



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Planning Committee (South)

BY: Head of Development

DATE: 20th February 2018

DEVELOPMENT: Development of the site to provide 23 dwellings and 6 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road. Construction of private parking bays to serve existing dwellings on Stopham Road served by new access from Stopham Road.

SITE: Land Adjacent Railway Cottages and Pulborough Railway Station
Stopham Road Pulborough West Sussex

WARD: Pulborough and Coldwaltham

APPLICATION: DC/16/0728

APPLICANT: Willowmead & Network Rail

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

RECOMMENDATION: To grant planning permission subject to the completion of a Legal Agreement by no later than 23rd March 2018. In the event a suitably worded Legal Agreement has not been completed by 23rd March 2018, or other later date as agreed by the Director of Planning, Economic Development and Property, to refuse the application in consultation with local members.

1. INTRODUCTION AND BACKGROUND

- 1.1 This Application was considered by Members at the 16 August 2016 Development Management (South) Committee, with Members determining to grant planning permission subject to the completion of a legal agreement to secure a number of benefits including the delivery of a 106 space station car park extension and associated highway improvements. The published minutes of the 16th August 2016 meeting record that, in addition to the matters set out in the agenda report of the application:

"Since publication of the report the applicant's Landscape Architect had submitted additional information in response to concerns regarding the landscape impact of the proposal.

The Parish Council had supported the proposal and, since publication of the report, had confirmed the local community support for the proposal. Sixteen letters of support from 12 addresses, and 17 letters of objection from 11 addresses had been received. Two

members of the public and the applicant's agent all spoke in support of the application. A representative of the Parish Council spoke also spoke in support of the proposal.

Whilst a legal agreement to secure affordable housing and infrastructure contributions had not been secured, the applicant had indicated they were willing to enter into such an agreement.

Members discussed the proposal in the context of the reasons for refusal of DC/15/1025 relating to the principle of the development and its impact on the landscape.

Members considered the proposal in the context of the Horsham District Planning Framework (HDPF), which had been adopted since DC/15/1025 had been refused, and discussed the amount of weight that could be given to the draft Neighbourhood Plan, which included the site for development (concluding that this was only limited). The site's proximity to the railway and the A283 were noted.

Members discussed the benefits that the scheme would bring to the wider community, in particular:

- Increased capacity for commuter parking;*
- The erection of bollards to prevent parking along part of the Stopham Road (entrance to the Village);*
- Creation of a surfaced car parking layby for existing residents of the Stopham Road;*
- Moving the 30mph speed limit further west from the village (increasing the 30mph zone);*
- A traffic light system to allow pedestrians to pass under the railway bridge safely; and*
- Step-free access (to improve disabled accessibility) to the station's northbound platform.*

Members weighed the policy objections against the significant community benefits that the scheme would bring (listed above) and after careful consideration of all the material considerations concluded that the significant package of community benefits outweighed the concerns and thus the benefits warranted approval of the development as a Departure to the Development Plan.

RESOLVED

- i. That a legal agreement be entered into to secure affordable housing provision and infrastructure contributions.*
- ii. That on completion of (i) above, planning application DC/16/0728 be determined by the Development Manager for the framing of conditions in association with Ward Members. The view of the Committee was that the application should be granted."*

- 1.2 Since Members' resolution at the 16th August 2016 meeting, Officers and the Council's Solicitor have been in negotiations with the Applicant and their Solicitor in respect of the drafting of the s106 agreement. However, to date no final draft s106 has been agreed between the parties.

2. OFFICER ASSESSMENT

- 2.1 Although there are provisions for the LPA and applicant to agree an extension of time limit over and above the statutory time period for determination (13 weeks for a major application such as this), the Government's Planning Practice Guidance states that the government's policy is that decisions should be made within 26 weeks at most. This application was valid from the 31st March 2016. Therefore, at the time of this Committee meeting on 20th February 2018, the application will have been valid and under consideration for over 98 weeks.

- 2.2 While in this Council's experience, large strategic developments may require in excess of 26 weeks to negotiate complex legal obligations to secure matters to be delivered over construction periods of many years, the vast majority of Legal Agreements should be capable of completion within this timescale. This small-scale major application necessitates fairly straightforward obligations which Officers would have expected to have been finalised many months ago, but the application has now been with us for over 22 months, which is well in excess of the government's 26-week policy, and in excess of their 'planning guarantee' that no application should spend more than a year with decision makers, including any appeal.
- 2.3 The reasons for the significant delay in this case are not entirely clear, although the Applicant has made reference to Network Rail's internal processes taking time whilst it is agreed which party (the Applicant or Network Rail) is to own and manage the car park.
- 2.4 Communications between the Applicants and the Council have been ongoing since the resolution to grant planning permission. An initial draft s106 was sent to the Applicant's solicitor late September 2016, following the 16th August Committee. In October 2016, Land Registry title searches revealed that there was land within the red edge which was owned by a third party and not one of the two named applicants. A 21 day period then had to lapse following notice being served on this landowner to allow them to make their representations. None were received, and the Council progressed drafting. Although these early discussions of the s106 wording progressed within normally acceptable timescales, following the Council's issuing of a draft on 20 January 2017 incorporating changes and addressing issues raised by the Applicant, comments were not received from the Applicant's solicitor until 12 May 2017, despite a series of agreed extensions of time during this period and assurances made by the Applicants that each of those dates was a realistic date for their completion of the s106 Agreement. The Applicants advised that the delay was owing to delays with Network Rail agreeing the draft.
- 2.4 A series of further exchanges of drafts between the Council's and the Applicant's solicitors were made between late June and mid-August 2017, and comments on the Council's draft of 14th August were received on 2nd October 2017. During these exchanges, the Applicant was notified on 1st August 2017 of the Council's implementation of CIL charging from 1st October 2017. On 13 September 2017, the Applicant's Agent advised that they would not be in a position to complete the s106 before CIL implementation, and suggested an Extension of Time for determination to 30th November 2017 as a realistic date by which the Applicants would be able to complete the s106 Agreement.
- 2.5 Due to pressures in the Council's Legal Team, the Council's solicitor was not in a position to respond to the 2nd October draft until 15th November 2017, and Officers sought a further Extension of Time to allow completion before Christmas 2017. In response, the Applicant has provided a commitment that they will provide a Completed s106 Agreement in time for a decision to be issued before the end of February 2018. This commitment was re-iterated in email exchanges in mid-January 2018 when a further revised draft was submitted to the Council.
- 2.5 Whilst the Applicants are continuing to commit to completing the legal agreement by the end of February 2018, in light of the repeated delays, many of which it is accepted were not at the direct fault of the Applicant, Officers are seeking Members authority to refuse the application in the event that a satisfactory s106 Agreement is not Completed by the Applicant by 23rd March 2018, or other later date as agreed by the Director of Planning, Economic Development and Property in consultation with Local Members.
- 2.6 As referred to above, Members should note that since this application was considered by the Committee in August 2016, the Council has adopted and implemented a CIL charging

schedule. As such, contributions which were previously secured through a 'tariff-style' formula are now covered by CIL payments. This includes education, libraries, play areas and open space contributions. The only items to be secured through a s106 Agreement in connection with this application are now the provision of affordable housing, the completion of off-site highway works and the construction and commencement of use of the proposed car park.

- 2.7 As set out in the minutes of the 16th August 2016 meeting (extract copied in section 1.1, above), Members' resolution to grant planning permission contrary to Officers' recommendation relied on securing the benefits listed, in order to outweigh the harm arising from the landscape impacts of development and the conflict with the spatial strategy for growth set out in the HDPF. If those benefits are not secured, then there are insufficient material considerations to outweigh the harm arising as a result of the conflict with the Development Plan. As such, in the event that the application is refused, the reasons for refusal would be as originally recommended by Officers, and not solely related to the absence of a completed Legal Agreement.

3. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	2727	0	2727
Total Gain			
Total Demolition			0

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

4. RECOMMENDATIONS

- 4.1 **A.** To grant planning permission subject to appropriate conditions and the completion of a Legal Agreement securing the provision of affordable housing, the completion of off-site highway improvements and the completion of a public car park with level pedestrian access to the western station platform by no later than 23rd March 2018.
1. A condition listing the approved plans
 2. **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 3. **Pre-Commencement Condition:** No development shall commence prior to the completion of off-site highway works comprising:
 - a) installation of pedestrian controlled traffic signals under the Stopham Road railway bridge in accordance with details to be submitted to and agreed in writing by the LPA.

- b) construction of laybys for parking of vehicles in connection with the residential occupation of Nos. 1-11 Stopham Road as shown indicatively on drawing number 1 676-Olc received by the LPA on 24th June 2016
- c) erection of bollards and no-waiting restrictions to prevent parking on verges on Stopham Road, the extent of which is shown indicatively on drawing number 1676-Olc received by the LPA on 24th June 2016.
- d) relocation of the 30mph speed limit zone signage as shown indicatively on drawing number 1676-Olc received by the LPA on 24th June 2016.

Reason: In order to secure delivery of benefits of the development which were a strong material consideration in determining to permit the development which would otherwise have been contrary to the provisions of the Development Plan and in the interests of highway safety in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).

4. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the 106 space car park hereby permitted has been completed and is open to the public for use.

Reason: In order to secure delivery of benefits of the development which were a strong material consideration in determining to permit the development which would otherwise have been contrary to the provisions of the Development Plan and in order to provide additional parking to serve the railway station in accordance with Policy 41 of the Horsham District Planning Framework (Adopted November 2015).

5. **Pre-Commencement Condition:** No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved drawing 1676-02d received by the LPA on 20th June 2016.

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

6. **Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 90 metres to the east and 2.4 metres by 142 metres to the west have been provided at the approved site vehicular access onto Stopham Road in accordance with plans and details to be submitted to and approved, in writing, by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

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

7. **Pre-Occupation Condition:** No dwelling shall be first occupied until the car parking has been constructed in accordance with drawing 1676-02d received by the LPA on 20th June 2016. These spaces, including garages, shall thereafter be retained at all times for the parking of vehicles in connection with the residential use of the dwelling.
- Reason: To provide car-parking space for the use in accordance with Policy 41 of the Horsham District Planning Framework (Adopted November 2015).

8. **Pre-Commencement Condition:** Prior to the commencement of development of the car park hereby permitted, a specification for the car park including details of layout, surfacing and lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of safety and to provide sufficient parking, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (Adopted November 2015).

9. **Pre-Occupation Condition:** No part of the development shall be first occupied until the road(s), footways, and casual parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved, in writing, by the Local Planning Authority.
Reason: To secure satisfactory standards of access for the proposed development in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
10. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
a) the anticipated number, frequency and types of vehicles used during construction,
b) the method of access and routing of vehicles during construction,
c) the parking of vehicles by site operatives and visitors,
d) the loading and unloading of plant, materials and waste,
e) the storage of plant and materials used in construction of the development,
f) the erection and maintenance of security hoarding,
g) the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
h) details of public engagement both prior to and during construction works.
Reason: In the interests of highway safety and the amenities of the area and in accordance with Policies 40 and 24 of the Horsham District Planning Framework (Adopted November 2015).
11. **Pre-Occupation Condition:** Prior to the initial occupation of the development hereby permitted, the provision of footways on the A283 Stopham Road, eastwards to Pulborough shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
12. **Pre-Commencement Condition:** No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.
Reason: In the interests of biodiversity at the site and adjacent and in the interests of the visual amenities of the locality, in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015)
13. **Pre-Commencement Condition:** No development shall be commenced unless and until a schedule of materials and finishes and colours to be used for external walls and roofs of the buildings has been submitted to and approved by the Local Planning Authority in writing. The development shall thereafter be carried out in accordance with the approved details.
Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015)
14. **Pre-Commencement Condition:** No development shall take place until details of all screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority and no dwelling hereby permitted shall be occupied until such approved screen walls and/or fences associated with it have been erected. Thereafter

the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details.

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

15. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed forward of the principle elevation of any dwelling hereby permitted.
Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015)
16. **Regulatory Condition:** Notwithstanding the provisions of Article 3(1) of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Classes A to E of Part 1 of Schedule 2 to the said Order shall be erected, constructed, or placed within the application site unless planning permission is first granted by the Local Planning Authority.
Reason: In order that the Local Planning Authority can properly consider whether any future proposals will constitute overdevelopment of the site or will in any other way be detrimental to the character of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015)
17. **Pre-Commencement Condition:** Prior to the commencement of the development hereby permitted, details of the finished floor levels of the development and ground levels of the site (where differing from existing) in relation to a fixed datum point outside of the site shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.
Reason: To control the development in detail in the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
18. **Pre-Commencement Condition:** No works or development shall take place unless and until full details of all hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting 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 otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)
19. **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 33 of the Horsham District Planning Framework (2015)

20. **Pre-Commencement Condition:** Prior to the commencement of development or any preparatory works, an Ecological Mitigation and Management Plan shall be submitted to the Local Planning Authority for approval, in writing, which shall include pre-, during and post-works mitigation measures, and will include, but not be limited to, the recommendations made in Sections 6 and 7 of the Ecology Survey Report and Ecological Mitigation Strategy by Arbeco dated January 2016, in particular with regards to measures for felling trees, and reptile translocation. The Ecological Mitigation and Management Plan shall include details of landscape management of the site, and a management regime for 10 years following construction. All approved details shall then be implemented in full and in accordance with the agreed timings and details.

Reason: To ensure protected species and biodiversity is protected and enhanced in accordance with Policy 31 of the Horsham District Planning Framework (Adopted November 2015).

21. **Pre-Commencement Condition:** Development shall not commence until a drainage strategy detailing the proposed means of foul sewerage disposal and an implementation timetable has been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure sufficient provision is made for disposal of sewerage from the site in accordance with Policy 38 of the Horsham District Planning Framework (Adopted November 2015).

22. **Pre-Commencement Condition:** Development shall not commence until details of surface water disposal, based on sustainable drainage principles, and a timetable for delivery has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The submitted details shall include details of management and maintenance responsibilities for the lifetime of the development. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure sufficient provision is made for disposal of surface water from the site in accordance with Policy 38 of the Horsham District Planning Framework (Adopted November 2015).

23. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until dedicated cycle parking to serve that dwelling has been provided in accordance with details, to be submitted to and approved, in writing, by the Local Planning Authority and the facilities so provided shall be thereafter retained solely for that purpose.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

24. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling bins has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

25. **Pre-Commencement Condition:** Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, including

the identification and removal of asbestos containing materials, shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

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

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (c) and, based on these, an options appraisal and remediation strategy 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.

Any changes to these components require the express consent of the local planning authority. The scheme 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 in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).

26. **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 in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).

27. **Pre-Occupation Condition:** Where the acoustic report reference 14019 received by the LPA on 31st March 2016 has identified any adverse noise impact, a scheme of works to reduce the intrusion of noise shall be drawn up. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation where appropriate. The scheme shall be submitted to and approved in writing by the local planning authority. The scheme as approved by the local planning authority shall be fully installed before the development is occupied.

Reason: In the interests of the amenity of future occupiers of the development, in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).

28. **Pre-Commencement Condition:** Prior to the commencement of the development hereby permitted, the developer shall provide evidence that their approved building control provider has been notified of the requirement to apply the optional requirement for water efficiency to the development (limiting water use within the dwellings hereby permitted to less than 110 litres per person per day). The development shall thereafter be carried out in accordance with the optional requirement for water efficiency standard set out in the Building Regulations.

Reason: In the interests of managing water use in this area of Serious Water Stress, in accordance with Policy 37 of the Horsham District Planning Framework (2015)

29. **Pre-Occupation Condition:** Prior to their first occupation, each dwelling shall be provided with the necessary infrastructure to enable connection to high-speed broadband internet.

Reason: To ensure a sustainable development that meets the needs of future occupiers by providing a greater opportunity for home working and a reduction in car-based commuting and to comply with Policy 37 of the Horsham District Planning Framework (2015).

- 4.2 **B.** In the event a suitably worded Legal Agreement has not been completed by 23rd March 2018, or other later date as agreed by the Director of Planning, Economic Development and Property, to refuse the application in consultation with local members for the following reasons:

- 1 The application site is located outside of the built-up area boundary and is not allocated for residential development in a Local Plan or a Made Neighbourhood Plan. The development of the site is therefore contrary to the spatial strategy for growth in Horsham District and is contrary to Policies 1, 2, 3, 4 and 15 of the Horsham District Planning Framework (Adopted November 2015).
- 2 The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies 2, 25, 26, 27, 30 and 33 of the Horsham District Planning Framework (Adopted November 2015).
- 3 Policy 16 requires 35% affordable housing provision on developments of this size. Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. The provision of affordable housing must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policies 16 and 39 of the Horsham District Planning Framework (Adopted November 2015).

Appendix A

Report of DC/16/0728 from Agenda of 16 August 2016 Development Management South Meeting