noise and light pollution
- 6.36 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which covers the development of both parts of the field. It concludes that the proposals would have a '*short-term moderate adverse effect*' on the intrinsic character of the local landscape and a '*short-term minor adverse effect*' on the visual amenity. In the mid-long term, the LVIA advises that the urbanising effect will be softened and screened by planting. In terms of cumulative impact, the LVIA considers the impact to be same as when considering the site on an individual basis.
- 6.37 The Council's Landscape Architect considers the harmful impact on visual amenity to be greater than as assessed in the LVIA. The Landscape Architect considers that although the site is relatively well contained from public footpaths and higher visual sensitivity receptors, from the A29 the scheme would cause a significant deterioration to the character of the existing view and be seen to considerably intrude into the open countryside. The mid-long term impact is considered to be major-moderate adverse to the visual amenity for passengers on the train to the east of the site, for users of the A29 to the west of the site, and to a lesser extent students using the end of the public footpath to the east of Brinsbury Campus. In terms of cumulative impact, the Landscape Architect disagrees with the LVIA assessment, identifying that the site provides an important separation gap between the hamlet of Adversane and Brinsbury Campus, and that the infill of Brinsbury Field would considerable reduce this gap adversely affecting the character of Adversane and compromising its rural setting. The proposed developments combined would also further extend and exacerbate the ribbon of development along the A29 and generate urbanising effects such as lighting and traffic movements.
- 6.38 Overall, the Council's Landscape Architect has raised concerns with the proposals stating that development up to the extent indicatively proposed would be out of scale and would intrude considerably into the settlement setting of Adversane, reducing the open rural gap between the hamlet and the Brinsbury Campus and significantly changing the character of the area. Further significant concerns over the impact of the development on the countryside setting have been raised by West Chiltonington and Billingshurst Parish Councils and a number of third parties. This concern relates to this proposal alone, as well as the combined development with the concurrent full planning application, which would exacerbate the combined landscape harm.
- 6.39 In respect of the concurrent application for the southern half of Brinsbury Field the Landscape Architect has raised similar objections which are also applicable to this proposal, commenting that the large nature of the proposed development is considered inappropriate for its rural location as it would replace an area of pasture land with a

commercial development, significantly change the undulating topography, result in the loss of the old field pattern, and exacerbate the urbanising effect along the A29 Stane Street, a Roman Road. Further, it would reduce the openness and break between the Brinsbury Campus and the hamlet of Adversane causing harm to this settlement identity, whilst the introduction of the buildings, signs, artificial lighting and increased levels of activity would prevent the sense of leaving a settlement and passing through the countryside along the A29. The Landscape Architect considers that this would run contrary to Policies 25, 26 & 27 of the HDPF, Policy AL5 of the Specific Site Allocations of Land DPD, and the Test of Appropriateness 2 within the SPD as a result. The developments considered separately would result in these harmful impacts, and considering the impact of both developments together, the harm would be exacerbated.

- 6.40 It is considered that the indicative extent of development proposed on a site isolated from existing settlements or buildings at the Campus does not reflect the rural location and characteristics of the site or surrounds. Considered in tandem with the adjacent site under DC/16/2963, the cumulative impact would result in significant ribbon development along the eastern side of the A29 between the campus and Adversane. Considered both on an individual basis and cumulatively, the addition of potentially large warehouse-type structures with potentially large areas of associated hardstandings and new traffic movements, lighting and potential security infrastructure would be in stark contrast to the remaining countryside surrounding the site and would visibly urbanise this open, rural land. The resultant impact would be the significant loss of the sense of leaving a settlement and passing through the countryside along the A29, contrary to Policy 27 which seeks to protect such settlement gaps. Whilst a setback and landscaping has been proposed to help reduce this impact, the planting would take many years to mature and would nevertheless be unlikely to sufficiently disguise the site or otherwise wholly mitigate the harm identified given the indicative extent of development proposed. For these reasons the proposed development would not meet Policies 25, 26, 27 & 33 of the HDPF, the Tests of Appropriateness 2 & 3 of the Brinsbury SPD, and therefore Policy AL15 of the Specific Site Allocations of Land DPD. These policy conflicts weigh considerably against the grant of planning permission.

Impact on Heritage Assets

- 6.41 The application site is set approximately 150m south of the Adversane Conservation Area which includes a number of Grade II listed buildings. Neither the Conservation Area nor the listed buildings are directly visible from the site, being screened behind belts of woodland along the A29 and at the edges of the field in between. The Conservation Officer considers the flat topography and open character of the land to the south of these heritage assets, including the application site, to contribute positively to the rural setting of the assets and the rural sense of place between Adversane and Codmore Hill. The proposed development would erode this character and the Conservation Officer has raised objection accordingly.
- 6.42 It is agreed that the loss of this part of the open field to facilitate this development would part-erode the rural open character south of Adversane, principally as it is the part of the field closest to Adversane. This is considered to result in some harm, albeit limited, to the rural setting of the conservation area and listed buildings. Whilst no such harm was identified with the development of the southern part of the site under DC/16/2963, this was because this northern part of the site was to remain undeveloped thereby retaining an open buffer to Adversane. In this case, although open fields opposite and the smaller field to the north would remain, the experience of passing through open countryside between the Campus and the historic isolated settlement of Adversane would be eroded by the intrusive impact of this development, both individually and cumulatively with the adjacent development on the field.
- 6.43 The level of harm identified is less than substantial when assessed under paragraph 134 of the NPPF. The application proposes public benefits which include employment provision and training links to Brinsbury. These benefits are considered to outweigh the limited degree of harm identified when applying paragraph 134. Nevertheless, the very

identification of harm carries significant importance and weight in the overall planning balance when applying s.66 of the Planning (Listed Buildings and Conservation Areas) Act.

- 6.44 The site is within a defined Archaeological Notification Area being set directly adjacent to the A29, a Roman road. No archaeological information has been submitted with the application. The Archaeology consultant has identified there to be moderate potential for archaeological remains to be present on the site which should be investigated further by way of a programme of archaeological works to be secured by condition.

Impact on the Amenity of Neighbouring Occupiers

- 6.45 The only residential occupiers within the vicinity of the site are located across the A29 to the west of the site at Adversane Caravan Park. This Park provides permanent residence for 12 caravans set behind a dense tree frontage. Given the separation the only amenity harm that could arise is from noise generated by the development.

- 6.46 A noise assessment has been submitted with the application to assess the cumulative impact of operations at both the application site and the adjacent site (DC/17/0177) on residents of the caravan park and Adversane Lane. The assessment includes background surveys of existing noise sources (principally the A29) and the noise impact from additional traffic movements generated from both sites. Although no end users are identified for the site as yet, the noise assessment includes theoretical impact from a plant hire company. The assessment identifies that cumulative noise from both parts of the broader application site would not exceed existing background noise levels for residents of the caravan park and Adversane Lane. Based on the information to hand the proposed development would not therefore likely result in harm to the amenities of nearby occupiers.

- 6.47 The Environmental Health officer has recommended conditions to restrict hours of operation both at construction and operation phase, alongside restrictions on the use of outside machinery and tools. Given the unknown end users there is potential risk of noise disturbance not captured within the noise report. Accordingly it is considered that some restrictions to hours of operation are required in order to protect the quiet countryside character of the area away from the A29, and to prevent industrial activity occurring outside of the approved buildings. Subject to these conditions noise from the development would not adversely impact on residents or the peaceful enjoyment of the surrounding countryside.

Highway Impact, Access, Parking and Servicing

- 6.48 The application proposes a new access point from the A29 Stane Street to serve the development. This access point would result in the loss of two trees bordering the A29 however suitable replacements can be secured fronting the A29 as part of the wider site landscaping at reserved matters stage. Following advice from WSCC Highways officers, the access arrangements include a dedicated right turning lane on the A29 into the site, new pavements either side of the Adversane Caravan Park entrance to provide improved access to the northbound bus stop outside, a new formalised bus stop within the existing layby to the southbound carriageway, and a pedestrian refuge across the A29.

- 6.49 The Transport Statement submitted with the application calculates using TRICS data that the development of this part of the field would generate approximately 1021 daily vehicle movement, including 112 trips in the AM peak hour and 81 trips in the PM peak hour, with 60% of traffic heading northbound in the AM peak and 60% southbound in the PM peak. A new access point is proposed to service the development, to be set central to the site's A29 frontage and a suitable distance from the existing access point to the Caravan Park and adjacent development to the south in terms of visibility splays. This includes consideration of the existing southbound lay-by which is to be retained. The new access would include works to the A29 to provide for a dedicated right turning lane into the site and wide entrance and exit splays at the junction itself tracked to be able to safely cater for 16.5m long articulated lorries. A 40mph speed restriction is also proposed outside the site.

- 6.50 Following updates to the Stage 1 Road Safety Audit, the WSCC Highways officer considers the proposed access junction and associated works to the A29 to be sufficient to safely cater for the likely traffic movements to/from the site. Consideration has been had to the potential impact on the Adversane crossroads to the north and following further studies by the applicants, the WSCC Highways officer is satisfied that this existing junction would continue to safely operate within its capacity. The WSCC Highways officer has raised concerns with the strategy to ensure the safe passing of busses stopped at the northbound bus stop and at the time of writing a response is awaited from the Road Safety Auditor for the Highways officer to consider.
- 6.51 In terms of parking, this would be dependent on the final floorspaces that come forward at reserved matters stage. Nevertheless the indicative layout shows sufficient opportunities to provide for all necessary parking and turning areas for all units to provide assurance that no overspill or highway safety concerns on the A29 would occur.
- 6.52 In terms of the site's accessibility by sustainable modes, the application site sits remote from public transport options, with the nearest railway station at Billingshurst 3.3km to the north and two bus stops operating an hourly service, one a formal bus stop outside Brinsbury Campus and the other a registered bus stop with no pavement or signpost outside the site adjacent to the Adversane Caravan Park. This stop is though to be more formalised on the northbound and southbound routes as part of this submission, but with no increased frequency of busses proposed. There are no footpaths along this part of the A29 and no cycle lanes, with the narrow width of the road and speed of traffic making this part of the A29 not readily conducive to cycling. The bus stops to be upgraded outside the site are a short walk, with the Brinsbury Campus stops to be accessed by way of a new footpath behind the A29 frontage vegetation linking the existing track at Hepworth Brewery. A condition is attached to secure final detail of this link, which would need to run across the adjacent field to the south in the event the adjacent development under DC/16/2963 is not approved or implemented.
- 6.53 The WSCC Highways officer has advised that the distance of the site from population centres is a major concern for the accessibility of the site, and that this should be considered in the wider planning balance. The applicants Sustainability Note argues that the development will sustain local rail services, with staff and customers able to use the rail service to access the site, and staff to be able to cycle to the site from Billingshurst and Pulborough. From the evidence from the site visit and the comments of the WSCC Highways officer, this does not appear to be a realistic assumption. As set out above the A29 has no footpath for long stretches and is narrow with fast moving traffic. This does not lend itself amenable for cycle usage or pedestrian access from the nearest rail station 3.3km to the north (a 40 minute walk). Realistic sustainable options for staff and customers would therefore be limited to the hourly bus service.
- 6.54 The benefits of the acceptable access arrangements and the capacity of the local road network to cater for the additional traffic generation are somewhat offset by the limited options for sustainable transport modes which would result in a reliance of car travel to the site. In the event permission is granted the WSCC Highways officer recommends a comprehensive travel plan be produced drawing in all occupiers of the site, Brinsbury campus and other adjacent occupiers to help reduce this reliance on car travel. Notwithstanding the significant increase in traffic that the development would generate compared to existing (1021 daily vehicle trips in the worst case compared to none currently), and the lack of opportunities for sustainable travel, given the capacity in the local network to cater for this additional traffic and subject to the travel plan it is considered on balance that the development would be in broad compliance with Policy 40 of the HDPF.

Other matters

Contamination

- 6.55 The site has not been previously developed and the Land Contamination Report submitted with the application does not identify any potential sources of contamination.

Environmental Health officers have raised no objection to the report subject to its recommendation that further investigations are carried out. This can be secured by condition.

Ecology

- 6.56 A Preliminary Ecological Appraisal (PEA) has been submitted with the application to identify, mitigate and enhance the site's ecological interest. The site is not subject to any statutory or non-statutory designations, with the closest designated site being the South Downs National Park 1.9km to the southwest. The site is though within the Upper Arun Site of Special Scientific Interest (SSSI) Impact Risk Zone which requires consultation with Natural England.
- 6.57 The Appraisal does not identify any harm to reptiles, badgers or breeding birds subject to the retention of a buffer zone along the site's eastern boundary and a series of precautionary measures during development works. The plans detail a suitable buffer whilst the precautionary conditions in respect of site clearance and development can be secured by condition. In respect of bats, the Appraisal recommends surveys of the trees adjacent to the site to establish if any bat roosts are present in those to be removed and to identify how bats are using the site generally.
- 6.58 The PEA has been further supported by a Habitat Regulations Assessment at the request of the Ecology Consultant. The Assessment identifies that the application site is located 4.2km east of The Mens Special Area of Conservation (SAC) which forms part of the European Network of Natura 2000 sites. The qualifying habitats and species of The Mens SAC include extensive areas of mature beech woodland rich in lichens, bryophytes, fungi and saproxylic invertebrates, and is one of the largest tracts of Atlantic acidophilous beech forests in the UK. The presence of a large population of barbastelle bats is also a qualifying species. The Assessment identifies that barbastelle bats may be using the site as part of their foraging/commuting route between two activity 'kernals' 360m south and 850m north of the site. Given the low quality of the habitat at the site the Assessment does not consider there will be a negative impact on the presence of barbastelle bats at The Mens SAC from this development and that proposed adjacent under DC/16/2963.
- 6.59 Further bat surveys have been undertaken which have identified some bat commuting along the northern site boundary, with no roosts found in the trees along the western site boundary fronting the A29. The survey report sets out that the impact of the development on the commuting route is acceptable subject to assurances that lighting to this northern part of the site is kept to a minimum. This has been agreed by the Council's Ecology Consultant and by Natural England.
- 6.60 In terms of ecological enhancement the Appraisal identifies opportunities for native planting and the installation of bird and bat boxes. These elements can be addressed within a condition securing the final details of all landscaping within the site. Subject to the recommended conditions the proposal could comply with Policy 31 of the HDPF.

Air Quality

- 6.61 An Air Quality Assessment has been submitted with the application. It calculates worst case traffic levels from the site based on the use classes proposed rather than the actual end users, who are not yet identified. The Assessment concludes that air quality in the area is good and the level of activity that may be generated by the development would have a 'negligible' effect on local air quality. Some mitigation is required to control dust during construction works which can be suitably addressed within a Construction Environment Management Plan (CEMP).
- 6.62 The Council's Environmental Health team have advised that the significant additional vehicular movements that the Transport Statement identifies could be associated with both this development and the adjacent site may have an adverse impact on the district's Air Quality Management Areas (AQMA) at Cowfold and Storrington. The nearest AQMAs are

at Storrington 8km to the southeast and at Cowfold 13km to the east, a distance sufficient to allow for much of the traffic generated by the development to disperse into the network. The impact on the AQMAs during the operational phase can be minimised through the use of sustainable transport modes, which would be encouraged by the Travel Plan recommended by the Highway Officer. In addition, it is considered appropriate to require construction traffic and service traffic to be encouraged away from these AQMAs where possible. This can be secured within the CEMP and a Service Management Plan.

Flooding and Drainage

- 6.63 A Flood Risk Statement has been submitted with the application which identifies that the site is located within Flood Zone 1 where there is a low probability of flooding. As existing surface water drains into the ground with some run-off into the adjacent watercourse between the site and the A29. The Statement identifies that each plot within the development would have its own flow restriction device and attenuation based on the existing run-off rate for the plot, with its own below ground cellular storage tank to accommodate the restricted flows. Petrol Interceptors and deep trapped gullies are to be used on each of the plots to ensure surface water runoff from parking areas is suitably treated before reaching the watercourse. The foul drainage from the proposed development will be treated in packaged sewage treatments plants on a plot by plot basis, with the treated effluent to be discharged into the watercourse.
- 6.64 This approach is supported by the Council's drainage engineer subject to final details being agreed by condition and sufficient to meet the requirements of the NPPF and to the objectives of Policy 38.

Environmental Impact Assessment

- 6.65 A screening opinion dated December 2016 established that, combined with the adjacent Harwoods application and the existing developments at Architectural Plants and Hepworths Brewery, the development of both land parcels would not constitute EIA development. The Council's EIA officer has clarified following the submission of both applications that this conclusion still stands, subject to the landscape, transport and ecological impacts being considered cumulatively across both this application and the adjacent site under DC/16/2963. The submitted Landscape and Visual Impact Assessment, Ecological Appraisal and Transport Statement address both sites cumulatively to meet this requirement.

Section 106 Agreement

- 6.66 A section 106 agreement would be required for this development to secure the educational and training links between the proposed users and Brinsbury Campus. This takes the form of a requirement for a phasing plan to be submitted and agreed in writing with each phase of the development to provide a clear demonstration of the links of the end user with the College. Such evidence would need to include details of the courses to which the proposed user will link, and the quantum and type of links that would take place each year. This requirement would remain for all subsequent occupiers of the development and would need to be agreed in writing by the Local Planning Authority first prior to the relevant phase commencing and second prior to any subsequent user occupying. In this way the exceptional material considerations by which this development would be acceptable would be protected and retained in perpetuity.
- 6.67 In the event that the resolution to grant is accepted, the Council will seek to work proactively with the applicant and agent to secure a S106 Legal Agreement and grant permission. Notwithstanding this the Government require the Council to determine planning applications within a timely manner and therefore if a S106 Legal Agreement is in the opinion of the Council delayed unnecessarily by the applicant or agent the Director of Planning, Economic Development and Property will have the authority to refuse permission.

Conclusions and Planning Balance

- 6.68 As set out above the indicative extent of development, its form and its nature, would significantly intrude into the open rural character of the area and would not sit comfortably in its rural setting despite proposed planting and the use of landscaped buffers. The extent of development, including built form, hardstandings and associated transport movements would not reflect the rural character of the area. This impact is exacerbated by the remoteness of the site from existing clusters of buildings or settlements and its location in the countryside gap between the Brinsbury Campus and Adversane. These impacts would be permanent and irreversible. The proposal is therefore contrary to Policies 2, 4, 7, 10, 25, 26, 27 amongst others. Furthermore, some harm has been identified to the setting of the Adversane Conservation Area and its listed building which although outweighed by public benefits in terms of the development's benefits for Brinsbury campus, nevertheless carries significant importance and weight in the overall planning balance when applying s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.69 Whilst the Site Specific Allocations of Land DPD and Brinsbury Centre of Rural Excellence SPD allow for development of the Campus, this is strictly on the proviso that such development helps secure the financial future of the campus, provides clear training links to support its status as a Centre for Rural Excellence, and reflects the rural location of the Brinsbury Campus without detracting from the rural environment. The examining Inspector for the DPD is clear in his expectation that if development under by Policy AL15 '*became more than a small and limited means of achieving this need [to support the financial and educational needs of the Campus] then development should not be permitted.*' Given the scale of the development across 6.8ha remote from the main Campus buildings, the proposal significantly exceeds the inspector's justification for supporting Policy AL15.
- 6.70 In terms of material considerations in favour of development, the site allocation under Policy AL15 of the Site Specific Allocations of Land DPD and accompanying Brinsbury Centre for Rural Excellence SPD allows for the appropriate development of Brinsbury campus to provide for development partners to support the financial and educational viability of the campus. This has already taken place with developments granted on this site, adjacent at Hepworths Brewery, and opposite at Architectural Plants, and significantly weighs in favour of development. It is considered the scheme offers significant benefits in terms of providing up to 14,000sqm of employment floorspace and associated employment opportunities to help meet the identified employment land shortfall through the Plan period. It has also been demonstrated that the sale of the land would help retain and grow Brinsbury Campus as an educational facility, with suitable evidence that occupiers are capable of being found who are willing to provide the necessary educational and training links as required by the Brinsbury SPD. This would be to the benefit of retaining and growing local education and employment opportunities at the Campus. Further, suitable evidence has been provided to demonstrate that other parts of the campus west of the A29 are not suitable for development in the manner of this site. The lack of significant or harmful cumulative impact on highway safety is of limited weight in favour, as is the absence of appreciable harm to the amenities of residents opposite. The ecological impact of the development can also be suitably managed by condition which also weighs in favour.
- 6.71 Overall, when placed carefully in the planning balance, it is considered that the benefits of the development in employment provision and in its contribution to the viability of Brinsbury Campus within the specific policy context for the Brinsbury Campus are of sufficient weight outweigh the identified harm and justify the grant of outline planning permission as a Departure from the Development Plan when taking into account matters secured within the s106 agreement and by condition. Whilst the permanent loss of open countryside is regrettable, sufficient effort has been made to mitigate to provide confidence that the visual impact on users of the A29, rail line and surrounding countryside is capable of being suitably addressed at Reserved Matters stage. For these reasons the application is recommended for approval.

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 appropriate education and training links with the College, and appropriate conditions. In the event that the legal agreement is not completed within three months of the decision of this committee, the Director of Planning, Economic Development and Property be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

1. A condition listing the approved drawings
2. (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the relevant phase of the development is commenced.

(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
3. The submission of reserved matters applications pursuant to this Outline application shall demonstrate compliance with the following Parameter Plans submitted as part of the Outline application to fix the development principles:
 - Red Line Boundary (Drawing No. P110);
 - Parameters Layout- building heights only (Drawing No. P105 REV P1);

Reason: To enable the Local Planning Authority to control the development in detail in accordance with the NPPF.

4. **Pre-commencement condition:** Prior to the commencement of the development hereby permitted, a phasing plan to cover the whole site shall be submitted to and approved, in writing, by the Local Planning Authority. The phasing plan shall identify the separate parcels of the site that will be brought forward, to include a first phase to provide for the access from the A29, the internal access road, sustainable urban drainage systems and all perimeter landscaping as a minimum. The details approved on the phasing plan shall determine how the development parcels and their relevant reserved matters are brought forward.
Reason: To enable the Local Planning Authority to control the development in detail to ensure a satisfactory development that is sympathetic to the landscape character and built form of the surroundings and preserves and enhances the ecological interests of the site, and in the interests of visual amenity in accordance with Policies 31 & 33 of the Horsham District Planning Framework (2015) and to ensure compliance with the NPPF.
5. **Pre-commencement condition:** Prior to the commencement of development on any phase a detailed long term Landscape Management and Maintenance Plan for all landscape areas for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted plan shall include:

- A description of landscape components;
- Management prescriptions;
- Details of maintenance operations and their timing;
- Details of the parties/organisations who will maintain and manage the site, to include a plan delineating the areas that they will be responsible for.

The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

6. **Pre-commencement condition:** Prior to the commencement of development on any phase precise details of the finished floor levels of the development in that phase in relation to a nearby datum point shall be submitted to and approved by the Local Planning Authority in writing. The development within that phase 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).

7. **Pre-commencement condition:** No development of any Phase shall commence until finalised detailed surface water drainage designs and calculations for that Phase, based on sustainable drainage principles, have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should reflect the submitted site-wide drainage strategy and clearly demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. Development of the relevant Phase shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The Phase shall subsequently be implemented and thereafter maintained in accordance with the approved designs.

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 & 38 of the Horsham District Planning Framework (2015).

8. **Pre-commencement condition:** No development shall commence on any phase, including providing the site access, 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 targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

9. **Pre-commencement condition:** No development shall commence, including any works of site clearance or the bringing of equipment, machinery or materials onto the eastern half of the site, until details of a minimum 5m wide reptile buffer along the entire eastern boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures for protection of the buffer during the site clearance and construction phase and its long-term management thereafter. No storage of materials, equipment or machinery shall take place within the buffer in any circumstances.
Reason: As this matter is fundamental to safeguard reptile habitats and the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

10. **Pre-commencement condition:** No development on any phase shall take place until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be a single document covering the development of all phases and shall be strictly adhered to throughout the construction period for each phase. The CEMP shall provide for, but not be limited to:

- i. An indicative construction and site clearance programme
- ii. Details on how access to existing businesses will be maintained throughout works
- iii. The arrangements for stakeholder as well as public consultation and liaison during the construction works
- iv. Details of construction traffic routing to avoid where possible the Air Quality Management Areas at Storrington and Cowfold
- v. Locations for the parking of vehicles of site operatives and visitors, location of the site office, and locations for the loading, unloading and storage of all plant and materials used throughout the construction of each Phase
- vi. Details of any floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination
- vii. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- viii. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- ix. Locations and details for the provision of wheel washing facilities
- x. Details of measures to monitor and control the emission of dust and dirt during construction
- xi. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works

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

11. **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 as a whole have been 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 hereby permitted is to be carried out in accordance with the approved details. Any changes to these components require the express written 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).

12. Pre-commencement condition: No development shall take place until a written scheme of investigation (WSI) covering the site as a whole has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition below ground or development shall take place other than in accordance with the agreed WSI, which shall include:

- the statement of significance and research objectives, and
- the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- the programme for further mitigation, post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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

13. Pre-occupation condition: Prior to the first occupation of any building on any phase of the development hereby permitted, full details of the hard and soft landscaping works for that Phase shall have been submitted to and approved, in writing, by the Local Planning Authority within the relevant Reserved Matters application. The submitted details shall include:

- i. Details of all hard surfacing materials and layouts
- ii. Details of all planting including species, numbers and planting size of all trees and plants, with all planting to accord with the recommendations set out at paragraphs 5.30-5.32 of the Preliminary Ecological Appraisal (Phlorum dated July 2016)
- iii. Provision for bat and bird boxes to accord with the recommendations set out at paragraphs 5.33-5.36 of the Preliminary Ecological Appraisal (Phlorum dated July 2016)
- iv. A detailed lighting scheme for all external areas to accord with the recommendations set out at paragraph 5.20 of the Preliminary Ecological Appraisal (Phlorum dated July 2016)
- v. Details of any cctv provision
- vi. Details of all boundary treatments including any security fencing

The approved landscape and lighting scheme shall be fully implemented in accordance with the approved details. All planting shall be carried out no later than 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 preserves and enhances the ecological interests of the site, and in the interests of visual amenity in accordance with Policies 31 & 33 of the Horsham District Planning Framework (2015).

14. **Pre-occupation condition:** Prior to first occupation of any unit within any Phase, a detailed Service Plan for that unit shall have been submitted to and approved in writing by the Local Planning Authority. The Service Plan shall include the following details:
- Details of the traffic routing to avoid where possible the Air Quality Management Areas at Storrington and Cowfold
- 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).
15. **Pre-occupation condition:** Prior to the first occupation of any part of the development hereby permitted, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. The applicant shall use all reasonable endeavors to work with other businesses in the immediate area to co-ordinate the measures within the travel plan.
Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).
16. **Pre-occupation condition:** No building hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling has been made for that building in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include the size of bins, their location, means of enclosure and the details of the proposed refuse collector. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).
17. **Pre-occupation condition:** No part of the development hereby permitted shall be first occupied until the vehicular access serving the development as shown on drawing number 2016/3250/001 Rev K received on 15 August 2017 has been fully constructed in accordance with the approved planning drawings.
Reason: To ensure safe access to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).
18. **Pre-occupation condition:** Prior to the use of the vehicular access onto the A29 Stane Street commencing, visibility splays of 4.5 metres by 160 metres shall have been provided at the proposed access in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
Reason: To ensure safe access to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).
19. **Pre-occupation condition:** No building hereby permitted shall be occupied unless and until the car parking facilities necessary to serve that building have been fully constructed and made available for use. The car parking facilities shall thereafter be retained at all times for their designated purpose.
Reason: To ensure adequate parking facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).
20. **Pre-occupation condition:** No part of the development hereby permitted shall be first occupied until the north and south bound bus stops and associated footways and pedestrian refuge on the A29 Stane Street as indicatively shown on drawing number 2016/3250/001 Rev K received on 15 August 2017 have been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

21. **Pre-occupation condition:** No part of the development hereby permitted shall be first occupied until the footpath link connecting the development to the Brinsbury College Campus has been constructed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

22. **Pre-occupation condition:** Prior to the first occupation (or use) of any unit within the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that unit has been constructed in accordance with the approved design drawings under Condition 7 shall have been 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 reduce the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015).

23. **Regulatory condition:** No operations or activities, including the operation of plant and machinery, workshop processes, and deliveries, shall take place within the site except between the hours of 0700 to 1900 hours Mondays to Saturdays and 0800 to 1300 hours Sundays.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring properties in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

24. **Regulatory condition:** No operations involving the use of power tools or other noise generating plant, machinery or equipment (with the exception of fork-lift truck movements), shall be undertaken within the site, other than within the buildings hereby permitted.

Reason: To safeguard the tranquillity of the countryside and amenities of neighbouring properties in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

25. **Regulatory condition:** All external lighting to the development as a whole shall be switched off between the hours of 1930 to 0630 hours the following day on Mondays to Fridays, between 1930 and 0730 hours the following day on Saturdays, and between 1330 and 0630 hours the following day on Sundays.

Reason: To safeguard the ecology and tranquillity of the countryside in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

26. **Regulatory condition:** No external lighting or floodlighting shall be installed other than that approved under condition 13. Any external lighting that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: To safeguard the dark skies, ecology and tranquillity of the countryside in accordance with Policies 24, 25, 26 & 33 of the Horsham District Planning Framework (2015).

27. **Regulatory condition:** No trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be felled as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with policy 31 of the Horsham District Planning Framework (2015).

28. **Regulatory condition:** No importation of soil and other fill materials onto the development site shall take place unless the soil/fill has been certified as fit for purpose by a competent person and has been subject to analysis by an accredited laboratory to ensure that it is free from contamination.

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

29. **Regulatory condition:** The development hereby permitted shall be carried out in full accordance with the ground clearance, excavation, vegetation clearance and ecological mitigation measures and recommendations set out at paragraphs 5.8-5.37 of the Preliminary Ecological Appraisal (Phlorum dated July 2016).

Reason: To safeguard reptile, bat, badger and breeding birds and the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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

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

31. **Regulatory condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes F, G, H and J of Part 7 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 of the Horsham District Planning Framework (2015).

32. **Regulatory condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), no change of use of the units hereby permitted from the uses granted for that unit by this permission shall take place without express planning consent from the Local Planning Authority first being obtained.

Reason: To ensure the development remains in compliance with the exceptional circumstances permitting the grant of planning permission within Policy AL15 of the Site Specific Allocations of Land DPD and in the interest of visual amenity to protect the rural character of the area in accordance with Policies 25, 26, 27 & 33 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 new access junction onto the A29.
3. The applicant is advised that this permission does not grant consent for any plant or extract systems required to service the development.
4. The applicant is advised that the CEMP should limit the hours of construction activities (including deliveries & dispatch, loading & unloading) to 08.00 – 18.00 Monday until Friday and 08.00 – 13.00 Saturdays with no working on Sundays, Bank or Public Holidays.
5. The applicant is advised that this permission grants the use of the B1/B2/B8 units for either B1, B2 or B8 use, or a combination of these uses, for first occupiers and all subsequent occupiers up to a period of 10 years following the date of permission, as provided for under Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Background Papers: DC/17/0177 & DC/16/2963