

Planning Committee (North)
5 SEPTEMBER 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, Roy Cornell, Leonard Crosbie, Billy Greening, Tony Hogben, Adrian Lee, Godfrey Newman, Brian O'Connell, Connor Relleen, David Skipp, Simon Torn, Claire Vickers and Tricia Youtan

Apologies: Councillors: John Bailey, John Chidlow, Christine Costin, Jonathan Dancer, Matthew French, Christian Mitchell, Josh Murphy and Stuart Ritchie

PCN/34 **MINUTES**

The minutes of the meeting of the Committee held on 1 August were approved as a correct record and signed by the Chairman.

PCN/35 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/1528 – Councillor Adrian Lee declared a personal interest because he lived on the Highwood estate.

DC/17/1528 – Councillor Godfrey Newman declared a personal interest because he lived on the Highwood estate. He was also a member of Denne Neighbourhood Council.

PCN/36 **ANNOUNCEMENTS**

There were no announcements.

PCN/37 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted. In particular Members' disappointment at the decision to allow DC/16/1016 (Park North and North Point, North Street, Horsham) was noted.

PCN/38 **DC/17/1689 - HORSHAM PARK, NORTH STREET, HORSHAM (WARD: HORSHAM PARK) APPLICANT: MR RICHARD BRADLEY**

The Head of Development reported that this application sought temporary planning permission for the change of use of a section of the park, including the volleyball court, with the erection of a temporary marquee to house an ice rink, cafe and reception.

The application site was located in the south west section of Horsham Park and included a volleyball court. The area was close to a wooded area near the car park for Park House. The site was north of North Street and south of The Pavilions in the Park leisure centre.

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

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. An addendum to the report had been circulated to Members advising that Historic England had clarified the wording of their consultation response at 3.8 of the report to say that 'any material impact on the setting and character of the listed building **could** be transient'. The addendum included the Highway Agency's comments that raised no objection to the application. The addendum also corrected a minor error at paragraph 6.6 of the report, which should have referred to a 'recreation' area, rather than 'retail' area.

Denne Neighbourhood Council supported the application and Trafalgar Neighbourhood Council objected to it. A total of 156 letters of objection and four of support had been received. Since publication of the report a further 36 objections had been received, which raised no new issues, and one letter of objection had been withdrawn. A letter had been received from the Manager of Swan Walk Shopping Centre outlining their support for the application because of the positive economic benefits it would bring to the town.

Three members of the public spoke in objection to the application, including a representative of New Friends of Horsham Park and the Chairman of the Horsham Society. The applicant spoke in support of the proposal, and a representative of Denne Neighbourhood Council also spoke in its support. The Cabinet Member for Leisure & Culture addressed the Committee in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; visual impact; impact on the neighbouring listed building and wall; neighbouring amenity; and highways.

Officers acknowledged that the Arboricultural Officer had raised some concern. However Members were assured that permission would have to be sought should any minor pruning be required and, whilst the proposal may result in some minor works to a tree, it would not result in its loss and this minor harm was weighed against the significant benefits of the scheme.

Members noted the concerns that had been raised, in particular regarding the need to protect the character and setting of Horsham Park. Members discussed the temporary nature of the proposal and its location within the park, and concluded that it would not cause material harm to neighbouring amenity or the park setting and would make a positive contribution to the local economy and the vitality of the town.

RESOLVED

That planning application DC/17/1689 be granted subject to the conditions and reasons as reported.

PCN/39 **DC/17/0815 - LAND AT CHURCH ROAD, MANNINGS HEATH (WARD: NUTHURST) APPLICANT: MR ALEXANDER EALEY**

The Head of Development reported that this application sought permission for the erection of three two-storey detached dwellings with associated garages, access and landscaping. The dwellings would be along a staggered build line and use the existing access with a shared drive running along the north of the site.

The application site was located in the built-up area of Mannings Heath to the south-east of Church Road and north of the A281. It was a triangular plot of woodland, although a number of trees had been cleared from the site. There was residential development of varying scale and design to the north and west, and open countryside to the south and east.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. Since publication of the report the Council's Drainage Officer had advised that the applicant had submitted insufficient information regarding flooding and surface water and recommended that Condition 11 regarding drainage be replaced with the Council's standard drainage condition. In response to a letter of concern regarding the presence of great crested newts, the Council's Ecologist had confirmed that there was a small population of them on the site and a condition should be included to ensure that development is carried out in line with the Phase II Protected Species Report.

The Parish Council objected to the application. A total of 135 letters of objection, from 68 households, had been received. Two members of the public spoke in objection to the application, one of whom spoke on behalf of the Mannings Heath Action Group. A representative of the Parish Council also spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; character of the dwellings and visual amenities of the street scene; the amenity of neighbouring occupiers; parking and traffic conditions.

Members noted the objections raised by the Parish Council, which did not consider the scale and massing of the development to be in accord with Policy 10 (Housing Design) of the Nuthurst Parish Neighbourhood Plan. Members

were also concerned that the proposed housing mix did not reflect the local housing demand for smaller units.

Members concluded that the number, scale and massing of the proposal would have a detrimental impact on the character of the area and wider landscape.

RESOLVED

That planning application DC/17/0815 be refused for the following reason:

The proposal is out of keeping with the character of the area due to the number, scale and massing of the development.

PCN/40 **DC/17/1158 - FORMER SWALLOWFIELDS NURSERY, CHURCH ROAD, MANNINGS HEATH (WARD: NUTHURST) APPLICANT: BAYLEAF HOMES LTD**

The Head of Development reported that this application sought permission for a residential development of four dwellings. Matters for consideration under this outline application were the principle of the development and vehicular access, with all other matters reserved for future determination. Improvements to the existing private drive, which served three dwellings, would include widening it at the junction with Church Road and providing a footway. The applicant had indicated that each plot would have either a detached or attached double garage.

The application site was located within the built-up area of Mannings Heath west of Church Lane and was an overgrown open space with hedges and mature trees (some subject to Tree Preservation Orders) on its boundaries, close to open countryside and woodland. The main residential development of Mannings Heath was to the north. The High Weald Area of Outstanding Natural Beauty was about 150 metres to the west. There were agricultural buildings directly to the north-east, and dwellings with large gardens north and south of the site.

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

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. An addendum to the report had been circulated to Members advising that the Highway Authority raised no objection, subject to additional conditions in the interest of highway safety. Environmental Health & Licensing raised no objection subject to an additional condition regarding contamination. Recommended additional conditions in response to these comments were included in the addendum. It was also reported that Natural England and the Council's Ecology Officer raised no objection.

It was reported at the meeting that the Landscape Officer had raised concerns regarding the removal of vegetation within the site but acknowledged that vegetation on the site boundaries remained.

The Parish Council had originally objected to the application, but following receipt of additional comments no objection was raised. 35 letters of objection, from 23 households, and five of support, from four households, had been received. Since publication of the report an additional three letters, from two households, had been received objecting to the proposal, as reported in the addendum. It was reported at the meeting that a further 24 letters of objection, many of which were from addresses outside the district, had been received. Three members of the public spoke in objection to the application, including a representative of CPRE Sussex. The applicant and a representative of the Parish Council both spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character of the site and visual amenities of the street scene; amenity of neighbouring occupiers; access and traffic conditions; ecology and trees; and the impact on Swallowfield House and its parkland setting.

In response to Members' concern that the indicative layout proposed relatively large detached dwellings, it was agreed that a condition could be added to make it clear that the illustrative site plan was not permitted and encourage smaller scale units in compliance with Policy 2 of the Nuthurst Parish Neighbourhood Plan at the detailed stage.

RESOLVED

That planning application DC/17/1158 be granted subject to the conditions as reported, including the additional conditions reported in the addendum, with an additional condition to make it clear that the illustrative site plan is not permitted.

PCN/41 **DC/17/1528 - LAND EAST OF A24, WORTHING ROAD, HORSHAM (WARD: DENNE) APPLICANT: MISS LISA PARCHMENT**

The Head of Development reported that this application sought permission for a variation to Condition 1 of previously approved application DC/11/1100 for the use of a dwelling as a sales and marketing suite with parking for a period of three years. The period had already been extended by two years to 29 December 2018, with permission DC/14/2306.

The application site was located west of Worthing Road. The marketing suite was associated with Phase 1 of the larger development site approved under outline permission DC/09/2138 for 1044 dwellings.

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

The consultation response from the Highway Authority, as contained within the report, was considered by the Committee. The Neighbourhood Council raised no objection to the application. The Local Member, Councillor Adrian Lee, considered there to be significant road safety issues associated with the continued use of the marketing suite now that more dwellings were occupied. One letter of objection, signed by three households, had been received.

Members considered the officer's planning assessment and the impact of the proposed variation, taking into account the required downgrading of the bridge to pedestrian, cycle and emergency vehicle use only within six months of occupation of the 470th dwelling. A schedule of works had been agreed with the Highway Authority and it was noted that, should there be delays, enforcement action could be taken.

Concerns regarding drivers flouting the advisory speed limit and parking restrictions were discussed and it was recognised that enforcement action could not be taken by the County or District Councils because the estate roads had not yet been adopted.

RESOLVED

That planning application DC/17/1528 be granted subject to the conditions and reasons as reported.

PCN/42 **TPO/1500 - HILLS FARM ALLOTMENT GARDENS, GUILDFORD ROAD, HORSHAM (WARD: DENNE) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought to confirm Tree Preservation Order (TPO) 1500. A provisional TPO was served on Hill Farm Allotment Gardens in March 2017 to give immediate protection to one sycamore and three lime trees.

The application site was a strip of land to the south-east of Hills Farm Cemetery and Allotments site, which had been transferred into the ownership of 66 Hillside.

Three letters objecting to the inclusion of the lime tree in the TPO had been received.

Members considered the officer's assessment of the four trees, in particular the lime tree and its impact on the amenity of the occupiers of 66 Hillside, its condition and amenity value.

RESOLVED

That TPO 1500 be confirmed, to include three lime trees (T1 – T3) and one sycamore tree (T4), for the reasons as reported.

PCN/43 **DC/17/0586 - CAR PARK, HURST ROAD, HORSHAM (WARD: HORSHAM PARK) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Head of Development reported that this application sought permission to reconfigure an existing car park to create an additional 33 spaces. The reconfiguration would take place in conjunction with the introduction of a ticketless payment system.

The proposal had been deferred by Members at the Committee in August 2017 to allow for further consultation and consideration on the safety of the reconfigured car park (Minute No. PCN/31 (01.08.17) refers). The application had subsequently been amended by: increasing width of central footway to three metres; additional planting either side of the footway and around the periphery of the site; and increasing cycle parking spaces by 28 to 56. In order to accommodate these amendments there would be four fewer car parking spaces than previously proposed.

The application site was located on the southern side of Hurst Road, closely associated with The Pavilions Leisure Centre.

Members were referred to the previous report which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal. A further six letters raising concerns had been received including from the Horsham Society and the Horsham District Cycling Forum. A representative of Horsham District Cycling Forum spoke in objection to the application. A representative of the Neighbourhood Council and the Cabinet Member for Leisure & Culture both addressed the Committee in support of the application.

Members considered the amendments that had been made to the original plan and concluded that the proposal was acceptable.

RESOLVED

That planning application DC/17/0586 be granted subject to the conditions and reasons as reported.

PCN/44 **DC/17/1458 - VIVIAN'S, NORTH HEATH LANE, HORSHAM (WARD: HOLBROOK EAST) APPLICANT: BROUGHTONWOOD HOMES**

The Head of Development reported that this application sought permission for the demolition of a bungalow and the erection of three contemporary Sussex style dwellings comprising two detached 4-bedroom dwellings with attached garages (plots 1 and 2), and one 2-bedroom bungalow with detached bungalow (plot 3). Plot 1 would be served by a new access from North Heath Lane; the other two plots would use the existing access.

The application site was located within the built-up area on the south-east side of North Heath Lane and comprised a bungalow in a generous plot. Access was shared with two other dwellings. The site was well screened with foliage and fencing from the street. The surrounding area included detached and terraced dwellings of varying ages and styles.

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

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. An addendum to the report had been circulated to Members advising that the Arboricultural Officer had withdrawn his objection to the siting of the garage and the levels and the siting of the drive following submission of revised information. The objection regarding potential pressures on the protected tree was sustained. A recommended additional condition to protect the future health and amenity of the adjoining trees was included in the addendum. An additional regulatory condition to protect the visual and neighbouring amenity was also recommended. It was reported at the meeting that the Highway Authority had revisited the sight and confirmed they had no objection and considered that no harm would be caused by the additional access.

The Parish Council objected to the application. Eleven letters of objection had been received. Two members of the public spoke in objection to the application and the applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its visual impact and appearance; the amenity of neighbouring occupiers; and highways and parking.

Members discussed concerns regarding the tree, which was of high amenity value, and noted that no works to the tree could be carried out without consent. The different levels of the site surrounding the property were discussed and whilst the submitted plan acknowledged these levels it was agreed that a revised plan looking at the levels in more detail should be required for approval through an amended condition.

RESOLVED

That planning application DC/17/1458 be granted subject to the conditions and reasons as reported, including the re-worded conditions reported in the addendum, and subject to the submission of a revised levels plan through a condition, notwithstanding the plan submitted.

The Head of Development reported that this application sought permission for the demolition of a building, and the erection of two semi-detached 4-bedroom dwellings. Access would be from Rushmans Road with parking for two vehicles for each property. The applicant had demonstrated that the building, which was for B1 (Business) and B8 (Storage) use, was no longer viable for employment use without substantial improvement works.

The application site was located within the built-up area of Horsham, south of Rushmans Road, and included a single storey red brick building with a flat roof and pitched roof extension. There was a three storey dwelling to the west and a large detached bungalow east of the site. The wider street scene comprised mainly two and three storey semi-detached and terraced dwellings.

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

The Neighbourhood Council objected to the application. The Horsham Society objected to the scheme, and 20 objections from 12 households, had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character of the proposed dwellings and their impact on the street scene; the amenity of neighbouring residents; and parking and traffic conditions. With regards to neighbouring amenity, Members noted the siting and orientation of the building in relation to the adjacent bungalow and were satisfied it would not cause material harm.

It was agreed that an additional condition would be added regarding suitable pedestrian visibility spays, in response to the Highway Authority's comments.

RESOLVED

That planning application DC/17/0786 be granted subject to the conditions and reasons as reported, plus an additional condition requiring appropriate pedestrian visibility spays.

The meeting closed at 8.52 pm having commenced at 5.30 pm

CHAIRMAN