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# Planning Committee (North)

Tuesday, 6th March, 2018 at 5.30 pm  
Conference Room, Parkside, Chart Way, Horsham

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

You are summoned to the meeting to transact the following business

Tom Crowley  
Chief Executive

## Agenda

	Page No.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 16
To approve as correct the minutes of the meeting held on 6 February 2018 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

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

5. **Appeals** 17 - 18

Applications for determination by Committee:

6. **DC/17/2481 - Land to the West of Phase 1, Kilwood Vale, Crawley Rd, Faygate** 19 - 40

Ward: Rusper & Colgate  
Applicant: Crest Nicholson Operations Ltd

7. **DC/17/2316 - North Eastern Parcel of Solomon's Seal, Old Guildford Rd, Broadbridge Heath** 41 - 56

Ward: Broadbridge Heath  
Applicant: Bellway Homes Ltd

8. **DC/17/2524 - Micklepage, Nuthurst Street, Nuthurst** 57 - 68

Ward: Nuthurst  
Applicant: c/o Agent

9. **DC/17/1579 - The Royal Oak, Friday Street, Rusper** 69 - 78

Ward: Rusper & Colgate  
Applicant: Clive and Sara Blunden

10. **DC/17/2048 - Beckley Stud, Reeds Lane, Southwater** 79 - 88

Ward: Southwater  
Applicant: L Middleton & Hope Charity Project

11. **DC/17/2675 - Melbury, 34 Richmond Rd, Horsham** 89 - 96

Ward: Horsham Park  
Applicant: Mr G Bateman

12. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

# Agenda Annex

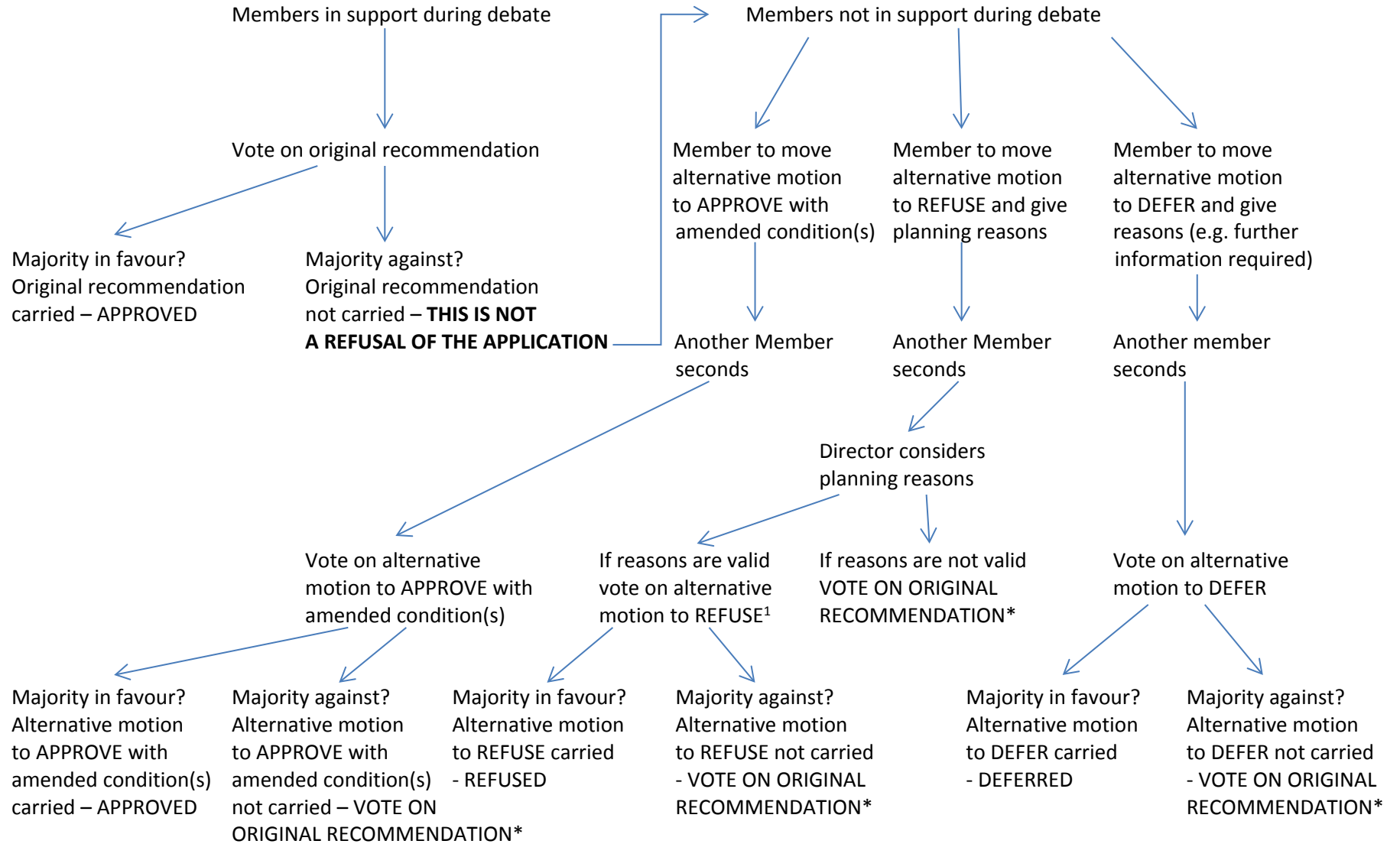
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

<b>Addressing the Committee</b>	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
<b>Minutes</b>	Any comments or questions should be limited to the accuracy of the minutes only.
<b>Quorum</b>	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
<b>Declarations of Interest</b>	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
<b>Announcements</b>	These should be brief and to the point and are for information only – <b>no debate/decisions</b> .
<b>Appeals</b>	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
<b>Agenda Items</b>	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
<b>Public Speaking on Agenda Items</b> (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed <b>2</b> minutes each to make representations; members of the public who object to the planning application are allowed <b>2</b> minutes each, subject to an overall limit of <b>6</b> minutes; applicants and members of the public who support the planning application are allowed <b>2</b> minutes each, subject to an overall limit of <b>6</b> minutes. Any time limits may be changed at the discretion of the Chairman.
<b>Rules of Debate</b>	<p><b>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</b></p> <ul style="list-style-type: none"> <li>- No speeches until a proposal has been moved (mover may explain purpose) and seconded</li> <li>- Chairman may require motion to be written down and handed to him/her before it is discussed</li> <li>- Secunder may speak immediately after mover or later in the debate</li> <li>- Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max <b>5</b> minutes or longer at the discretion of the Chairman)</li> <li>- A Member <b>may not speak again except:</b> <ul style="list-style-type: none"> <li>o On an amendment to a motion</li> <li>o To move a further amendment if the motion has been amended since he/she last spoke</li> <li>o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried)</li> <li>o In exercise of a right of reply. Mover of original motion</li> </ul> </li> </ul>

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> <li>○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final.</li> <li>○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final.</li> </ul> <ul style="list-style-type: none"> <li>- Amendments to motions must be to: <ul style="list-style-type: none"> <li>○ Refer the matter to an appropriate body/individual for (re)consideration</li> <li>○ Leave out and/or insert words or add others (as long as this does not negate the motion)</li> </ul> </li> <li>- One amendment at a time to be moved, discussed and decided upon.</li> <li>- Any amended motion becomes the substantive motion to which further amendments may be moved.</li> <li>- A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion).</li> <li>- A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion).</li> <li>- The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).</li> </ul>
<b>Alternative Motion to Approve</b>	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer’s recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
<b>Alternative Motion to Refuse</b>	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer’s recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Head of Development will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
<b>Voting</b>	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> <li>- Two Members request a recorded vote</li> <li>- A recorded vote is required by law.</li> </ul> <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
<b>Vice-Chairman</b>	<p>In the Chairman’s absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

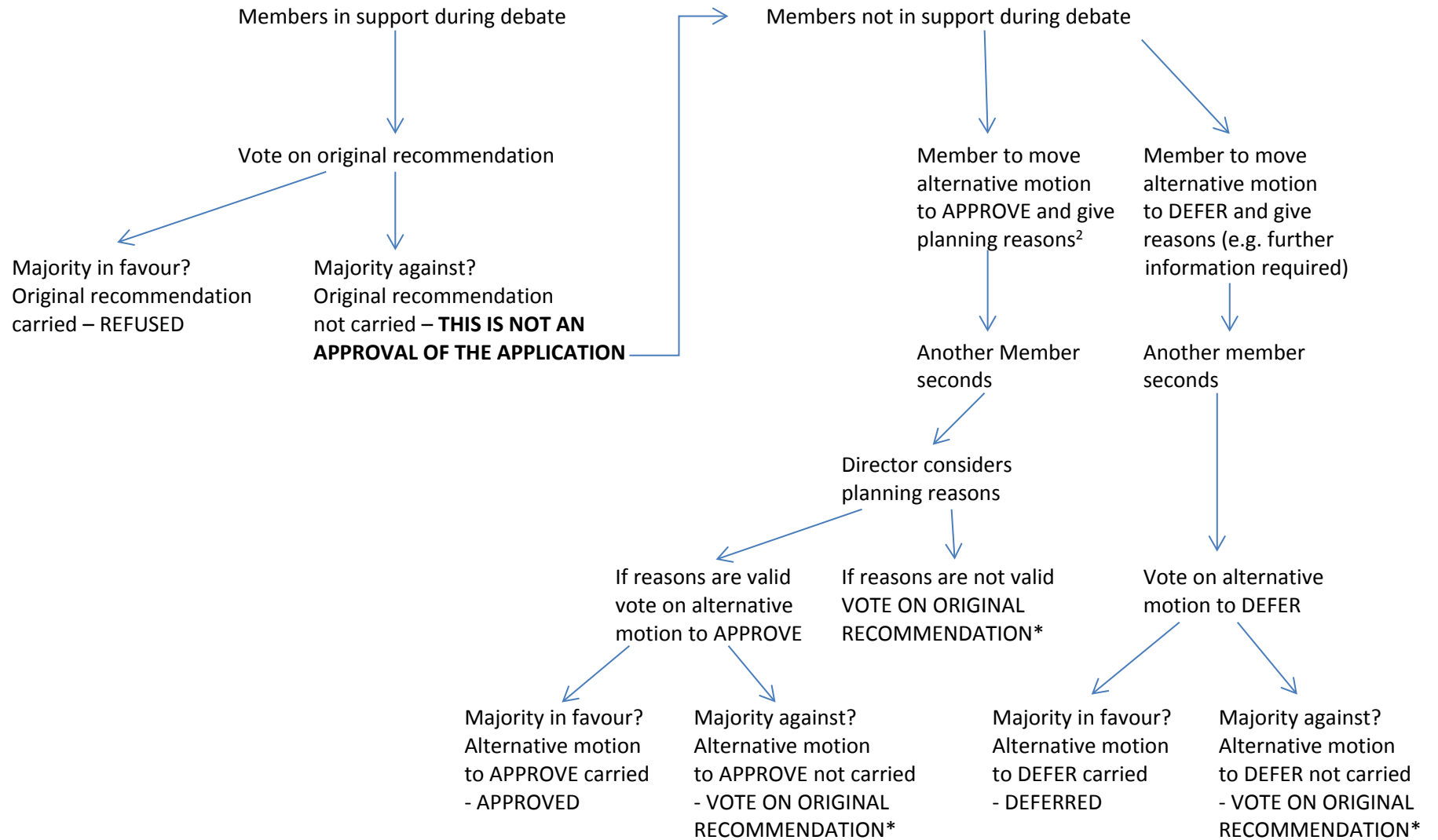
**Original recommendation to APPROVE application**



\*Or further alternative motion moved and procedure repeated

<sup>1</sup> Subject to Director’s power to refer application to Full Council if cost implications are likely.

**Original recommendation to REFUSE application**



\*Or further alternative motion moved and procedure repeated

<sup>2</sup> Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

**Planning Committee (North)**  
**6 FEBRUARY 2018**

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Toni Bradnum, Peter Burgess, Roy Cornell, Leonard Crosbie, Matthew French, Billy Greening, Christian Mitchell, Brian O'Connell, Stuart Ritchie, David Skipp, Simon Torn, Claire Vickers and Tricia Youtan

Apologies: Councillors: Andrew Baldwin, Alan Britten, John Chidlow, Christine Costin, Jonathan Dancer, Tony Hogben, Adrian Lee and Godfrey Newman

Absent: Councillors: Josh Murphy and Connor Relleen

PCN/82 **MINUTES**

The minutes of the meeting of the Committee held on 9 January were approved as a correct record and signed by the Chairman.

PCN/83 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/2131 – Councillor David Skipp declared a personal interest because he has family members who live in Nowhurst Lane.

DC/17/2131 – Councillor Stuart Ritchie declared a personal interest because he knows a number of residents in Nowhurst Lane.

DC/17/2501 – Councillor Liz Kitchen declared a personal and prejudicial interest in this item because she was the applicant. She withdrew from the Chair and from the meeting and took no part in the determination of this item.

PCN/84 **ANNOUNCEMENTS**

There were no announcements.

PCN/85 **APPEALS**

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

PCN/86 **DC/17/2131 - NOWHURST BUSINESS PARK, GUILDFORD RD, BROADBRIDGE HEATH**

The Head of Development reported that this application sought permission for the development of up to 26,942 square metres for employment uses

(industrial, storage and distribution) with ancillary offices, car parking, drainage works, landscaping and service yard areas. Whilst all matters were reserved for future determination apart from the principle of development and access, the submitted parameter plans were a material consideration. The proposal as first submitted had been amended in response to concerns regarding the building's impact on the rural setting.

An addendum to the report advised Members that further amended plans had been submitted which doubled the depth of the 'reduced eaves height zone' fronting Nowhurst Lane, and reduced the maximum eaves height within this zone from eight to six meters, with the overall height of any building in the zone reduced from 12 to 10 metres. The addendum provided a reworded Condition 24 to reflect these changes.

The addendum also included an amended Condition 4 regarding phasing requirements, and an amended Condition 14 to provide greater clarity on expectations of the Noise Management Plan. Members were also advised of the withdrawal of the Number X1 Bus Service along Guildford Road. This service had not been mentioned in the Highway Authority's comments, and its withdrawal was not considered by officers to render the development unsustainable

The application site was located off the A281 north of Nowhurst Lane and included an underused industrial site accessed from a roundabout. Part of the site had been used as landfill. The site also included an area of undeveloped countryside. There were dwellings along Nowhurst Lane and three Grade II listed buildings in the locality.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. Relevant planning history was also noted, including a similar outline application DC/16/2941 that had been refused; differences between the refused proposal and the current application were highlighted in the report.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council objected to the application. In response to the initial consultation 15 letters of objection (from 12 households), and one letter of support, had been received. Following consultation on the amended scheme, 10 letters of objection, from 9 households that had responded to the first consultation, had been received. Two members of the public spoke in objection to the application and one member of the public spoke in support of it. The applicant's agent addressed the Committee in support of the proposal. A representative of the Parish Council 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; the need for employment floorspace in the district; the reuse of previously developed land; landscape and visual impact; access; heritage



assets; the amenity of surrounding occupiers; ecology; and drainage and flood risk. It was noted that a legal agreement would be required to secure: a shuttle bus service; highway and bus stop improvements; and a 25 year landscape management and maintenance plan.

Members considered the benefits of regenerating and expanding an existing employment site and concluded that these benefits outweighed the harm to the rural setting. Members raised some concerns regarding the proposed conditions, in particular those regarding noise management and hours of operation, and requested that the conditions should be clarified and agreed with Local Members.

RESOLVED

- (i) That a legal agreement be entered into to secure:
  - a) the delivery of a shuttle bus service in accordance with the pricing mechanisms, service management and time scales set out in the Transport Assessment;
  - b) the delivery of the highway and bus stop improvements to the A281;
  - c) a 25 year landscape management and maintenance plan.
- (ii) 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.
- (iii) That on completion of (i) above, planning application DC/17/2131 be determined by the Head of Development with a view to approval subject to conditions to be agreed in consultation with the Local Members.

PCN/87 **DC/17/2481 - LAND TO THE WEST OF PHASE 1, KILNWOOD VALE, CRAWLEY RD, FAYGATE**

Item withdrawn from the agenda.

PCN/88 **DC/17/2509 - PIRIES PLACE CAR PARK, PIRIES PLACE, HORSHAM**

The Head of Development reported that this application sought permission for a replacement public car park comprising ground floor and three decks (G+3), including new lighting and public conveniences. A total of 426 parking spaces, including: 11 accessible bays; ten parent and child bays; and eight electric vehicle charging bays. The car park could have the same footprint and entrance / exit point as the current car park. There would be three stair cores and two passenger lifts.

A similar application DC/17/2511 for a G+4 car park had also been submitted to this Committee, and had been considered prior to the determination of this application.

The application site was in the centre of Horsham, close to amenities, and was a 1980s multi storey car park for 330 vehicles. It was close to several residential and commercial buildings, including a number of Grade II listed buildings, and faced Piries Place, which was being redeveloped.

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. Denne Neighbourhood Council and Forest Neighbourhood Council had both commented on the proposal. Horsham District Cycling Forum and the Horsham Society both objected to it. Three letters of objection and one letter of comment had been received.

An addendum to the report advised Members of additional consultation responses comprising a further objection from Horsham District Cycle Forum and an objection from Denne Neighbourhood Council. Additional supporting information from the applicant in response to points raised was included in the addendum.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; scale and layout; impact on the visual amenity and character of the area; the historic environment; appearance and landscaping; and highways and access.

A representative of the Neighbourhood Council sought confirmation that the proposed amendments to application DC/17/2511 would be applied to this application, and that the Informative to be attached to DC/17/2511 would also apply to this application, and was assured this was the case.

#### RESOLVED

That planning application DC/17/2509 be determined by the Head of Development with a view to approval, subject to amendments to the design including:

- Inclusion of a living 'green wall' to the primary stair core
- Inclusion of vertical glazing at the primary stair core
- Amended bronze metal cladding and inclusion of 'tree' pattern
- Inclusion of a Sussex brick bond at ground floor level
- Use of complementary contrasting dark brick for detailing
- Inclusion of 8no. cycle hoops in two separate locations

- Inclusion of ground floor planters at the south-west elevation
- Introduction of climbing/trailing ivy at each deck of the Burtons Court 'gap'.

PCN/89 **DC/17/2511 - PIRIES PLACE CAR PARK, PIRIES PLACE, HORSHAM**

The Head of Development reported that this application sought permission for a replacement public car park comprising ground floor and four decks (G+4), including new lighting and public conveniences. A total of 517 parking spaces, including: 12 accessible bays; 11 parent and child bays; and eight electric vehicle charging bays. The car park could have the same footprint and entrance / exit point as the current car park. There would be three stair cores and two passenger lifts. A total of eight cycle hoops, in two locations, were included in the proposal.

A similar application DC/17/2509 for a G+3 car park had also been submitted for consideration by this Committee.

Amended plans had been submitted to address concerns regarding the proposed external design. Amendments included a hydroponic 'living wall' covering the primary stair core, amended cladding and ground floor planters.

The application site was in the centre of Horsham, close to amenities, and was a 1980s multi storey car park for 330 vehicles. It was close to several residential and commercial buildings, including a number of Grade II listed buildings, and faced Piries Place, which was being redeveloped.

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 to the original proposal and to the further consultation on amended plans, as contained within the report, were considered by the Committee. Denne Neighbourhood Council and Forest Neighbourhood Council had both commented on the proposal. Horsham District Cycling Forum and the Horsham Society both objected to the original proposal. Two letters of objection had been received, and an additional letter of objection had been received in response to the amended plans.

An addendum to the report advised Members of additional consultation responses comprising further objections from the Horsham Society and the Horsham District Cycle Forum, and an objection from Denne Neighbourhood Council. Additional supporting information from the applicant in response to points raised was included in the addendum.

One member of the public spoke in objection to the proposal and the applicant's agent addressed the Committee in support. A representative of the Neighbourhood Council spoke in objection to 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; scale and layout; impact on the visual amenity and character of the area; the historic environment; appearance and landscaping; and highways and access.

Members supported the redevelopment in principle and balanced the benefits of the car park in supporting the vitality of the town centre against the harm to the amenity of adjacent residents. Whilst the amendments to the design were generally welcomed, Members were concerned that the living wall and raised planters could cause maintenance issues. Members also expressed concern that the proposed number of toilets was insufficient, and more carpark pay stations should be installed.

It was agreed that an Informative would be submitted to the applicant regarding the provision of toilets and car park pay stations. The Director of Planning, Economic Development & Property confirmed that these concerns, in addition to those regarding the living wall, would be taken into consideration by the applicant.

RESOLVED

That planning application DC/17/2511 be granted subject to the conditions and reasons as reported.

PCN/90 **DC/17/1704 - 41 PONDTAIL RD, HORSHAM**

The Head of Development reported that this application sought permission for a change of use from public house to children's day nursery. The proposal included rear extensions, changes to elevations including windows, and surfacing the garden area predominantly with artificial grass. The car park would be rearranged to increase space for the garden whilst retaining 16 of the original 17 parking spaces.

The application had been deferred by the Committee in December 2017 to allow for the Road Safety Audit to be reviewed through further discussion with the Highway Authority (minute No. PCN/63 (05.12.2017) refers). Further to a site visit with the Highway Authority amendments had been made, which included: access from Pondtail Road to be widened; tactile paving across the access; double yellow lines along the frontage of Pondtail Road; and a Stage 2 Road Safety Audit of the car parking layout prior to commencement of development.

Since publication of the report the applicant had agreed to install two static warning signs, which the Highway Authority had agreed to in principle provided that the applicant pays for the signs and their maintenance. An additional condition regarding the signs would therefore be required.

The application site was located in the built-up area of Horsham on the eastern side of Pondtail Road and was the site of the Rising Sun, which had ceased trading in June 2017. 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.

Four further letters of objection had been received. North Horsham Parish Council raised no objections subject to concerns raised by the Highway Authority and local residents being addressed. The Local Member had commented further on the proposal with concerns that the proposed amendments did not address all concerns regarding parking capacity, pedestrian safety and traffic generation.

Three members of the public spoke in objection to the application. The applicant, the applicant's planning consultant and the applicant's transport consultant all spoke in support of the proposal.

Members considered whether the amendments to the proposal addressed concerns regarding additional traffic movements and their impact on Pondtail Road. Whilst the additional measures went some way to addressing concerns, Members still considered that the traffic generated by a nursery for 80 children would have an adverse impact on road safety and parking. It was noted that concerns regarding emergency access arrangements would be addressed through Building Control regulations.

After careful consideration Members concluded that, whilst the proposal was acceptable in principle, further consideration of highways matters would be required.

#### RESOLVED

That planning application DC/17/1704 be determined by the Head of Development with a view to approval subject to the resolution of outstanding concerns regarding road safety, in consultation with the Local Members, Chairman and Vice-Chairman of the Committee and the Cabinet Member for Planning & Development.

#### PCN/91 **DC/17/1802 - 19A DENNE PARADE, HORSHAM**

The Head of Development reported that this application sought permission for the demolition of a single storey commercial building and the erection of a two storey block comprising two 2-bedroom and two 1-bedroom flats. The building would have two front dormer windows and an attached single storey bike and bin store to the side.

The application site was located within the built-up area of Horsham in a sustainable location, within its Medieval Core but outside the Conservation Area, on the north side of Denne Parade. The parade featured some retail, commercial and office uses, with predominantly Victorian semi-detached and

terraced houses on the south side, but also modern blocks of flats on the north side, to the east and west of the application site.

Details of relevant government and council policies, as contained within the report, were noted by the Committee. Relevant planning history was also noted, in particular permission DC/15/2423 for the erection of three flats which remained implementable.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. Members were advised that the Highway Authority had confirmed that a formal mechanism for removing the right for future residents to apply for resident parking permits could not be secured through condition.

The Neighbourhood Council objected to the application. Seven letters of objection from neighbouring households had been received, including an objection from the Horsham Society. The applicant's agent addressed the Committee in support of the proposal. A representative of the Neighbourhood Council 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 existing permission for three flats; character and appearance; its impact on neighbouring amenity; and highways.

Members considered the benefits of four additional dwellings in a sustainable location, and weighed these against concerns regarding the scale of the proposal, its impact on residential amenity and parking. It was noted that Condition 10 regarding landscaping would secure sympathetic planting to the front of the property. Officers agreed that a condition to require the dropped kerb in front of the property to be raised would be added if this area proved to be within the red line of the application site.

#### RESOLVED

That planning application DC/17/1802 be granted subject to the conditions as reported, with an additional condition to require the drop kerb to be raised if feasible.

#### PCN/92 **DC/17/2622 - WESTONS FARM, WESTONS HILL, ITCHINGFIELD**

The Head of Development reported that this application sought permission for the erection of two agricultural barns for the storage of machinery, hay and fodder.

Building A would be approximately three metres from the northern boundary and measure 15 metres by 9 metres with a pitched roof ridge height of 3.8 metres. Building B would be east of a livestock yard and measure 9.5 metres

by 9.4 metres with a pitched roof ridge height of 2.7 metres. It would be open on the north, south and east elevations.

The application site was a working farm located west of Westons Hill, in the open countryside, with a number of agricultural buildings positioned within the farm yard. There was a Grade II listed dwelling to the north, which had an ancillary building adjacent to the boundary of the application 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 consultees, as contained within the report, were considered by the Committee.

Itchingfield Parish Council raised no objections to the application. Twelve letters of objection, from eight households, had been received. Two members of the public spoke in objection to the application and the applicant 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; design and appearance; and its impact on neighbouring amenity.

Members concluded that the impact on the amenity of neighbouring residents would not be significant and the proposal would support the development of the farm business.

#### RESOLVED

That planning application DC/17/2622 be granted subject to the conditions and reasons as reported.

#### PCN/93 **DC/17/2501 - HIGHAMS, CAPEL RD, RUSPER**

The Head of Development reported that this application sought listed building consent for the installation of an internal lift to provide access between the ground and first floors. Internal alterations to a downstairs WC, the first floor ensuite bathroom, and a section of ground and first floor ceiling would be required.

The application site was located north of Rusper on the west side of Capel Road and was a Grade II listed building featuring tile-hanging above brick facing with a Horsham stone roof. The lift would be in a later addition to the property.

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 council's Conservation department, as contained within the report, was considered by the Committee.

The Parish Council supported the application. Two letters of support had been received.

Members considered the officer's planning assessment and noted that construction details demonstrated that the proposal would have little impact on the historic fabric or significance of the building as the effected parts of the building were of low importance. It was also noted that it would be possible for the lift to be removed and effected parts reinstated.

RESOLVED

That planning application DC/17/2501 be granted subject to the conditions and reasons as reported.

*The meeting closed at 8.22 pm having commenced at 5.30 pm*

CHAIRMAN





## Planning Committee North

Date: 6<sup>th</sup> March 2018

Report on Appeals: 24/01/2018 to 21/02/2018

### 1. Appeals Lodged

HDC have received notice from the Department of Communities and Local Government that the following appeals have been lodged:-

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/17/1923	SL2 Signs 202 Crawley Road Horsham RH12 4EU	01/02/2018	Refuse	
DC/17/1853	Land at 9 - 15 Crawley Road Horsham West Sussex RH12 4DR	20/02/2018	Refuse	

### 2. Live Appeals

HDC have received notice from the Department of Communities and Local Government that the following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/17/1961	44 Brook Road Horsham West Sussex RH12 5FY	Fast Track	31/01/2018	Split	
DC/17/1694	2 Foxfield Cottages Southwater Horsham West Sussex RH13 9EP	Written Representation	20/02/2018	Refuse	

### 3. Appeal Decisions

HDC have received notice from the Department of Communities and Local Government that the following appeals have been determined:-

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/16/2754	2 Warnham Court Warnham Horsham West Sussex RH12 3QF	Written Representation	Allowed	Refused	
DC/17/0887	Scrag Copse Farm Prestwood Lane Ifield West Sussex	Written Representation	Dismissed	Prior Approval Required and Refused	
DC/17/1133	Bolters 15 Causeway Horsham West Sussex RH12 1HE	Written Representation	Allowed	Refused	
DC/17/1134	Bolters 15 Causeway Horsham West Sussex RH12 1HE	Written Representation	Allowed	Refused	
DC/17/1707	Corner House Brighton Road Monks Gate Horsham West Sussex RH13 6JD	Fast Track	Allowed	Refused	
DC/17/2247	25 Burns Close Horsham West Sussex RH12 5PF	Fast Track	Allowed	Refused	
DC/17/1566	Tanimola 2 Testers Close Southwater Horsham West Sussex RH13 9BF	Fast Track	Allowed	Permitted	Refused
DC/17/2230	29 Roman Lane Southwater Horsham West Sussex RH13 9AF	Fast Track	Dismissed	Refused	



**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6 March 2018

**DEVELOPMENT:** Outline planning application for the development of approximately 227 dwellings (between 204 and 250 dwellings) with the construction of a new access from Calvert Link, a pumping station and associated amenity space (all matters reserved except for access).

**SITE:** Land To The West of Phase 1 Kilnwood Vale Crawley Road Faygate West Sussex

**WARD:** Rusper and Colgate

**APPLICATION:** DC/17/2481

**APPLICANT:** **Name:** Crest Nicholson Operations Limited  
**Address:** c/o Savills, 2 Charlotte Place, Southampton

**REASON FOR INCLUSION ON THE AGENDA:** More than eight representations received which are contrary to the officer recommendation.

**RECOMMENDATION:** That planning permission be delegated for approval to the Development Manager subject to completion of a legal agreement and appropriate conditions. The legal agreement will secure affordable housing provision (40%), open space provision and contributions to mitigate the impacts of the development. The agreement will also cap the number of dwellings within the whole of the Kilnwood Vale site to 2650 units.

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 Outline planning permission is sought for the development of approximately 227 dwellings on 'Reserve Land' that forms part of the West of Bewbush (West of Crawley) strategic development site. This equates to between 204 and up to 250 dwellings. The proposal includes the construction of a new access from Calvert Link, a pumping station and associated amenity space. Approval is sought for the principle of development and means of access only. Details of appearance, layout, scale and landscaping have not been

submitted for consideration and are Reserved Matters. However in the event that permission is granted the parameter plans as detailed as part of this report would be approved and would guide any Reserved Matters that come forward.

- 1.3 The parameter plans indicate residential densities between 15-55 dwellings per hectare (dph). The higher density is indicated along the southern part of the site with a lower density proposed towards the open space edges. The development would include a range of dwelling types, ranging from 1 – 4 bedrooms. The layout indicates apartment buildings up to 3 storeys high and dwellings up to 2 ½ storeys high. The scheme includes 40% affordable housing.
- 1.4 A landscape buffer is indicated around the south, east and west boundaries of the site. The buffer includes a Local Equipped Area of Play (LEAP) and would also act as a footpath and amenity area around the site. The scheme indicates the retention of the existing attenuation pond to the northern section of the site. Two pocket parks are also proposed within the development. A community orchard is indicated to the north-west corner.
- 1.5 Access to the site is proposed via a new roundabout from the existing access road into the Kilnwood Vale development from the A264. A new footpath is proposed around the western side of the new access road. The proposal also includes an emergency access from Holmbush End which also act as a pedestrian access into Phase 1 of Kilnwood Vale. A section of the existing hedge and trees would need to be removed to accommodate this access.
- 1.6 The application includes the following:
  - Planning Statement
  - Design and Access Statement
  - Environmental Noise Survey and Assessment
  - Arboricultural Statement and Tree Survey
  - Transport Assessment
  - Environmental Impact Assessment
  - Utilities Services and Strategy
  - Land Contamination Assessment
  - Ecology Report
  - Habitats Regulations Assessment: Shadow Screening Report Feb 2018
  - Ashdown Forest Traffic Implications Review

## DESCRIPTION OF THE SITE

- 1.7 The site is located north of the A264 adjacent to Phase 1 of the Kilnwood Vale development. The site measures approximately 9.3 hectares and is adjacent to the main access to Kilnwood Vale from a roundabout off the A264. The site comprises a grass pasture which is used for grassing sheep and is surrounded by a tree and hedge boundary. There is an existing attenuation pond at the northern section of the site and a small stream (Hoopers Brook) which runs along the eastern boundary of this site. The brook and substantial trees along the eastern boundary separate the site from houses located within Phase 1. These houses are set at a slightly higher ground level than the application site. There is a general fall across the site from south to north. The access road and the A264 are set at a higher a ground level than the site. To the west of the site are open fields. North of the site is woodland.
- 1.8 The site forms part of the West of Bewbush (West of Crawley) strategic site allocated through the Core Strategy 2007 and the West of Bewbush Joint Area Action Plan (2009) (JAAP) for approximately 2500 homes and other uses, including employment provision. The hybrid application (part outline and part full permission) was granted by Horsham

District Council, in consultation with Crawley Borough Council, in October 2011. A subsequent minor material amendment application was approved in April 2016.

- 1.9 The site is known as the 'Reserve Land.' Under the outline application and JAAP, the site was safeguarded for a period of five years to provide the opportunity to accommodate a Western Relief Road, should it have been determined that the route was necessary to secure future development west of Crawley.
- 1.10 The Kilnwood Vale site is bordered by the residential development of Bewbush, within Crawley Borough, to the east. The High Weald AONB is located across the A264 to the south. The Horsham to London mainline railway runs through the northern portion of the development site. Phase 1 of the main West of Bewbush (West of Crawley) strategic site benefits from full planning permission for the erection of 291 dwellings and associated works. This stage of the development is complete. Works are currently underway at Phase 2 of the site for residential development, including 227 Private Rented Sector units.

## **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**

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 27 - Settlement Coalescence

Policy 30 - Protected Landscapes

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 42 - Strategic Policy: Inclusive Communities

Policy 41 - Community Facilities, Leisure and Recreation

## **Development Plan Document: West of Bewbush Joint Area Action Plan (2009) (JAAP)**

WB1: Neighbourhood West of Bewbush  
WB2: Comprehensive Development  
WB4: Design  
WB10: Dwelling Mix  
WB11: Affordable Housing  
WB12: Structural and Informal Landscaping  
WB13: Biodiversity  
WB15: Noise  
WB16: Flood Risk / Management  
WB17: Household Waste Recycling Facilities  
WB18: Recreation and Open Space  
WB19: Education  
WB21: Sustainability / Sustainable Construction  
WB22: Former Inert Landfill Remediation  
WB23: Western Relief Road  
WB25: Transport  
WB26: Utility Infrastructure Provision

### Supplementary Planning Guidance:

- 2.2 Planning Obligations and Affordable Housing SPD 2017

#### RELEVANT NEIGHBOURHOOD PLAN

- 2.3 The site is within Colgate Parish which does not currently have a Neighbourhood Plan and is not a Neighbourhood Designation Area.

#### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/15/2813	Variation of conditions 3, 4, 7, 8, 9, and 10 of hybrid planning application DC/10/1612 to enable the reconfiguration of the neighbourhood centre, community facilities and open space	Permitted 28.04.2016
DC/10/1612	Outline approval for the development of approximately 2500 dwellings, new access from A264 and a secondary access from A264, neighbourhood centre, comprising retail, community building with library facility, public house, primary care centre and care home, main pumping station, land for primary school and nursery, land for employment uses, new rail station, energy centre and associated amenity space. Full planning permission for engineering operations associated with landfill remediation and associated infrastructure including pumping station. Full permission for the development of Phase 1 of 291 dwellings, internal roads, garages, driveways, 756 parking spaces, pathways, sub-station, flood attenuation ponds and associated amenity space. Full permission for the construction of a 3 to 6 metre high (above ground level) noise attenuation landform for approximately 700 metres, associated landscaping, pedestrian/cycleway and service provision (land known as Kilnwood Vale)	Permitted 17.10.2011

### **3. OUTCOME OF CONSULTATIONS**

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Strategic Planning (summarised):** No objection. The application site forms part of the wider Kilnwood Vale strategic development site. The 'Reserve Land' was safeguarded as part of the outline consent to provide the opportunity to accommodate a Western Relief Road, should it be required. The time to confirm the requirement for the WRR has now expired. The land was assessed as an extension to the outline permission permitted at this site.
- 3.3 **HDC Landscape Architect(summarised):** No objection subject to amendments to the Building Heights parameter plan. The plan should be amended to indicate a limit of two storeys to the dwellings proposed adjacent the western boundary.
- 3.4 **HDC Environmental Health (summarised):** No objection.
- 3.5 **HDC Housing (summarised):** No objection. The 40% affordable housing is in accordance with the S106 agreement for this strategic site.
- 3.6 **HDC Drainage Engineer (summarised):** No objection subject to the approval of details for drainage under suitably worded conditions.
- 3.7 **HDC Leisure Services (summarised):** No objection to the type and quantity of open space proposed. Contributions are recommended towards Youth Activity Areas, Parks and Recreations Grounds, MUGAS and Community Centres.
- 3.8 **HDC Air Quality Officer (summarised):** No objection subject to conditions.

#### OUTSIDE AGENCIES

- 3.9 **WSCC Highways (summarised):** No objection. WSCC acknowledge that the safeguarding period to reserve the land for a potential Western Relief Road has now expired. The proposal would not result in a significant impact in terms of increase in traffic and the principle of the proposed access is accepted.
- 3.10 **Archaeology Consultant (summarised):** No objection subject to a condition requiring the submission of written scheme of investigation for potential archaeological artefacts to be submitted to and approved by the Local Planning Authority prior to commencement of development.
- 3.11 **Ecology Consultant:** No objection.
- 3.12 **Southern Water (summarised):** No objection subject to the works to the water supply to be agreed with Southern Water through the submission of a formal application.
- 3.13 **Thames Water (summarised):** Comment. Conditions are recommended regarding the submission of drainage strategy to be agreed by the Local Planning Authority in consultation with Thames Water.
- 3.14 **WSCC Flood Risk Management (summarised):** No objection.
- 3.15 **WSCC Monitoring and Records Team (summarised):** Comment. Contributions are required to mitigate the impact of the development towards school infrastructure, libraries and fire and rescue services.

- 3.16 **Natural England (summarised):** No Objection. Natural England considers that the development would not have significant adverse impacts on designated sites or protected landscapes.
- 3.17 **Environment Agency:** No comment.
- 3.18 **Clinical Commissions Group (summarised):** No objection subject to a contribution to go towards GP practices in the nearby area.
- 3.19 **Planning Casework Unit (Department for Communities and Local Government):** No comment.
- 3.20 **Sussex Police (summarised):** No objection.
- 3.21 **Gatwick Airport (summarised):** No objection.
- 3.22 **High Weald AONB Advisory Committee (summarised):** Comment. If recommended for approval, the committee recommend the following requirements are met:
- Use of High Weald Colour Study for materials for the development.
  - Drainage proposals should seek to restore the natural functioning of river catchments.
  - Local habitats should be protected.
  - Native plants should be used for landscaping.
  - Controls over lighting should be imposed to protect the dark sky nights of the High Weald.

#### PUBLIC CONSULTATIONS

- 3.23 **Colgate Parish Council (summarised):** Comment. The Parish have concerns regarding the additional traffic created by this proposal, whether adequate parking will be provided and drainage. The Parish have commented that the affordable housing should be secured and delivered and the possibility of pathway linking the development to Faygate should be explored.
- 3.24 **Wealden District Council (summarised):** Objection. The application proposal does not consider the effect of traffic arising from the development crossing the Ashdown Forest Special Area of Conservation. An appropriate assessment is required to assess the potential air quality impacts on ecology.
- 3.25 **Crawley Borough Council (summarised):** Objection. Crawley Borough Council consider that the delivery of the Western Relief Road is an essential requirement to mitigate the severe road congestion experienced on the western side of Crawley. Release of this land is considered premature and will undermine a longer term approach recognised in the JAAP and the Crawley Borough Local Plan and will put a strain on infrastructure.
- 3.26 56 letters of objection have been received from nearby residents objecting to the application on the following grounds:
- The developers should finish the amenities at the Kilnwood Vale site first before moving onto this site.
  - Residents were sold houses at Kilnwood Vale on the understanding that this land would not be developed for many years.
  - The scheme would result in an unacceptable impact on highway safety. Residents already experience difficulties in entering and leaving the site. The proposed access and egress to this site would worsen the situation.



- The proposal would result in further parking problems for residents of Kilnwood Vale.
- Residents oppose the loss of this green space and loss of views overlooking this field. The field is an attractive feature when entering the site.
- The proposal results in overdevelopment. The development would lose its rural feel.
- The priority of the developer should be to finish the school and shops.
- Concern is raised over loss of trees.
- The proposal would result in a significant impact on the amenity of adjacent residents.
- There has been a lack of consultation on this application.
- Residents object to the use of a cul-de-sac to access the site.
- Concern is raised regarding construction traffic.
- The proposal would put pressure on the existing bus service.
- The scheme would generally diminish the quality of life for residents at Kilnwood Vale.
- Concern is raised regarding the impact on the dark skies of the High Weald AONB.
- Appropriate mitigation should be in place such a bund along the southern boundary.

#### **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 application for Outline planning permission are as follows:
- The acceptability of the principle of the proposed development in the context of the Kilnwood Vale development.
  - The impact on the character and visual amenity of the landscape and locality.
  - The impact on the amenity of neighbouring occupiers.
  - Whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety.
  - Whether the development can be delivered without harming the interests of nature conservation, flooding, land contamination, archaeology.

##### Principle of Development

- 6.2 In October 2011, outline planning permission was granted for the development of the former Holmbush Farm landfill site (now known as Kilnwood Vale) for the development of the site for approximately 2500 dwellings. Recently, in April 2016, permission was granted for minor material amendments to the approved Kilnwood Vale outline application (ref: DC/15/2813). The main purpose of these amendments was to relocate the position of the approved primary school on site to facilitate its early delivery. This planning permission is now the extant outline permission for the development of the site.
- 6.3 Under the outline permission, a set of parameter plans were approved which guided the development of the Kilnwood Vale site. Similarly, the current proposal also includes

parameter plans as part of application and if approved these will guide the development on the Reserve Land site. The parameter plans relate to Density, Access and Movement, Building Heights, Landscape and Open Space and Land Use.

- 6.4 The development of the Kilnwood Vale site as a strategic development area was established under the West of Bewbush Joint Area Action plan (JAAP). The JAAP set out the principles and includes policies which are adopted and are part of the Local Development Framework. Policy WB23 relates to a potential Western Relief Road. The policy states that the land required for a Western Relief Road (WRR) will be safeguarded from the neighbourhoods primary junction with the A264 through the allocated site until it has been determined whether such a route will be necessary to serve further development West of Crawley, or to meet wider sub regional objectives.
- 6.5 The purpose of the policy, in conjunction with Policy WB27, is to ensure that the Kilnwood Vale development does not prejudice the potential for longer term development west of Crawley, including the potential for western bypass. To this end, the current site was set aside under the approved outline application as open fields and is referred to as the 'Reserve Land.' The outline consent did not grant permission for residential use on this land. However, officers acknowledged at the time of the submission of the outline that, in the event that the relief road didn't come forward, a scheme for residential was likely to be submitted. In the event a residential use application came forward an affordable housing position was set out through the S106 for the Reserve Land.
- 6.6 Under Policy WB23 of the JAAP, it states that the land shall be safeguarded for a period of five years from May 2009 to enable WSCC to fix the alignment of the potential relief road. The safeguarding period expired in May 2014. WSCC have confirmed that that the safeguarding period has expired and that there are no plans for a relief road. The policy also states that the land should also reserved up to the date of the adoption of the last of the two Core Strategy Reviews (referring to both Horsham District Council's and Crawley Borough Council's local plan reviews). Both plans were adopted in 2015 with no reference to a proposed relief road. Therefore the safeguarding period for the WRR has expired.
- 6.7 Crawley Borough Council has objected to the proposal on the basis that the land should be further safeguarded. However, the wording of Policy WB23 only requires the land to be reserved up until 2014. It would therefore be unreasonable to require the land to be safeguarded further without sufficient justification. Without sufficient justification and with no plans in place for a relief road, it is unreasonable to require this land to be reserved for a further period of time.
- 6.8 The principle of the development of this site for housing was not considered under the outline permission. However, at the time it was acknowledged that, in the event that the relief road didn't come forward, a scheme for residential use was likely to be submitted. The site is within the Kilnwood Vale strategic site, as identified in the outline consent, and, in principle, the development of this land is considered appropriate. The Reserve Land would form an appropriate expansion to the existing housing at Kilnwood Vale and, as outlined below, the residential development of this land is appropriate in terms of the quantum of development proposed, its visual impact, highway safety, impact on amenity and other material considerations.
- 6.9 It is therefore considered that, in principle, the development of the Reserve Land for housing is acceptable and in accordance with the JAAP and hybrid permission, subject to other material considerations as outlined below. Additionally, whilst the HDPF has a five year housing supply, the additional housing (up to 250 units) would further assist with the delivery of the 16,000 homes required under the HDPF.

Dwelling Type and Tenure:

- 6.10 In accordance with the NPPF there is a requirement to plan for a mix of housing types. Within this context, Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). The current evidence base indicates a need for smaller units. Policy WB10 of the JAAP states that there should be a mix of dwellings sizes and types within each core phase.
- 6.11 The Design and Access Statement indicates an appropriate mix of housing. The indicative mix is for 1-4 bedroom market units with 78% of the housing allocated for 2 and 3 bedroom units. This would be in accordance with the requirements of the latest SHMA. As this is an outline application, with only the principle and access to be considered, the final mix of dwellings proposed across the site would be considered and controlled as part of a Reserved Matters application and based on the most up to date need at that time.
- 6.12 The applicant has indicated that 40% of the proposed dwellings would be made available as affordable housing. This is higher than the 35% required under Policy 16 of the HDPF. The 40% is proposed for the Reserve Land as this is a requirement of the hybrid approval for this site, in the event that the relief road did not come forward. The 40% affordable housing for the Reserve Land is a requirement under Schedule 4 of the legal agreement. Policy WB11 of the JAAP also requires 40% affordable housing. The requirements of the S106 and Policy WB11 are therefore pertinent to this proposal and is an obligation the developer is committed to.
- 6.13 The S106 agreement also requires the tenure split of 30% affordable rented units and 70% intermediate affordable units. In accordance with the requirements of the S106, the tenure split for the development will also to match this criterion. The scheme is therefore considered in accordance with the requirements of the JAAP and Policy 16 of the HDPF.

Impact on landscape character and the visual amenity of the locality

- 6.14 Policy 33 of the HDPF states that in order to conserve and enhance the natural and built environment, developments shall be required to ensure that the scale and massing of development relates sympathetically within the built surroundings, landscape, open spaces and routes within the adjoining site.
- 6.15 The site currently forms the western part of the Kilnwood Vale site located adjacent to open fields to the west. The development area is set at a lower ground level than the A264 and the main access to the site. This lower ground level will mitigate the visual impact of the development of this site to some degree. Additionally, there are no public footpaths to the west of the site which would allow views of this site and the principle of the development of this site for housing has been established. Notwithstanding this, the loss of this field and the development of this site adjacent to the western edge will result in a visual impact on the landscape character of the area and will change the appearance of the entrance to the site.
- 6.16 Taking into account the need to minimise the visual impact of the development and ensure a good outlook is retained for the existing residents to the east, the height parameters have been formulated to limit the scale of the built development to 2 – 2.5 storeys across the majority of the developable area. Buildings of reduced height and lower densities are indicated on the Density Parameter Plan to be positioned along the western and eastern boundaries, as these are identified as the most sensitive locations in terms of potential visual impacts. The buildings will also be set back from the site boundaries through the incorporation of extensive buffers around the perimeter of the site. This would create a level of enclosure to the development. These buffers would also act as amenity spaces and green linkages (including a LEAP) for residents with pathways indicated around the site utilising the buffers.

- 6.17 The Council's Landscape Officer has commented that the key to successfully integrate the proposal and minimise the landscape impact of the development is the strategic landscape buffers proposed around the development. The Landscape Officer has commented that the dwellings adjacent to the western edge of the site should be a maximum height of two-storey. This would further reduce the visual impact of the proposal. The agent has submitted an amended Building Heights parameter plan indicating that the proposed houses adjacent the western edge will be limited to two-storeys. With this amendment and the buffers in place, the proposal would not result in a significant impact on the landscape character of the area. A condition is recommended that details of the buffers are to be submitted to and approved by the District Council. A condition is also recommended that the approved landscape buffers are to be in place prior to the occupation of the first dwelling on site.
- 6.18 The Reserve Land is part of the Kilnwood Vale wider development site, therefore regard is to be made to the appearance of the proposal in relation to the main site. In terms of density and building heights, the proposal is comparable to the approved dwellings at the main site. Under the outline consent for the wider site, a Buildings Height Parameter Plan was approved for the southern part of the site for buildings between 2-3 storeys. The building heights within the scheme for the Reserve Land includes houses between 2 – 2.5 storeys and apartment buildings of 2, 2.5 and 3 storeys in height. This is consistent and complimentary to the adjacent Phase 1 land.
- 6.19 In terms of residential density, the Reserve Land proposal is for a density between 45-55 dpa at the southern end of the site. The middle section is proposed with a density of 30-45 dpa. A low density of 15-30 dpa is proposed around the borders of the site adjacent to the proposed landscape buffers. The scheme has been proposed this way to reduce its visual impact on the wider area. The density proposed is also appropriate and comparable to the residential density approved at the main site. Phase 1 adjacent the site has a density of between 40 – 50 dpa.
- 6.20 The parameter submitted with this proposal lay out the principles for the development and layout of the site. As an Outline proposal, the appearance and layout of the proposed houses and streets is not for consideration. These details would be addressed through the Reserved Matters process. Under the Reserved Matters, consideration will be given to the design and materials proposed for the dwellings. The design will need to be comparable to the standards achieved for the existing Kilnwood Vale site. This appraisal will also take into account the comments from the High Weald AONB regarding the type of materials they would like to see used in the development. At this stage, having regard to the density and buildings height proposed, the scheme is considered appropriate in relation to the quantum of development proposed for this site.

Highway Impact, Access and Parking:

- 6.21 Policy 40 of the HDPF states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport.
- 6.22 A Transport Assessment has been prepared to support the proposed development. This assesses potential implications associated with the development. A Travel Plan has been submitted and approved for the wider Kilnwood Vale site. It is proposed that as the Reserve Land forms part of the wider Kilnwood Vale development, the Reserve Land proposal will adhere to the provisions agreed under the Travel Plan. WSCC Highways have commented that a scheme of this size would require its own separate Travel Plan. Consequently, a condition is recommended requiring the submission of a separate Travel Plan for the Reserve Land site to be approved by the District Council.

- 6.23 In terms of access, the primary and only vehicle access to the Reserve Land site will be Culvert Link. This is on the primary route into the wider Kilnwood Vale site and close to the main access from the A264. A new mini-roundabout junction will be constructed to access the Reserve Land. An additional point of access is also proposed to the north east part of the site for emergency vehicles only. This will be controlled by lockable bollards.
- 6.24 The Access and Movement Parameter Plan indicates a primary route from the site access into the central and southern parts of the site. Residential streets will branch from these primary and secondary streets. The alignment and location of the streets would be approved as part of a Reserved Matters Application. The Reserved Matters application will also include details of parking arrangements and will ensure the development meets the County Council standards for parking spaces.
- 6.25 A number of pedestrian and cycling access points will provided along the eastern perimeter of the site. This will enable a good level of permeability to and within the site and will allow direct access to the wider Kilnwood Vale development.
- 6.26 As stated above, the land forming part of this application has been safeguarded within policy WB32 of the Joint Area Action Plan covering the land west of Bewbush development. The safeguarding was in connection with the future development and provision of the Crawley Western Relief Road. The County Council acknowledge that the safeguarding has now expired. The County Council have not allocated this land and have no plans to build a relief road in its current policy.
- 6.27 The County Council Highways Team have assessed the application taking into account the Transport Assessment submitted for the Reserve Land. In the Transport Assessment, the development is assessed against different future scenarios for the likely highway impact of the proposal. The Highways Team have commented that, whilst the development is shown to increase queues and delays, the increases to queues and delays from the proposed development (amounting to at worst increases of an addition of 10 vehicles to queues and a further 14 seconds of delay on the A264 Crawley Road eastbound arm in the PM peak) are not considered to be severe.
- 6.28 Alterations are proposed to the approved development spine road in order to provide a new roundabout to serve the additional development. The Highways Officer has commented that the principle of this arrangement is acceptable. As originally submitted, the Highway Officer commented that a Design Audit and a Stage One Road Safety Report were required to ensure the new access and road were acceptable. The agent subsequently submitted these documents to the County Council. The Highways Officer has commented that the documents do not fully meet the standards required. Consequently, the Highways Officer has agreed to a recommended condition requiring the submission of an additional Design Audit and a Stage One Road Safety Report to be submitted for approval prior to commencement of development.
- 6.29 Subject to the submission of these details, the proposal is considered appropriate in terms of highway safety and would be in accordance with the requirements of Policy 40 of the HDPF.

#### Impact on the Amenity of Existing and Prospective Occupiers

- 6.30 Policy 33 of the HDPF requires development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. It is considered that the site is located a sufficient distance from adjacent residential properties to avoid harming the residential amenity of any existing occupiers, in terms of loss of light, outlook or privacy. The nearest residential properties affected by this proposal are sited within Phase 1 of the Kilnwood Vale site adjacent to the eastern boundary of the site. The indicative plans indicate that there would be sufficient distance between the existing houses and the

proposed development with the retention of the existing stream and boundary hedges and trees. The exact location of orientation of the proposed houses along the eastern edge of the Reserve Land will be determined through the Reserved Matters application. It is acknowledged that residents will see the development, however, through the Reserved Matters procedure, the Council can ensure that there is no direct overlooking or loss of privacy for the existing Kilnwood Vale residents within Phase 1.

- 6.31 The indicative layout shows that each dwelling would be provided with its own private rear garden and that adequate separation could be achieved between opposing elevations to ensure that an appropriate living environment is achieved for prospective occupiers. The provision of private rear gardens would be complemented by areas of public open space at the site and the final details of the landscaping would be considered as part of the Reserved Matters application.
- 6.32 The Council Parks and Countryside Team have commented that the level and type of open space provided within the development is acceptable in principle. The proposal includes a LEAP located within the landscape buffers around the site which also act as amenity areas and walkways. Two pocket parks and a community orchard are also proposed within the site. The proposal also retains the established pond to the north of the site. The pond acts as a drainage attenuation pond for the Kilnwood Vale site but is also an attractive amenity enjoyed by existing residents.
- 6.33 The introduction of up to 250 dwellings to this countryside setting would increase the noise levels generated by the site. There would be increased levels of disturbance to adjacent residential occupiers associated with, for instance, the comings and goings of vehicles and the use of rear gardens. However, it is not considered that this would result in an unacceptably harmful impact on the living environment of adjacent residents.
- 6.34 As the site is in close proximity to the A264, a Noise Impact Assessment has been prepared to assess noise sources, such as traffic noise. The assessment was carried out to ensure that associated noise levels do not cause disturbance to existing or future occupiers and are at a suitable level to ensure a high quality environment for future residents.
- 6.35 The assessment identifies areas along the southern boundary with the A264 carriageway that are exposed to high levels of noise. For future development along the southern boundary, mitigation has been recommended to ensure the noise levels inside dwellings and garden areas would be within acceptable limits. This comprises the use of close boarded fencing to act as an acoustic barrier and the inclusion of appropriate glazing specification and vents for dwellings located along the southern edge. The Council's Environmental Health Team has commented that this is an acceptable approach subject to the details being submitted to and approved prior to development commencing. Given the importance of ensuring the protection of future residents, a condition is recommended that the exact details of mitigation measures proposed are to be submitted to and approved prior to the submission of the Reserved Matter application for this site.
- 6.36 In light of the above, it is considered that the development would avoid harmful impacts on the amenities of existing or prospective occupiers in terms of loss of light, outlook or privacy. Measures to protect residents from harmful effects of noise, vibration and dust during the construction period could also be controlled by a suitably worded condition requiring the submission of a Construction Environmental Management Plan to be approved by the Local Planning Authority.

Other Considerations:

- 6.37 The site is currently surrounded by trees and hedgerow and is predominately comprised of grassland. The proposal includes the retention of the majority of the trees around the site.

A limited amount of vegetation and one tree is required to be removed to allow the emergency access to the north east corner of the site. The loss of this tree and the hedgerow are considered appropriate given that the scheme includes the addition of landscaping which will include additional trees. The precise details of the landscaping for the site would be submitted and considered as part of a Reserved Matters application.

- 6.38 The site is located within an Archaeological Notification Area. The Council's Archaeological Consultant has commented that a Written Scheme of Investigation for any archaeological finds is required to be submitted to an approved by the Local Planning Authority. This requirement is recommended as a condition.
- 6.39 The majority of the Kilnwood Vale site was formerly an inert landfill site and required remediation measures to deal with potential contamination. The Reserve Land was not part of the former land fill site and the Council's Environmental Health Officer has commented that there are no obvious land contamination issues with this part of the Kilnwood Vale development.
- 6.40 In terms of drainage, the site is located in Flood Zone 1, where there is a low probability of flooding and where the principle of residential development is considered acceptable. The County Council and District Council's Drainage Officer have both commented that full details of drainage systems are to be submitted to and approved by the Local Planning Authority prior to development commencing.
- 6.41 The Council's Air Quality Officer has commented that the scheme should include measures which should discourage high emission vehicle use and encouraging the uptake of low emission fuels and technologies. This includes the submission of Travel Plan, the inclusion of energy efficient boilers, the provision of facilities for charging plug-in and other low emission vehicles and details of cycle parking. The recommended conditions include the requirement to submit a Travel Plan for approval. The other recommended conditions would be covered through the details to be submitted and assessed in a Reserved Matters application.
- 6.42 With respect to ecology, the proposal includes an Ecology Report. This report states that ecological surveys have been conducted on the site. The conclusion of the report is that the development of this land would not result in a significant impact on ecology including the habitats of any protected species. The Council's Consultant Ecologist agrees with these findings and has raised no objections to the application.

#### Impact on Ashdown Forest SAC

- 6.43 Wealden District Council (WDC) has objected to the application on the grounds of the potential impact on the Ashdown Forest, Lewes and Pevensey Levels Special Areas of Conservation. The objection is based on a Secretary of State decision in favour of WDC. In this decision, the judge quashed part of the Lewes Joint Core Strategy with the South Down National Park on the grounds that Lewes had failed to consider the cumulative ecological impact on the Ashdown Forest. WDC have objected to the scheme at the Reserve Land on the grounds that it is unproven that the traffic created by this proposal would result in air pollution which would detrimentally affect the biodiversity and ecology at the three SACs.
- 6.44 To adequately address the objection, a scheme must first submit a Habitats Regulations Assessment (HRA) together with a transport assessment. A transport assessment takes into account the Annual Average Daily Traffic (AADT) generated by a proposal. If the results of the HRA are that the effect of a proposal on a Special Area of Conservation is likely to have significant effects, then a assessment is required which assesses a proposal in combination with other development.

- 6.45 In response to the objection from WDC, the applicant has submitted a Traffic Implications Review and a Habitats Regulations Assessment: Shadow Screening Report. Under the Traffic Implications Review, the report concludes that the uplift in traffic and the resulting impact on the Ashdown Forest generated by this proposal, would not be consequential enough to warrant an assessment which takes into account the effects of the proposal in combination with other development. WSCC Highways have commented that they have no objection to the methodology used in the assessment.
- 6.46 Under the extant Outline permission, an assessment was made for the development of up to 2,650 dwellings in both relevant traffic models and the EIA in support of the application which included a Transport Assessment. To limit the impact of the proposal on adjacent SACs, the applicants have proposed to enter into a legal agreement to cap the number of dwellings across the whole of the Kilnwood Vale development to 2,650. This cap will be lifted if and when the Council is satisfied that the additional units will not result in significant likely impacts on the Ashdown Forest SAC. As such the planning permission for up to 250 dwellings on the Reserve Land will simply enable residential development across the full extent of the established site area for Kilnwood Vale for up to 2,650 dwellings, which has been fully assessed under the EIA and Transport Assessment for the outline permission. On this basis, the proposed development on the Reserve Land will result in no additional AADT to the committed Kilnwood Vale development which has already been assessed through the outline approval.
- 6.47 The HRA submitted looks at the potential impact of the proposal on nearby SACs (Ashdown Forest SAC, Lewes Downs SAC and Pevensy Levels SAC). With proposed cap of 2,650 dwellings in place, the report concludes that there will be no associated increase in NOx as a result of development of the Reserve Land application. The current proposal should therefore be considered nugatory and indistinguishable from background variations. Therefore, even the in-combination effect of the Reserve Land is not likely to lead to a significant effect upon the SACs or their qualifying features.
- 6.48 On this basis, the Council's Consultant Ecologist has recommended that Horsham District Council as the Competent Authority would not require the second stage of the Habitats Regulations Assessment, an 'Appropriate Assessment' to be completed, and the proposed development can proceed without adverse effects on the integrity of the Special Areas of Conservation at Ashdown Forest, Lewes Down or Pevensy Levels.

#### Legal Agreement

- 6.49 Policies 39 and 43 of the HDPF require new development to meet its infrastructure needs. Under the adopted CIL regulations, the Kilnwood Vale site is exempt from CIL charges. It is therefore appropriate for this scheme to include the provision of commuted sums for specific local projects to mitigate the impact of the proposal (if considered necessary). This is considered a fair approach to deal with the cumulative pressure on existing qualitative and quantitative deficiencies in the surrounding area.
- 6.50 This site is within the strategic allocation for Kilnwood Vale and the site area for the wider development which has extant outline planning consent. Under the Environmental Impact Assessment for the outline approval, mitigation measures were included for 2,650 dwellings. A number of these measures were secured through the Legal Agreement for the Kilnwood Vale site. The mitigation measures and contributions already secured under the outline are a material consideration in the determination of this application.
- 6.51 As outlined above the applicant has requested a cap limiting the number of dwellings within the whole of the Kilnwood Vale development to 2,650. It is recommended that the S106 outlines the potential contributions required for the additional units generated by this proposal which would take it over this number. In the event that the restriction on numbers



is removed, the S106 will require that additional contributions to be paid to mitigate the impact of the additional units over and above the 2,650 units.

- 6.52 A legal agreement is also required to secure the provision of the affordable housing provided. The applicant has also been advised that a deed of variation is required to the original S106 for the outline permission to also cap the numbers of dwellings across the development to 2,650.

Conclusion:

- 6.53 Taking all matters into account, the proposal is considered an acceptable form of development. The scheme would result in an appropriate development in accordance with the requirements of the JAAP. The ‘Reserve Land’ was safeguarded as part of the outline consent to provide the opportunity to accommodate a Western Relief Road however the deadline to confirm the requirement for the WRR has now expired. The development of this site for further housing is accepted as part of this strategic site and the quantum of development proposed is considered appropriate.
- 6.54 The scheme is also considered to be in accordance with the requirements of the HDPF and NPPF and subject to final details to be considered at Reserved Matter stage would result in a sustainable form of development. The proposal is also considered appropriate with respect to its impact on demand for travel and highway considerations, impact on residential amenity, trees, sustainability, ecology and flooding.

**7. RECOMMENDATIONS**

- 7.1 That planning permission be delegated for approval to the Development Manager subject to completion of a legal 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.

Conditions:

1. Plan numbers.
2. {\b Plans Condition}: The detailed design of the development proposed through Reserved Matters application pursuant to this outline planning permission shall have regard to, and broadly accord with, the principles set out on the following parameter plans and supporting documents:

Plan	Drawing Number	Date Received
Access and Movement Parameter Plan	16375/C101G	12.11.2017
Building Heights Parameter Plan	16375/C102M	23.01.2018
Landscape and Open Space Parameter Plan	16375/C103H	23.01.2018
Density Parameter Plan	16375/C104K	12.11.2017
Land Use Parameter Plan	16375/C105F	23.01.2018

Reason: As the LPA has had regard to these drawings in determining whether the amount of development proposed can be accommodated within the site in an acceptable way in accordance with Policy SD1 of the Horsham District Planning Framework (2015).

3. {\b Outline Condition}:
- (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 any 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.

4. {\b Pre-Commencement Condition}: No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
- i. hours of operation
  - ii. the parking of vehicles of site operatives and visitors
  - iii. the anticipated number, frequency and types of vehicles used during construction
  - iv. the method of access and routing of vehicles during construction
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding, where appropriate
  - v. the provision of wheel washing facilities if necessary
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of adjacent properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5. {\b Pre-Commencement Condition}:
- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
  - ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

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).

6. {\b Pre-Commencement Condition}: No development shall commence, including ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
- All trees on the site shown for retention on the approved Arboricultural Statement 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).

7. {\b Pre-Commencement Condition}: No dwelling shall be occupied until the emergency access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be retained in accordance with the approved plans.

Reason: As this matter is fundamental to ensure an appropriate emergency access to the site in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8. {\b Pre-Commencement Condition}: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

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

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

10. {\b Pre-Commencement Slab Level Condition}: No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

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

11. **{\b Pre-Occupation Condition}**: Prior to occupation of the first dwelling, plans and details of the proposed roundabout access shown on drawing number JNY9408-01 shall be submitted to and approved by the Local Planning Authority. The submission shall be supported by way of a Stage One Road Safety Audit and a formal statement outlining the design standards and guidance applied to the roundabout design. The roundabout, as approved, shall be provided prior to the occupation of the first dwelling on site.

Reason: As this matter is fundamental to ensure safe and satisfactory access to the site in accordance with Policy 40 of the Horsham District Planning Framework (2015).

12. **{\b Pre-Occupation Condition}**: Prior to the first occupation of any part of the development hereby permitted, full details of all landscape buffers shall be submitted to and approved by the Local Planning Authority in writing. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

13. **{\b Pre-Occupation Condition}**: Prior to the first occupation of any part of the development hereby permitted, a Travel Plan shall be 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.

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

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

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

15. **{\b Regulatory Condition}**: The Reserved Matters application shall include a scheme for sound attenuation against external noise for the units adjacent the southern boundary as outlined in the Environmental Noise Survey and Assessment Report (15257B-1). The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the units adjacent to the southern boundary and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Notes to Applicant:

1. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is therefore drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries / applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues, (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
3. In formulating the Reserved Matters application, the applicant's attention is drawn to the High Weald AONB Colour Study (<http://www.highweald.org/high-weald-aonb-management-plan/evidence/420-home/research-reports/2307-high-weald-colour-study.html>).
4. In formulating the Reserved Matters application, the applicant's attention is drawn to the High Weald AONB dark night skies policies. These requirements must be taken into consideration when considering all external lighting for the development of the Reserve Land.

Background Papers: DC/10/1612, DC/15/2813, DC/17/2481

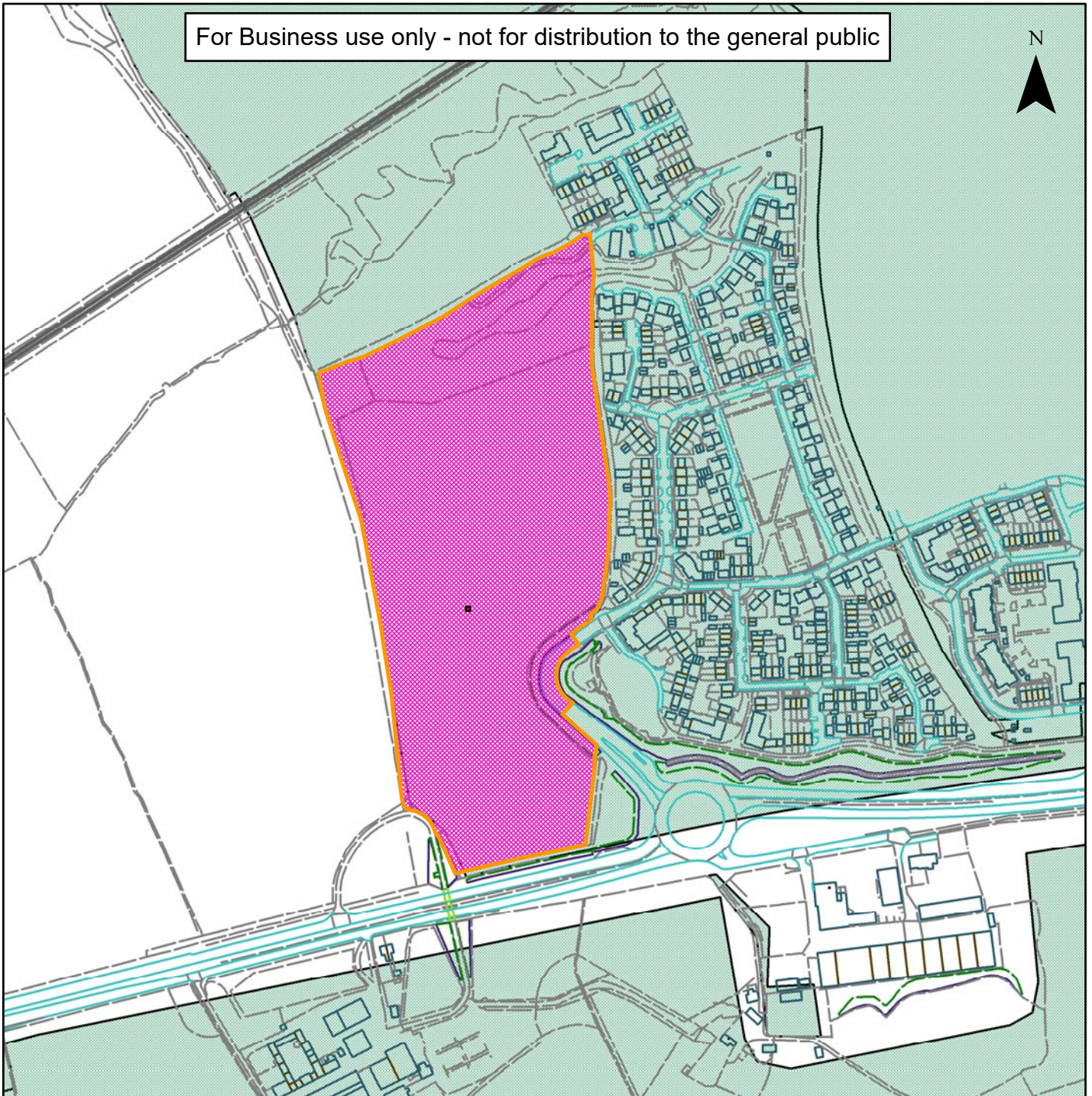
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Comments	Not Set
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**Horsham  
District  
Council**

## **PLANNING REPORT**

### **COMMITTEE**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6 March 2018

**DEVELOPMENT:** Proposed erection of 28 dwellings (use class C3) with associated garaging, parking, hardstanding and landscaping

**SITE:** North Eastern Parcel of Solomon's Seal Old Guildford Road Broadbridge Heath West Sussex

**WARD:** Broadbridge Heath

**APPLICATION:** DC/17/2316

**APPLICANT:** **Name:** Bellway Homes Ltd **Address:** c/o Savills

**REASON FOR INCLUSION ON THE AGENDA:** Councillor French (Broadbridge Heath) and the Parish Council have requested that the application is brought to committee.

**RECOMMENDATION:** To grant planning permission, subject to a s106 Agreement to secure affordable housing, 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**

To consider the planning application.

#### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application site forms part of the wider Land North of Guildford Road development site granted outline planning permission for 165 dwellings on appeal under application DC/13/2408. This application relates to a 0.7ha parcel to the north-eastern part of this wider development site, north of the approved care home. Planning permission is sought for the erection of 28 dwellings in place of the approved 15 bungalows, including 10 affordable units. The development would be formed of a mix of two-storey detached, semi-detached, and terraced 2, 3 and 4 bed dwellings on broadly the same layout as the approved bungalows. The proposed affordable units would comprise 4 affordable rented units and 6 shared ownership units with a mix of two and three bed dwellings.

## DESCRIPTION OF THE SITE

- 1.2 The application site lies to the north of the settlement of Broadbridge Heath on the northern side of Old Guildford Road. The site is situated outside the defined built-up area of Broadbridge Heath, but as part of the wider development site is contiguous with the settlement boundary.
- 1.3 The wider site is approximately 9.3ha in area and comprises two agricultural fields with a mix of tree and hedgerow buffers along its boundaries. The application site is bound primarily by dense hedging to the north, east and west, and will share the southern boundary with a care home (currently under construction under DC/16/1329) which is separated with temporary Heras fencing. The site is generally level, but currently houses a soil bund from the excavations from the wider site to the west. Public Right of Way path 1580 runs on a north/south axis which together with a belt of tree and scrub provide a natural divide between the main part of the wider site to the west, and the application site and care home to the east.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### **National Planning Policy Framework**

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

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 7 - Strategic Policy: Economic Growth
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 30 - Protected Landscapes
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Heritage Assets and Managing Change within the Historic Environment
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities

#### Supplementary Planning Documents:

Planning Obligations and Affordable Housing SPD (2017)

## RELEVANT NEIGHBOURHOOD PLAN

The site is located within the boundary of the Broadbridge Heath Neighbourhood Development Plan Area. To date no draft Plan has been produced. As the Parish is in relatively early stages of producing a Neighbourhood Plan, limited weight can be given to this process at this stage in the determination of this application.

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1073	Reserved Matters application for the residential element of outline planning permission DC/13/2408, comprising 165 residential units, including 66 affordable units, and associated, parking, landscaping and open space	Approved 18.05.2016
DC/13/2408	Outline application for the erection of up to 165 residential dwellings (use class C3) including affordable housing, a 60-bed care home (use class C2) with separate staff accommodation, two new vehicular accesses, associated infrastructure, groundworks, open space and landscaping (Outline) (Development affects the setting of a Listed Building)	Refused 19.12.2017 (allowed on appeal)

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

**HDC Strategic Planning:** No Objection

**HDC Landscape Architect:** No Objection – Views into the site from PROW 1581 to the North of the site will be screened by new planting (as was the case in the previous approved scheme). The filtered views into the site from PROW 1580 will change little other than the fact that the houses are taller – but the layout is such that existing views to the tree belt on the Eastern boundary will still be visible between the rows of houses.

The use of space has been improved with this layout and there is sufficient outdoor amenity space per dwelling in relation to the property footprints.

In this indicative planting plan (BELL 21472 11 Dr A) there is little in the way of tree planting – it would be preferable if more could be included

**HDC Arboricultural Officer:** No Objection – there are no trees on this parcel of land, and those off-site but nearby are at a suitable distance from the proposed development not to be harmed or to have any adverse impact upon the scheme

**HDC Environmental Health:** No Objection

**HDC Conservation Officer:** No Objection (verbal)

**HDC Housing:** No objection.

Policy 16 of the adopted HDPF requires 35% affordable housing on sites providing 15 or more dwellings. The affordable housing should be split 70/30 in favour of rented

accommodation. The applicant has proposed a 40/60 split in favour of shared ownership which is not policy compliant and therefore not supported by housing officer.

**HDC Drainage Engineer:** No Objection

**HDC Waste and Refuse:** No Objection

OUTSIDE AGENCIES

**WSCC Highways:** No Objection, following the submission of requested additional information regarding TRICS data and Swept Path Analysis

**Ecology Consultant:** No Objection

**Southern Water:** No Objection

**WSCC Flood Risk Management:** No Objection

**Mid Sussex CCG:** No Objection

PUBLIC CONSULTATIONS

**Parish Council:** Objection. The Parish objects to the loss of bungalows on the site, and considers that the increase in number of dwellings on the site is over development.

**Councillor French** has objected to the proposals on the grounds of the amount of development and the loss of an opportunity for much needed bungalow accommodation.

**Letters of Representation:** 3 letters of representation were received, objecting to the proposal on the following grounds:

- Overdevelopment of a small site
- Loss of bungalows does not appeal to local housing need
- Destroys the previous balance design concept
- Emergency and larger vehicular access would be difficult
- 50% increase in domestic vehicular movements
- Negative visual impact on the adjoining countryside

#### **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**

##### Background and Principle of the Development

6.1 The application site forms part of a wider development site granted outline planning permission under DC/13/2408. The wider development is for 165 dwellings, including 15 bungalows on the parcel of land that forms this application site. Development of the wider site has now commenced, with the reserved matters for the entire site having been granted

under application DC/16/1073. Accordingly the principle of housing development on this parcel of countryside land has been established.

#### Layout, Scale, and Appearance

- 6.2 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape, with Policy 33 of the HDPF stating that development proposals should, amongst others, make efficient use of land, ensure that the scale, massing and appearance of the development is of a high standard of design and layout, use high standards of building materials, finishes and landscaping, and relate sympathetically to the local landscape.
- 6.3 Under the original outline permission, the building heights parameters plan detailed that this part of the site was to comprise single storey bungalows only, and the approved reserved matters scheme accorded with this. The current proposal is a stand-alone application for full planning permission and is therefore not constrained by the parameter plans for the wider development site. Nevertheless the parameter plans forms a consideration material to this application. The current application seeks permission for 28 two-storey houses on this parcel of land instead of the 15 bungalows. This greater scale and density of development is achieved through the division of the larger bungalow plots into smaller plots for two-storey dwellings, retaining a broadly similar road network. The proposal would retain the area for the attenuation basin to the north which sits outside the application site, and would also retain the main landscape buffer running north to south along the eastern site boundary. As before, substantial planting is detailed between the proposed houses and the approved care home to the south, whilst the houses to the northern and western boundaries would face towards the public open space beyond providing for a good outlook and natural surveillance of these spaces.
- 6.4 The scheme includes dwellings with appropriate spacing between each other and reasonably sized gardens, resulting in a sympathetic layout and quantum of development which would be appropriate in the context of the wider development site. The scheme would also retain a suitable distance between the proposed houses to the west and the approved care home to the south. The proposed houses are of a design and material finish that would complement closely the design of the houses in the wider development site, with the materials providing for a varied appearance. As such, the proposed layout, design, scale, and appearance of the development would complement that of the wider development site and is considered acceptable.

#### Landscaping

- 6.5 The principle reason for the inclusion of bungalows on this parcel of land was on landscape grounds, in order to preserve existing views that extend outwards from higher land to the north. The application is supported by a new Landscape and Visual Impact Assessment and the Council's Landscape Architect has subsequently advised that the increase in height and amount of dwellings on this site is considered acceptable in landscape terms. The Landscape Architect has advised that views into the site from the public right of way to the north of the site (PROW 1581) will be screened by the proposed planting, thereby ensuring the scale of the dwellings compared to the bungalows would not be unduly intrusive. The filtered views into the site from PROW 1580 that runs parallel to the site to the west will also change little, other than by the fact that the dwellings are taller. The layout is such that existing views through the site to the tree belt on the eastern boundary will still be visible between the rows of houses, and as such it is not considered that the greater scale of development would result in detrimental harm to the visual amenities of the wider surrounding area. No trees on the parcel are to be affected by the development. As such, it is not considered that the increased building heights and density of the dwellings

would result in appreciable harm to the wider landscape or trees on the site, in accordance with Policy 33 of the HDPF.

### Housing Mix

- 6.6 The main consideration in respect of housing mix is whether the replacement of 15 single storey bungalows with two storey dwellings would provide for a suitable mix of housing. The Parish Council have raised concern over the loss of bungalows from the development as they consider this form of accommodation to be much needed given the aging population of the area.
- 6.7 Paragraph 50 of the NPPF requires local planning authorities to plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community, and to identify the size, type, tenure and range of housing required that reflects local demand. Within this context, Policy 16 of the HDPF requires that development should provide for a mix of housing sizes, types and tenures to meet the needs of the district's communities as evidenced in the latest Strategic Housing Market Assessment (SHMA). The policy states that the appropriate mix of different housing types and sizes for each site will depend upon the established character and density of the neighbourhood and the viability of the scheme. The pre-text to the policy at paragraph 6.7 sets out that the mix of housing needs to meet the housing needs of an increasing elderly population, and that there is currently a lack of homes that are attractive to the elderly to help them downsize. The pre-text also sets out that local communities may wish to identify sites for new elderly downsizing accommodation as part of their Neighbourhood Plans.
- 6.8 The Council's latest Market Housing Mix Assessment (November 2016) sets out that Horsham District has a good spread of market housing choice at present, although there is a need to ensure the market needs of older age groups are met with pensionable age groups expected to represent more than 43% of total households by 2031. However, the Assessment falls short of recommending types of dwellings to meet the needs of the aging population, identifying only a need to better balance smaller one and two-bedroom dwellings in rural areas.
- 6.9 The previously approved scheme proposed a mix of 4 x 2 bed bungalows and 11 x 3 bed bungalows on this parcel. The proposed scheme includes no bungalows with all 28 dwellings now to be houses.
- 6.10 Reviewing the original planning permission, the inclusion of bungalows on this parcel was proposed due to a perceived impact on wider landscape views of the site, rather than to address any identified local need. Whilst the loss of the bungalows is regrettable, there is no current local needs assessment setting out an explicit demand for bungalows and no policy requirement in the HDPF explicitly for bungalows to be included in developments. Further, the latest Market Housing Mix Assessment does not state there is a need for bungalows in the district. On this basis, the applicant has declined to include a portion of bungalows in the proposal.
- 6.11 In terms of the new mix of housing more generally, the current scheme proposes 13 additional dwellings on this site than previously approved, with a more varied mix including 7 x 2-bed, 19 x 3-bed and 2 x 4-bed dwellings (the current permission is for 4 x 2-bed bungalows and 11 x 3-bed bungalows). This mix broadly aligns with the recommended mix of housing set out in the Market Housing Mix Assessment and is considered acceptable. The current scheme proposes a more varied mix of dwellings types and sizes compared to the previous application, including a mix of 2, 3, and 4 bed dwellings. Whilst this would result in a loss of bungalows on the site, the development would result in the net increase of 13 units, with a similar proportion of 2-bed units (25% of the development) and more units suitable for family occupation.

- 6.12 The Parish's concerns regarding the loss of the bungalows on the site are acknowledged. However, as mentioned above, officers consider that the inclusion of two-storey dwellings on this parcel would not harm the wider surrounding landscape, and thus the principle of including two-storey dwellings is accepted. In addition to this, in the absence of a made neighbourhood planning document, or any statutory local housing need study that demonstrates the need, and indeed a planning requirement, for bungalows in Broadbridge Heath, there are no reasonable planning grounds to refuse their replacement with houses.

#### Affordable Housing

- 6.13 The 2013 outline application (and subsequent reserved matters application DC/16/1073) secured the provision of 165 dwellings, of which 40% were affordable (66 units split 50/50: 33 affordable rent and 33 shared ownership). Since this permission was granted on appeal, Policy 16 of the HDPF and the accompanying Planning Obligations and Affordable Housing SPD have been adopted, requiring that developments proposing 15 dwellings or more dwellings provide an affordable housing provision of 35%.
- 6.14 This application proposes 10 affordable units, which equates to just over 35% of this 28 unit development. Nevertheless, Housing Officers have raised objection as the proposed tenure split of 40% affordable rent/60% shared ownership does not meet the required 70/30 split set out in the pre-text to Policy 16 and the accompanying Planning Obligations and Affordable housing SPD.
- 6.15 Whilst this proposal does not accord with the desired 70/30 tenure split, it is important to consider the proposal in relation to the existing affordable housing provision on this parcel as well as that being provided across the wider site. In terms of the existing development approved on this parcel of land, of the 15 bungalows only 4 were scheduled to be affordable units, with all four to be two-bedroom shared ownership units. The additional 13 units proposed under this current proposal would provide for four affordable rent units and an additional two shared ownership units, all in a mix of two and three-bed units. This represents a significant improvement in the quantum and tenure of affordable housing to be provided on this parcel.
- 6.16 In the wider context the number of dwellings across the whole development site would increase from 165 to 178, of which 37 would now be for Affordable Rented and 35 for Shared Ownership maintaining the approved 40% provision. This results in an improved 51/49 tenure split in favour of Affordable Rent. On this basis, whilst the overall proposed tenure split on this parcel alone does not adhere to the preferred 70/30 split set out in the supporting text to Policy 16 and within the accompanying SPD, in the context of the wider development the proportion of affordable units and particularly the number of affordable rent units on this parcel would increase, with the wider site now providing for an improved number and tenure split of affordable units. Given this material consideration the proposal is considered to provide a suitable number, size and tenure mix of market and affordable units to accord with Policy 16.

#### Highway Safety

- 6.17 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.
- 6.18 The amendment would not alter the primary or secondary road layout within the wider site, and the access to the houses and the main access into the site from Old Guildford Road

would remain unaltered. Nevertheless as a separate standalone application to the wider development, it is considered necessary to ensure the access road to Old Guildford Road is suitably laid out and provided prior to first occupation of any dwelling to avoid a circumstance whereby the houses are occupied without suitable and safe access having been provided.

The proposal provides a total of 52 car parking spaces comprising 37 allocated parking spaces, 8 unallocated for residents and 7 visitor spaces. 14 garages are also included. The WSCC Parking Demand Calculator (PDC) showed that the proposal does not exceed the outputs of the PDC. Refuse collection will collect from the site, in which the submitted swept path analysis demonstrates that this can be undertaken safely. In addition to this, the proposal has been supported with a Trip Rate Information Computer System (TRICS) which considers additional movements the proposals will include over the site. As such, the Local Highway Authority does not anticipate any capacity concerns in regards to any additional vehicular movements to and from the site, in which vehicular movement and waste collection will be undertaken safely.

#### Impact on Amenity

- 6.19 Policy 33 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers/users of nearby properties and land. In the positions proposed, the proposed dwellings would be set a significant distance from the nearest existing neighbouring properties to the south of the site (approximately 60m away) and would not result in a significant impact on the amenity of any adjacent properties to the east or west. Given the layout, the scheme would not result in any loss of light or increased enclosure for the respective residents of the houses or future residents of the surrounding development.

#### Other Considerations

- 6.20 A Grade II listed building (Mulberry Place) lies to the east of the site. This building is separated from the proposed site by substantial woodland. In the Inspector's report for the outline consent, it was considered that the development of the land North of Old Guildford Road for 165 units would result in 'modest harm' to the setting of this listed building, in which the benefits of the proposal were considered to outweigh this harm. Given the separation to the listed building and the landscape buffer in between, and in consultation with the Council's Conservation Officer, it is not considered that the provision of additional and taller dwellings on this parcel would materially alter the level of harm previously identified. It is therefore considered that the public benefits of the development continue to outweigh the harm to the setting of the listed buildings such that the conclusions of the appeal inspector remain appropriate.
- 6.21 The application is accompanied with an updated technical note for the site's wider flood risk assessment (FRA). The note identified that no further attenuation measures are needed for the increased number of dwellings on the site, in which the parcel will be drained using the same design principals agreed upon in the existing development FRA. The foul water will connect to the adoptable foul sewers and pumping station currently under construction, which will be offered to Southern Water post-development. A provision has also been made to accommodate a 40% increase in intensity to the networks to account for climate change, thus future proofing the site. As such, no concerns are raised in regards to drainage and flooding on the site.
- 6.22 The Council's Ecology Consultant has confirmed that the site, as assessed by EAD Ecological Consultants in 2013, and by update walkover by Ecology Solutions in 2016, is of limited biodiversity value other than for boundary habitats. No objection is raised subject to the ecology mitigation measures within the ecology report re-submitted with this application being implemented. This is secured by condition.



## Conclusions

- 6.23 The proposed replacement of 15 bungalows as approved with 28 houses is considered acceptable in principle having regard to the wider development site within which it sits and in terms of its impact on the wider landscape. The design of the dwellings complement those of the wider development site and would not result in an appreciable impact on residential amenity or highway safety, and would not harm the setting of the adjacent listed building. Whilst the loss of the bungalows is regrettable, there is no policy in the HDPF or any local supporting housing need studies requiring their provision or retention. The proposed houses would provide for a suitable mix of units sizes and affordable units commensurate to that provided in the wider development. The application is therefore recommended for approval subject to a legal agreement to secure the affordable housing and appropriate conditions.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.24 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.25 **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	2659.55	0	2659.55
		<b>Total Gain</b>	2659.55
		<b>Total Demolition</b>	<b>0</b>

- 6.26 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development. In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.
- 6.27 As the site has previously been agreed for the development of 15 bungalows as part of the approved planning permission, an existing Section 106 agreement is already in place securing appropriate financial contributions towards local infrastructure. However, this parcel of the site is now CIL liable and will therefore be charged as such. The Section 106 for the wider site will therefore need to be revised to remove any infrastructure contributions proportionate to this parcel of the site that are now covered by CIL. Such a revision falls outside the scope of this planning application and is a matter for separate negotiation.

## **7. RECOMMENDATIONS**

- 7.1 To grant planning permission subject a s106 Agreement to secure affordable housing, 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.

Conditions:

- 1 Plans list
- 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 take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall co-ordinate with the wider development site and provide for, but not be limited to:
  - i. working hours
  - ii. the parking of vehicles of site operatives and visitors
  - iii. construction traffic routing in the wider road network
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding, where appropriate
  - v. the provision of wheel washing facilities if necessary
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of existing neighbouring dwellings during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

- 5 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the approved landscaping scheme and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

- 7 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

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

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall thereafter be retained for use at all times.

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

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved drawing number 173500-001 F. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, no dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use, as shown on plans 071702-SH01 (received on 13.10.2017) and 071702-BEL-SL-02 B (received on 20.12.2017). The provision for cycle parking shall thereafter be retained for use at all times.

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

- 11 **Pre-Occupation Condition:** The landscape scheme detailed on drawing no. BELL 21472 11 A shall be fully implemented in accordance with the approved details 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 in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 14 **Pre-Occupation Condition:** Prior to first occupation of any dwelling within the development hereby permitted, the proposed vehicular access road to Old Guildford Road shall have been fully constructed and made available for use by vehicles and pedestrians in accordance with details (to include any lighting) that have been submitted to and approved in writing by the Local Planning Authority. The access to Old Guildford Road shall include appropriate visibility zones that shall be kept permanently clear of any obstruction to a height of 600mm at all times.

Reason: To secure satisfactory and safe access to the development in accordance with Policy 40 Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** The garage(s) hereby permitted shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

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

- 16 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Flood Risk Assessment technical note submitted on 03.11.2017, and thereafter permanently retained as such.

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

- 17 **Regulatory Condition:** The development hereby permitted shall be undertaken in full accordance with the mitigation measures set out in Chapter 5 of the submitted Ecological Impact Assessment prepared by EAD Ecological Consultants, submitted on 13.10.2017.

Reason: To ensure that the proposal avoids adverse impacts on protected and priority species, and contribute to a net gain in biodiversity, in accordance with 109 and 118 of the NPPF.

- 18 **Regulatory Condition:** The development shall include the provision of high speed broadband internet connections to each of the dwellings hereby approved, and permanently retained thereafter.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

#### NOTE TO APPLICANT

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

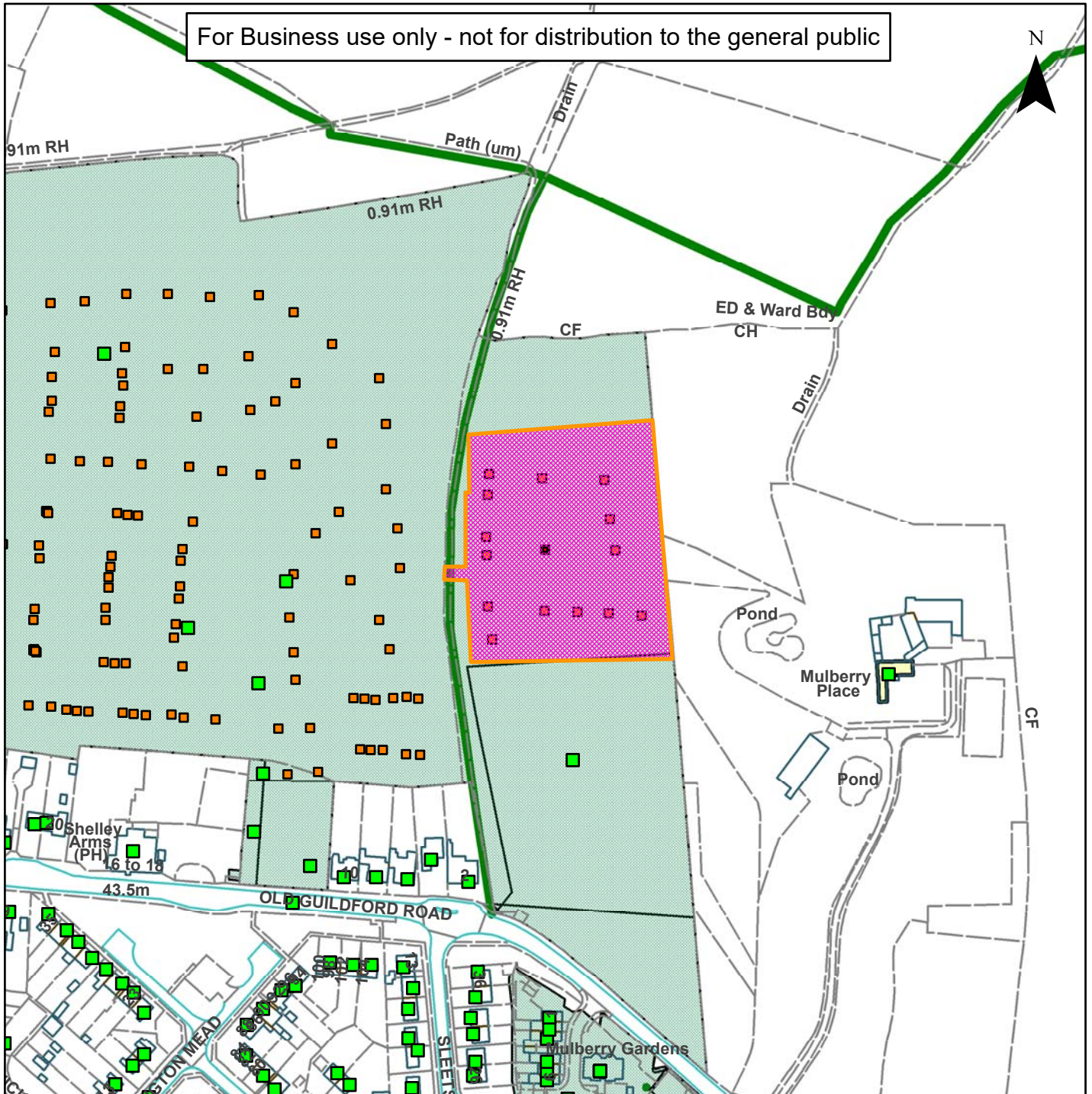
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Organisation	Horsham District Council
Department	
Comments	Not Set
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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6 March 2018

**DEVELOPMENT:** Variation of Condition 1 to previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.

**SITE:** Micklepage Nuthurst Street Nuthurst West Sussex

**WARD:** Nuthurst

**APPLICATION:** DC/17/2524

**APPLICANT:** **Name:** C/O Agent **Address:** C/O Agent

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations received with a view contrary to the officer recommendation

**RECOMMENDATION:** To grant planning permission

### **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The current application seeks a minor-material amendment to the approved plans under reference DC/15/2493, with alterations to the form and footprint of the dwellings approved as part of that previous permission. These alterations primarily relate to the overall built form of the dwellings and alterations to the internal layout of the ground and first floors.
- 1.2 There is no statutory definition of a 'minor-material amendment' but is usually considered to include amendments where nature results in a development that is not substantially different from the one that has been approved. Very minor changes are considered as part of a 'non-material amendment application'; given the extent of the changes undertaken to the approved scheme, it was considered that these were significant enough to alter the appearance and scale, and therefore not 'non-material' in nature. However, the development as built remains of the same nature as that previously approved, and can be considered under a 'minor-material amendment'.
- 1.3 These alterations have altered the footprint of the dwellings, with a slight enlargement to the north-east and south-west elevations, with an alteration to the southern elevation to encompass a projection that measures to a width of 7.1m (in lieu of the approved sunroom and porch), and an overhang provided over the front entrance to the northern elevation. The development as built has also increased the roof height of the front projection, which now

extends to a height of 6.5m (an increase of approximately 1.4m), with the addition of a hipped roof dormer to the northern elevation, and a hipped roof dormer to the southern elevation. The roof height of the main building has though stayed the same from the original permission. These alterations have also encompassed internal alterations to the layout at both ground and first floor, albeit that the dwellings are retained as 3-bed chalet bungalows, as detailed on the submitted plans. The number of bedrooms is discussed in more detail within the body of the report.

## DESCRIPTION OF THE SITE

- 1.4 The application site comprises a paddock within the countryside outside of any defined settlement. The site lies to the east of Nuthurst Street and to the south of an existing private access which serves adjoining development to the north and east.
- 1.5 The immediate surrounding area is characterised by linear residential development along Nuthurst Street, with the wider surrounding area predominantly rural in character.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### 2.2 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

#### 2.5 **Nuthurst Parish Neighbourhood Plan 2015-2031**

Policy 1 – A Spatial Plan  
Policy 7 – Land at Micklepage Leigh, Nuthurst  
Policy 10 – Housing Design

### PARISH DESIGN STATEMENT

- 2.6 Nuthurst Parish Statement (2017)

#### 2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/15/2493

Erection of three two storey houses

Application Permitted on  
10.06.2016

## ENFORCEMENT HISTORY

- 2.8 The application was submitted to the Council following a compliance investigation (reference EN/17/0502) which alleged that the development had not been built in accordance with the approved plans.
- 2.9 A site visit was undertaken in October 2017. On this visit it was identified that the development was not being constructed in accordance with the approved plans. It was noted that the principle of the development had already been established through the approval of planning application DC/15/2493, therefore the planning breaches related to the design and scale of the building.

## 3. OUTCOME OF CONSULTATIONS

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

## INTERNAL CONSULTATIONS

- 3.2 **Building Control:** The approved plan subject of DC/15/2493 shows a roof room with skylight window and an end gable window, with the room appearing to be plasterboarded. Given this, the room would not have been a standard attic loft space, but would have been capable of being used as habitable accommodation. For this reason it is considered that the previously approved roof room would have been capable of accommodating a small bedroom.

## OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection

## PUBLIC CONSULTATIONS

- 3.4 **Nuthurst Parish Council:** Objection on the following grounds:-

- Increase in massing resulting in intrusive and overbearing dwellings
- Out of character with the locality
- Significant alterations to fenestration and insertion of dormer windows
- Overlooking caused by additional dormer windows
- Increased number of bedrooms not in compliance with Neighbourhood Plan policy
- Does not correspond with local housing need
- Does not reflect the linear pattern of development
- Impact on Listed Building caused by relocation of dwellings closer to access track
- Scale, density, and mass do not reflect the surrounding properties
- Loss of car parking caused by relocation of dwellings closer to access track
- Greater massing and volume of the dwellings
- Realignment detracts from the street scene and character of the locality
- Development starting contrary to conditions

- 3.5 **Public Representations:** A total of 190 letters of objection were received by 46 separate households, and these can be summarised as follows:-

- Alterations are not “minor” in nature
- The size and type of housing provided conflicts with the Nuthurst Parish Neighbourhood Plan

- Inclusion of large dormer to southern elevation result in overlooking and loss of privacy
- Proposed development undermines the Nuthurst Parish Neighbourhood Plan
- The dwellings are too large and intrusive within the locality
- Limited off-road parking provided to each dwelling
- Accommodation provides in excess of 3-bedrooms
- The height of the dwellings have been raised to accommodate additional habitable rooms
- Out of character with the village, and has an urbanising effect on the rural character
- The straight build line detract from the rural setting
- Setting of precedent for future development

#### **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 application seeks a minor-material amendment to the development approved under reference DC/15/2493 following alterations to the approved scheme as built.

##### **Principle of Development**

- 6.2 The application site is located within a cluster of dwellings on Nuthurst Street, south of the main village of Nuthurst. The site, and surrounding area, falls outside of a defined settlement boundary, and is considered in policy terms to be within a countryside location.
- 6.3 Policy 3 of the Horsham District Planning Framework (HDPF) identifies a settlement hierarchy. Nuthurst is not identified within this hierarchy and therefore falls within the tier “unclassified settlements”, which are described as settlements with few or no facilities, or social networks and limited accessibility that are reliant on other villages and towns to meet the needs of residents.
- 6.4 Policy 4 of the HDPF states that outside of built-up area boundaries, the expansion of settlements will be supported where amongst other criteria, the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge. The Nuthurst Parish Neighbourhood Plan allocates the application site, through Policy 7, for residential development.
- 6.5 Policy 7 of the made Nuthurst Parish Neighbourhood Plan (NPNP) states that *“the residential development of 0.3 Ha of land at Micklepage Leigh, Nuthurst Street, Nuthurst, as shown on the Policies Map, will be permitted provided that:*
- the scheme comprises primarily 2 and 3 bedroom houses or bungalows;*
  - access is made to the scheme from the existing lane serving Micklepage Leigh with the access lane widened at the entrance to Nuthurst Street to allow two cars to pass;*
- and*

iii. *the scheme layout and access ensure the entrances to the houses from the access land bridge the drainage ditch at the side of the lane.*”

- 6.6 Paragraph 4.30 of the NPNP provides guidance in respect of Policy 7, and this states *“the site is best suited to moderately sized houses or bungalows (of no more than two storeys) rather than larger houses.”*
- 6.7 A previous planning approval under reference DC/15/2493 was approved on 10.06.2016, which sought consent for a development comprising three 3-bed detached bungalows with additional accommodation within the roofspace. This application was considered to reflect the extent of the allocation within the Neighbourhood Plan, with the proposed nature and scale of the development considered to comply with Policy 7 of the NPNP and Policy 4 of the HDPF.
- 6.8 The current application seeks minor-material amendments to the approved plans under reference DC/15/2493, with alterations to the siting, form and footprint of the dwellings approved. These alterations primarily relate to the overall built form of the dwellings with alterations to the internal layout of the ground and first floors.
- 6.9 Over the course of the application, amended plans were received which have removed the 2 no. first floor dormers to the western elevation of each dwelling, with the addition of a single roof light as previously approved. This amendment retains the ‘roof room’ as originally approved, albeit at a slightly larger floor area. Given these amendments, each dwelling would consist of a 3-bed chalet style bungalow with roof room, a similar level of accommodation to that previously approved.
- 6.10 It is noted that a number of objections have been received stating that the proposed accommodation, comprising 3 no. bedrooms and a roof room would not comply with the requirements of Policy 7 of the NPNP. Specifically, concern has been raised in respect of the use of the potential use of the roof room as a bedroom.
- 6.11 The previous planning approval under reference DC/15/2493 consisted of 3 no. 3-bed dwellings within an additional room within the roof space. In consultation with HDC Building Control it has been confirmed that this room would have been capable of being used as habitable accommodation, providing appropriate head height to allow its use as a bedroom. In particular, it was noted that the room would have been serviced by a rooflight and appears to be plasterboarded, and as such would not have been considered as standard attic space, but capable as use for habitable accommodation.
- 6.12 Notwithstanding the alterations to the design, form, footprint and siting of the dwellings, the level of accommodation proposed remains the same as that previously approved. It is acknowledged that the scheme as built provides a larger roof room than previously approved, with a greater full head height, however, given the level of accommodation provided subject of the original approval, it is not considered that the level of accommodation has materially changed.
- 6.13 In addition, it is acknowledged that the previous approval removed permitted development rights subject of Condition 2. Given the wording of Policy 7 of the NPNP and the evidence base contributing to the policy, it is considered reasonable to control future development on the site through a similarly worded condition. As such, a condition removing permitted development rights under Classes A, B and F of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) is recommended.
- 6.14 Whilst the proposal has resulted in a larger built form than previously approved, following the amendments, the proposal seeks permission for three 3-bed chalet style bungalows, with a similar footprint to that previously approved. As determined by Policy 7 of the NPNP, the

proposed scheme would comprise 3 no. 3-bedroom bungalows of no more than two storeys, with a roof room which would be capable of providing habitable accommodation. As such, the development as built is considered to adhere to the requirements as specified within Policy 7 of the NPNP.

- 6.15 The proposed scheme is considered to reflect the extent of the allocation within the Neighbourhood Plan, with the scale and nature of the proposal considered to accord with Policy 7 of the NPNP and Policy 4 of the HDPF.

### **Character and appearance of the dwellings**

- 6.16 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.17 Policy 10 of the NPNP states that the scale, density, massing, height, landscape design, layout and materials of all development proposals will be required to reflect the architectural and historic character and scale of surrounding buildings.
- 6.18 The proposal relates to minor-material amendments to the built form and appearance of the dwellings, as approved under reference DC/15/2493. These alterations have altered the footprint of the dwellings, with a slight enlargement to the north-east and south-west elevations, with an alteration to the southern elevation to encompass a single storey projection that measures to a width of 7.1m (in lieu of the approved sunroom and porch), and an overhang provided over the front entrance to the northern elevation. The development as built has also increased the roof height of the front projection, which now extends to a height of 6.5m, with the addition of a hipped roof dormer to the northern elevation, and a hipped roof dormer to the southern elevation. These alterations have also encompassed internal alterations to the layout at both ground and first floor, albeit that the dwellings are retained as 3-bed chalet bungalows (with roof room).
- 6.19 The locality is characterised by an eclectic built form which incorporates a mixed material palette, with the surrounding residential dwellings built at varying set-backs facing the street. These dwellings are positioned to the front of elongated plots, and consist primarily of single storey and chalet bungalows.
- 6.20 Policy 7 of the NPNP states under part *iii*. that *“the scheme layout and access ensure the entrances to the houses from the access land bridge the drainage ditch at the side of the lane”*. As stated within the Committee Report for the previous application, whilst the orientation of the proposed dwellings, set at a right angle to the street, would juxtapose the surrounding residential development which fronts the highway, it is noted that this layout is a function of utilising the existing access road, as required by the Neighbourhood Plan Policy.
- 6.21 Whilst the alterations have increased the overall massing and bulk of the dwellings, the development still incorporates accommodation within the roofspace in the manner of a chalet bungalow. This approach accords with Policy 7 of the NPNP, with the built form still considered to be reflective of similar development within the locality.
- 6.22 It is acknowledged that the increased height of the front projection over the garage has increased the massing of the proposed dwellings; however, given the orientation and siting of the dwellings, which are oriented at 90 degrees to the public highway, this element sits further back in the site. As such, this increased height and massing is not considered to result in any further harm to the visual amenities of the street scene.

- 6.23 It is noted that a number of objections have been raised in respect of the altered orientation of the dwellings, which no longer consist of a staggered layout, with the dwellings as built, oriented to face the access drive, and built along a continuous build line.
- 6.24 The continuous build line of the dwellings, coupled with the orientation of the dwellings, is considered to correspond with the access drive, and is considered to sit appropriately within the context of the site and the wider development pattern. Given the relationship between the site and the public highway, it is not considered that the proposed orientation and layout would result in any further intrusion on the visual amenities of the street scene than accepted by the previous scheme, with only limited and oblique views of the development possible from the public highway.
- 6.25 The proposed dwellings, at the slightly enlarged footprint, are considered to sit comfortably within the site, with the proposed amenity space considered appropriate. The dwellings are considered comparable in size to surrounding residential development, and are considered to be of a scale, massing, and design that reflects and relates sympathetically to the wider locality.
- 6.26 The development is therefore considered to accord with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policies 7 and 10 of the Nuthurst Parish Neighbourhood Plan.

#### **Amenities of neighbouring properties and occupiers of land**

- 6.27 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.28 The principle of residential development on the site was approved under planning reference DC/15/2493. It was considered that the proposed dwellings would be of a sufficient distance from neighbouring properties to prevent any harmful loss of light or outlook to adjoining window openings and outdoor amenity space. It was noted that the orientation of the proposed dwellings would create additional overlooking toward the adjoining property to the south, primarily from the central dwelling (House 2). However, it was recognised that there would be approximately 32m between the proposed first floor window opening and the northern boundary of this southern property, with the separation marked by an access to an adjoining paddock and an intermittent line of trees. It was considered that this arrangement would be sufficient to ensure that the resulting views would not be unduly harmful or intrusive.
- 6.29 The development as built has re-sited the proposed dwellings further toward the access drive, with the built form incorporating an additional opening to the southern elevation, in the form of a first floor dormer window. The first floor dormer window to Plot 1 is proposed to be obscure-glazed in order to address potential overlooking and loss of privacy to the neighbouring property of Winthrift.
- 6.30 A number of objections have been raised in respect of potential overlooking and loss of privacy caused by the alterations to the approved dwellings. These concerns primarily relate to the introduction of an additional first floor dormer to the southern elevation. Whilst it is acknowledged that this would result in further overlooking to the neighbouring property to the south, the use of obscure glazing to this window of Plot 1 is considered to mitigate the potential for overlooking and the resulting harm. Therefore, subject to the imposition of an appropriately worded condition requiring this obscure-glazing to be retained in perpetuity, the introduction of such window is considered acceptable.
- 6.31 The conditions of the site have not changed since the previous approval, with the approximate 32m distance between the boundary and the neighbouring property of Winthrift and the site, and the intermittent tree line, considered to mitigate potential outlook. As such,

the alterations subject of this application are not considered to result in any further harm to the amenities of neighbouring properties than that originally approved.

- 6.32 As such, the proposed development is not considered to result in harm to the amenities of sensitivities of the neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Existing Parking and Traffic Conditions**

- 6.33 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.34 The development would be accessed from the existing road which serves adjoining dwellings to the east of the site. This arrangement accords with the provisions within Policy 7 of the NPNP.
- 6.35 The principle of the access arrangements, as well as parking provision, was approved under planning reference DC/15/2493, where it was considered that sufficient on-site parking for vehicles and cycles was available for each dwelling.
- 6.36 The conditions of the application and public highway have not changed since the previous application, with no alterations proposed to the access arrangements. As such, it is considered that the access and parking provision is acceptable, subject to the imposition of conditions relating to visibility splays.

### **Conclusion**

- 6.37 The development as proposed is considered acceptable in principle, and is considered to accord with relevant national and local planning policies, including Policy 7 and 10 of the Nuthurst Parish Neighbourhood Plan.

## **7. RECOMMENDATIONS**

- 7.1 To approve the application subject to the following conditions.

1 **A list of the approved plans**

- 2 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 3 **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 A B and F of Part 1 of Schedule 2 (amend classes and schedule as necessary) 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 and due to the constraints of the site and relationship with adjoining properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The first floor dormer window to the eastern elevation of Plot 1 hereby permitted shall be obscure-glazed and non-opening. The obscured glazing and non-openable parts of this window shall be retained permanently thereafter.

Reason: To protect the privacy of the adjoining property of Winthrift, and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 **Regulatory Condition:** No burning of materials in conjunction with the development shall take place on the site.

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

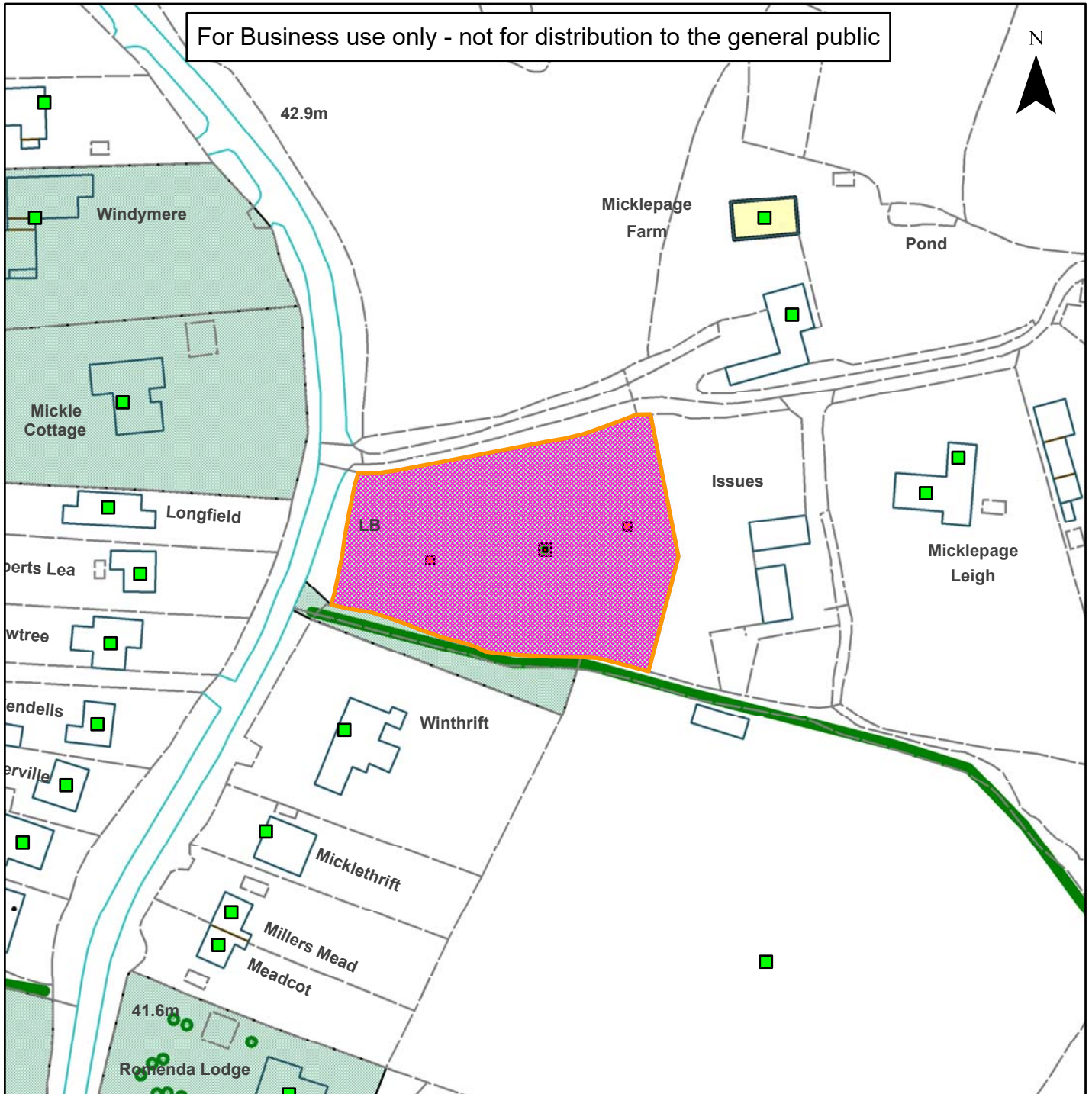
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**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6 March 2018

**DEVELOPMENT:** Proposed conversion of public house into a single four bedroom dwelling with associated external alterations including single storey side and rear infill extension with roof lights.

**SITE:** The Royal Oak Friday Street Rusper Horsham West Sussex RH12 4QA

**WARD:** Rusper and Colgate

**APPLICATION:** DC/17/1579

**APPLICANT:** **Name:** Clive & Sara Blunden **Address:** C/O Agent

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations received with a view contrary to the officer recommendation

**RECOMMENDATION:** To grant planning permission

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the conversion of public house (The Royal Oak) into a single four bedroom dwelling with associated external alterations including single storey side and rear infill extension with roof lights. A private car parking area is proposed to the west of the public house on land that previously formed part of the hard surfaced public car parking area. The existing access is retained. All materials are to match existing.
- 1.2 A single storey extension with roof lights is proposed to the rear of 'The Royal Oak' to facilitate the conversion and use of the pub for residential purposes and the provision of a new kitchen / dining area. The first floor layout essentially remains as existing. The proposals include partial demolition of the existing projecting toilet facilities along the east elevation.

### DESCRIPTION OF THE SITE

- 1.3 The application site comprises the existing freehold Public House 'The Royal Oak', a small detached building of traditional brick construction, with a pitched tiled roof and tile hung side elevations and wooden shutters to the single glazed sash windows, and a glass

canopy to the front. The existing ground floor area comprises a bar area with a basic trade kitchen to the rear and two small rooms either side of the bar. The existing associated residential accommodation at first floor comprises 2 double bedrooms and 1 single bedroom all with en-suite shower or bathrooms. There is an attached outdoor toilet and a tarmac car parking area for approximately 15 cars associated with the pub. There is a rear yard accessed from the kitchen. The Pub has space for approximately 25 -30 customers to be seated comfortably (including the bar area).

1.4 The application site is located outside of any defined Built up Area Boundary and is therefore located within the Countryside. The site is located on a rural lane east of the A24 and north of the A243 and is approximately 2.2 miles from the village of Rusper.

1.5 The Royal Oak Public House is not listed as an Asset of Community Value and it has not been nominated as such.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

#### 2.2 National Planning Policy Framework

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 10 - Rural Economic Development

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 43 - Community Facilities, Leisure and Recreation

#### 2.4 RELEVANT NEIGHBOURHOOD PLAN

The Parish of Rusper was designated as a Neighbourhood Development Plan Area on the 18<sup>th</sup> February 2018. However, there is currently no Neighbourhood Plan for the area. The site is not an allocated site within the Local Plan.

#### 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

RS/1/62	New gents and ladies cloakrooms including all new drainage and septic tank Comment: & bbl 14/02/62 (From old Planning History)	Application Permitted on 16.02.1962
RS/20/88	Reconductoring overhead line (From old Planning History)	Application Permitted on 23.05.1988
RS/23/62	New car park and vehicular access (From old Planning History)	Application Permitted on 31.08.1962

RS/41/82	Reconstruction and alterations (From old Planning History)	Application Permitted on 01.12.1982
RS/51/62	Proposed garage (From old Planning History)	Application Permitted on 11.01.1963

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No Objection subject to conditions

#### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection

- 3.4 **Southern Water:** Comment. There is no foul sewer in the area to serve this development. The applicant is advised to examine alternative means of foul sewerage disposal for any additional connections.

- 3.5 **Rusper Parish:** Object. This public house is an important facility for the Parish. From the information given, it would appear that the viability for the pub is still there, but there seems to have been an issue with the management of it.

#### PUBLIC CONSULTATIONS

- 3.6 19 Neighbour letters have been received (including 2 from 1 household) objecting in relation to the revised scheme and 7 letters (including 2 from 1 household) objecting to the original scheme and subsequent amendments for the following reasons:

- Loss of private amenity
- Loss of privacy and light
- Noise
- Loss of Public House to the local community
- Principle

### 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 in this case are considered to be:-

- The principle of a change of use from a public house to a dwelling;
- The impact on the character and appearance of the area, including the setting of surrounding heritage assets;
- The impact on neighbouring amenity;
- Highway issues.

### Change of use

- 6.2 Policy 43 of the HDPF, Community Facilities, seeks to protect and enhance facilities that contribute to the enrichment and overall quality of life in the District. The policy advises that proposals that would result in the loss of sites and premises last used for the provision of community facilities or services or leisure for the community will be resisted unless equally useable facilities can be conveniently provided nearby. The policy further advises that it will be necessary to demonstrate that continued use of a community facility or service is no longer feasible, taking into account factors such as; appropriate marketing, the demand for the use of the site or premises, its quality and usability, and the identification of a potential future occupier.
- 6.3 The applicants have submitted audited financial accounts for the Royal Oak for the years ending September 2013, 2014 and 2015 and unaudited accounts for September 2016. These accounts are supplemented by a Marketing Report, prepared by Sidney Philips Limited, which advises that the premises has been marketed since October 2016, when the pub was still trading, this ceased in Autumn 2017 and the building is currently vacant. It is advised that details of the property were sent to 2714 matching database applicants with advertisements placed in the 'Morning Advertiser', 'Daltons Business' and 'Businesses for Sale'. The report advises that while the business has been marketed through different outlets it has not been possible to secure an appropriate owner or operational entity.
- 6.4 The Council has employed an independent expert through DVS Property Services for the Public Sector, to undertake an independent assessment of the economic and commercial viability and marketability of the Royal Oak Pub, considering the applicant's supporting information as well as comparisons of and confidential trading information and freehold sales and rentals of other Public Houses. The District Valuer has advised, that in their opinion, the Royal Oak is not economically viable, as the trading potential the turnover achievable by a reasonably efficient operator represents less than 7% of Fair Maintainable Operating Profit levels (FMOT), whereas market expectation of profitability is set at least 12% of Fair Maintainable Turnover (FMT).
- 6.5 The District Valuer has also noted that the pub is in a state of disrepair externally and is worn and tired internally and would require substantial investment in order to match the levels of comfort and appearance offered by other competitors. It is also noted that comparable pubs (the Star Inn and the Inn on the Green) inspected by the District Valuer all benefit from better locations in village centres or on busier roads and are more easily accessible. It is also noted that there is strong competition locally from a number of well-regarded food led pubs in the area run by Brunning and Price and that the owners of the Royal Oak have found it difficult to compete as the high overhead costs associated with providing a food menu coupled with the limited demand experienced.
- 6.6 The applicant has noted that there are a number of pubs within a ten minute drive from The Royal Oak, including The Plough (Rusper); The Star (Rusper); The Lamb (Lamb's Green); The Frog and Nightgown (Wimlands); The Sussex Oak and the Greets (Warnham), The



Owl (Kingsfold); The Dog and Duck (A24); There is also the Rusper Golf Club within walking distance and two pubs in Rusper Village.

- 6.7 Given the information outlined above, whilst the loss of the public house is regrettable it is not considered that its loss can be resisted. There are a number of public houses within the vicinity and the applicant, through viability assessments, has demonstrated that the use of the property as a public house is no longer viable as required by Policy 43 of the HDPF.
- 6.8 The application site, although in a countryside location, is set amongst a small cluster of buildings. The dwelling would not therefore be isolated and would be seen in the immediate context. A dwelling on the site would not create a significant increase in the level of activity in the countryside, particularly given the existing lawful use as a public house. A dwelling house in this location is therefore considered acceptable and would make efficient and effective use of the existing vacant building.

#### Character and Appearance

- 6.8 Policies 30, 32, 33 and 34 of the HDPF seek to ensure high quality and inclusive design for all development in the district and ensures that it will complement locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes.
- 6.9 The single storey extension to the rear of the pub to provide a kitchen / dining area is considered acceptable in terms of its size and scale. The proposal has been amended during the application process, due to officer concerns, to reduce the size of the rear two storey extension as previously sought. As a result no additional floor space would be created at first floor level. The proposed use and associated extensions would not materially impact on the setting of the two listed buildings to the front and rear of the site, with the relationship between them and the application site preserved. It is noted that the existing car park area (which is hard surfaced) will be reduced to create a garden curtilage for the dwelling. It is considered that additional landscaping and boundary treatment will be required to create a suitable private garden area associated with the dwelling in the existing hard surfaced area which currently serves as car parking. As such suitable conditions have been imposed requiring further details should planning permission be granted.

#### Impact on neighbouring amenity

- 6.10 Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality.
- 6.11 The use of the site for residential purposes would not be expected to generate a level of activity which would result in significant harm to neighbouring amenity, with activities associated with the residential use likely to reduce activities and associated noise, comings and goings etc., previously associated with the use of the Public House.
- 6.12 The reduced size and scale of the rear extensions (from two-storey to single-storey) would prevent any significant harm to neighbouring amenity, with the relationship between the existing first floor accommodation and surrounding dwellings maintained. No additional floor space would be created at first floor level and the form and function of the first floor bedrooms would essentially remain as existing. As such the degree of overlooking would not significantly change as a result of the proposed change of use and the impact would be neutral.

## Highways

- 6.11 The Highway Authority has advised that they have no objections to the proposals. The existing car parking area has an in and out arrangement, one access point is to be retained for the proposed residential parking area and the other closed. There would be sufficient car parking for the proposed dwelling and there would be no significant highway or capacity issues arising from the proposals. The application is therefore considered to accord with HDPF Policy 41 Parking which states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users.

## Conclusions

- 6.18 It is considered that the change of use from public house to a single private residential unit would result in a reduction in the overall level of noise and disturbance arising from the level of potential visitors arriving and leaving during the day and late night, as generally associated with the use of the site as a pub. Therefore, it is considered that in terms of harm the impact of the proposed change of use to residential would be neutral. Access and car parking areas would be as existing and therefore there would be no additional impact arising from the proposed use as residential in these respects.
- 6.19 In conclusion it is considered that, on balance, it has been demonstrated and verified by the expert employed by the Council that the use of the site as a pub is not economically viable, and it is considered that the change of use to a single dwelling house would maintain the character and appearance of the dwelling, and would have a reduced impact on the amenity of neighbouring occupiers than a public house. It is therefore considered that the proposals meet with the relevant criteria of paragraph 55 of the NPPF and Policies 32, 33 and 43 of the HDPF.

## **7. RECOMMENDATIONS**

- 7.1 That planning permission be granted subject to the following conditions:-

**1 List of the approved plans**

- 2 Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** The hereby approved dwelling shall not be occupied unless and until provision for the storage of refuse/recycling has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 6 **Pre-Occupation Condition:** The hereby approved dwelling shall not be occupied until the western most vehicular access onto Friday Street has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** The hereby approved dwelling shall not be occupied until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved drawing number 001. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, visibility splays for the access(es) serving the development shall be provided in accordance with details which have been 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 or as otherwise agreed.

Reason: In accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 9 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

- 10 **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 A, B and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

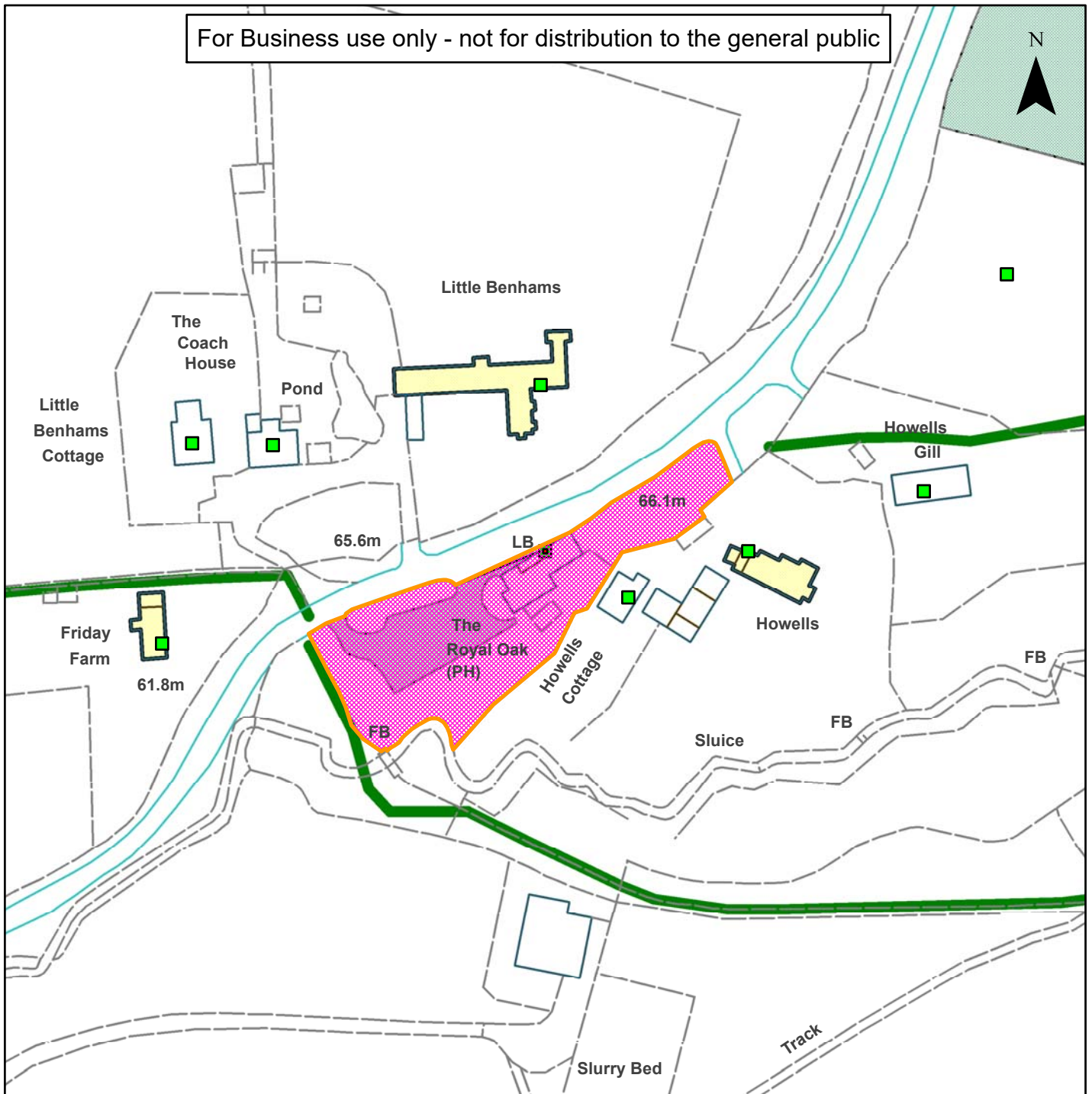
Reason: In the interest of visual amenity and due to the relationship of the site with surrounding properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/1579



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**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6 March 2018

**DEVELOPMENT:** Proposed change of use of existing equestrian facilities to combined equestrian and charitable use. Retention of mobile home and re-sited timber clad container.

**SITE:** Beckley Stud Reeds Lane Southwater Horsham West Sussex RH13 9DQ

**WARD:** Southwater

**APPLICATION:** DC/17/2048

**APPLICANT:** **Name:** L Middleton & Hope Charity Project **Address:** c/o Agent

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations received with a view contrary to the officer recommendation

**RECOMMENDATION:** To grant planning permission

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 The application seeks planning permission for the change of use of existing equestrian facilities to combined equestrian and charitable use. The Design and Access Statement advises that the application seeks to retain the existing agricultural use of the land and to use the land in combination with the following uses:

- HOPE Charity Project – support for children with emotional and mental health difficulties.
- Retention of existing re-sited timber clad container for use by HOPE Charity.
- The keeping of donkeys, sheep and alpacas in association with the above uses and provision of animal assisted therapeutic and sensory stimulation.
- Equestrian use for the keeping, breeding and rearing of pedigree horses. (Maximum of 10 horses on site at any time).

1.3 The application also seeks retention of an existing mobile home, and re-sited timber clad container, with the mobile home to provide accommodation in association with on-site animal care and welfare

## DESCRIPTION OF THE SITE

- 1.4 The application site is within a countryside location and comprises mixed equestrian and agricultural land bounded by mature trees. The size of the parcel of land is advised as being 32,550sqm (approximately 8 acres). Planning permission has already been granted for an all-weather canter track around the perimeter of the site which is 600 m x 3 m on the parcel of land through application ref: DC/08/1072, and for the retention of 4 stable blocks forming 10 stables and creation of hardstanding through application ref: DC/16/1069.
- 1.5 Colstable Lane runs along the northern and western boundaries of the site. The eastern boundary of the site is parallel to Reeds Lane where the existing access point is located serving the field. There is a listed building 'Kings Farm' to the north and immediately adjacent to the application site on the north side of Colstable Lane and another known as 'Newfoundout East' located to the south east of the site. Neither is located within a distance that would be considered to affect the character or setting of these listed buildings.
- 1.6 The site currently comprises 4 stables blocks and a mobile home sited along the eastern boundary of the site, and the cladded container to the north of the hardstanding area. At the time of the site visit there were two donkeys, five goats, 12 sheep in addition to the equestrian use of the site to the west of the application site.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### 2.2 **National Planning Policy Framework**

NPPF3 - Supporting a prosperous rural economy  
NPPF6 - Delivering a wide choice of high quality homes  
NPPF7 - Requiring good design  
NPPF 8 - Promoting Healthy Communities  
NPPF11 - Conserving and enhancing the natural environment  
NPPF12 - Conserving and enhancing the historic environment  
NPPF14 - Presumption in favour of sustainable development

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

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 7 - Strategic Policy: Economic Growth  
Policy 10 - Rural Economic Development  
Policy 11 - Tourism and Cultural Facilities  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 20 - Rural Workers Accommodation  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 29 - Equestrian Development  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 34 - Cultural and Heritage Assets



Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking  
Policy 42 - Strategic Policy: Inclusive Communities  
Policy 43 - Community Facilities, Leisure and Recreation

## 2.4 RELEVANT NEIGHBOURHOOD PLAN

Southwater Parish has been designated a Neighbourhood Development Plan Area (Regulation 5 and 6). At present there is no 'made' plan.

## 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/1645	Erection of stable building comprising 8 stables and 2 foaling boxes, feed hay and tack rooms with wash down and store areas and a sand school for private use (affects the setting of a Listed Building)	Application Refused on 06.10.2014
DC/14/2407	Proposed creation of a small scale private equestrian yard - Five stables and sand school, revised application further to DC/14/1645	Application Refused on 20.04.2015
DC/16/1069	Retrospective application for the erection of 4 stable blocks forming 10 stables and creation of hard standing	Application Permitted on 27.07.2016
DISC/17/0348	Approval of details reserved by condition 4 on DC/16/1069	Application Permitted on 02.11.2017

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No Objection. The proposed use would be unlikely to cause adverse impacts to local residents.
- 3.3 The proposal includes retention of a mobile home. Should planning permission be granted there will be a requirement on the owner to obtain a site licence under the provisions of the Caravan Sites and Control of Development Act 1960. This will require compliance with a number of standards for spacing, facilities, drainage, electrical installations etc. Further to information received from the agent, there is a septic tank on site serving the mobile home. However, this does not meet current standards for dealing with foul drainage and a package treatment plant is recommended.

### OUTSIDE AGENCIES

- 3.4 **Southwater Parish Council:** Object for the following reasons:

- Overdevelopment in the countryside;
- Over commercialisation of agricultural land;
- Not demonstrated that there is a functional need for rural workers accommodation.

- 3.5 **WSCC Highways:** No Objection

- 3.6 **Southern Water:** No objection

- 3.7 **Reading Agricultural:** The charitable use of the land supports a prosperous rural economy and the livestock associated with HOPE Charity graze the pasture at Beckley Stud while providing therapy services to children and families visiting HOPE charity.

The existing mobile home continues to meet the essential needs of the enterprise and is occupied by a person full time in the equestrian business.

It has not yet been established that the business is financially viable and sustainable and that the mobile home can be retained as a permanent dwelling. It is though advised that the siting of the mobile home for a temporary period would provide the applicant with time to demonstrate the business is viable and sustainable.

**3.8 Environment Agency:** No objection

**PUBLIC CONSULTATIONS**

**3.9** 24 representations have been received 16 letters of support and 8 raising objections to the scheme for the following reasons:

- Repeated retrospective applications;
- Development creep and future pressures;
- Traffic and highways safety;
- Increased traffic;
- Inset Map 16 – HDPF 2015;
- Ancient Woodland;
- Listed Buildings;
- Out of Keeping;
- Principle of use of land from agriculture to business and residential use;
- Increased activity.

**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 in this case are considered to be:-

- The principle of the development in this location;
- The impact and scale of the development on the character and visual amenities of the countryside, including the neighbouring Grade II listed building;
- The amenities of neighbour and future occupiers; and
- Parking and highway safety issues.

Principle

**6.2** Policy 10, Rural Economic Development, of the HDPF states that development in the countryside should be appropriate to the countryside location and 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. Policy 26, Countryside Protection, of the HDPF states that any proposal (in the countryside) must be essential to its countryside location and either support the needs of agriculture or forestry; provide for quiet informal recreational use; or, ensure the sustainable development of rural areas. The strategy for Rural Economic Development reinforces the government's commitment to encouraging sustainable rural business whilst maintaining the quality and special character of the countryside as set out in Paragraph 28 of the National Planning Policy Framework.

- 6.3 The proposal seeks permission for use of the site comprising mixed private equestrian and agricultural use. This would entail the keeping, breeding and rearing of horses with additional use in connection with a charity which provides animal therapy.
- 6.4 The commercial use would include the keeping of 4 brood mares of pedigree quality and up to 6 retired race horses / sports horses / young stock (total average of 10). Not all of the horses will be on site on a permanent basis as the race horses and showjumpers are stabled there during rest from training and for recovery purposes.
- 6.5 The site would also be used by a charity project in connection with activities relating to animal assisted therapy, which would still entail an element of grazing on the site. The charity, a non-profit organisation which is supported by local business, provides animal assisted therapy for young people with emotional and mental health difficulties on an appointment only basis (normally 1-2 hrs for one child and parent), approximately 3 families per day. It is anticipated that group therapy sessions would be offered for up to 5 children once per week, with charitable fundraising events days approximately 2 times a year, with on-site parking. The proposals include the re-siting and retention of the existing re-cladded container for use by the charity.
- 6.6 The proposed use of the site would be appropriate to the countryside location, with the small-scale nature of the both the commercial and related charity uses considered to be of a low impact which would not significantly increase the level of activity on the site. It is therefore considered that the proposed use of the site would be appropriate in this location and would accord with Policies 10 and 26 of the HDPF. It is also noted that the nature of the proposed HOPE Charity Project use would be supported by Policy 42, Inclusive Communities, of the HDPF, which promotes measures which address needs from people with additional needs, including the disabled or those with learning disabilities.
- 6.7 In terms of the mobile home Policy 20, Rural Workers Accommodation, of the HDPF sets the tests for rural workers accommodation and states that outside of the defined built up area new housing for rural workers will be supported provided that:
1. There is a functional need for the dwelling and the occupation of the dwelling is to support the established business use.
  2. Evidence is submitted to demonstrate the viability of the rural business for which the housing is required.
- 6.8 A supporting statement for the retention of the mobile home (which it is advised has been occupied for 1 year) has been submitted to support the application, setting out the essential and functional need for on-site accommodation for the mobile home.
- 6.9 The Council's Agricultural Advisors have been consulted and have assessed the application details and visited the site (on the 25 October 2017). The consultants have advised that on the basis of 10 horses being kept at Beckley Stud the likely labour would be equivalent to 2.5 full time workers. However it is advised that this figure is based on Standard Man Day data in the Agricultural Budgeting and Costings Book (May 2017) which are a guide. At the time of visiting the site there was 1 person overseeing the care of the horses and who it is reported had managed the site for the past year. Under the Animal

Welfare Act 2006 (updated 2009) there is a Duty of Care to Animals, and owners or keepers or Horses should be able to meet the welfare needs of their horses and be capable of safeguarding them under all foreseeable circumstances. The applicant has advised that in addition to the 4 brood mares kept on site, race horse foaling time is normally between January – March each year, for show jumpers breeding time is normally April – September and that after September the stallion will come to Beckley Stud to cover the mares; as such there is a requirement for someone to be on site 24/7 to manage the welfare needs of the horses and also the other animals on site.

- 6.10 The Council's agricultural consultant considers there is sufficient justification to demonstrate there is an essential need for a worker to be on site at Beckley Stud, in order for the enterprise to be managed properly and to meet the welfare requirements of the horses. The proposal would therefore meet the first part of Policy 20.
- 6.11 In respect of the second part of Policy 20, it has not though been established that the business is financially viable and sustainable, primarily because the enterprise is a fledging business which would require time to establish itself. The applicant has though submitted a 5-year Business Plan which projects that the enterprise will be profitable in year 3. This view is shared by the Council's agricultural consultant, who has suggested a temporary permission for the worker's dwelling. On the basis of the available information a temporary permission is considered a reasonable approach, and would allow sufficient time for the applicant to demonstrate whether the business was financially sound before considering any further application for retention of the dwelling. This approach would ensure the proposal met the requirements of policy 20 of the HDPF.

#### Character and Appearance

- 6.12 Policies 30, 32, 33 and 34 of the HDPF seek to ensure high quality and inclusive design for all development in the district and ensures that it will complement locally distinctive characters and heritage and that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, is locally distinctive in character, respects the character of the surrounding area, and uses high standards of building materials, and finishes.
- 6.13 The existing container on site has been relocated to the northern end of the hardstanding area on site and has been timber cladded. The visual appearance of this unit, which provides accommodation for use by the charity project, is not considered to result in any adverse visual impact to the countryside or its surrounds, being well screened by existing boundary trees. Similarly, the mobile home is sited between existing stable blocks is well screened by existing boundary treatment and is not visible from the street scene. The proposal would not therefore result in any harm to the landscape character of the site or surrounds, or the setting of neighbouring heritage assets.

#### Impact on neighbouring amenity

- 6.14 Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality. The proposed use of the land for mixed agricultural and equestrian use, with use for charity purposes (including animal assisted therapy), and the temporary accommodation are not considered to result in either a development or level of activity that would result in any appreciable harm to neighbouring amenity, particularly with regards noise and disturbance to local residents.

#### Highways

- 6.15 It is advised by the applicants that in most cases there will only be one family at a time visiting (which usually is one child one parent). They advise that there are controlled appointment slots, to assure families of privacy and space. The appointments will be 1-2

hours long, with an estimated 3 families a day at peak. It is anticipated that there would be 1 -2 charity events per year (mini fund raisers) attracting 10-15 people which would be by invitation only. It is therefore considered that resulting traffic and associated movements should not have a significant impact on neighbours.

- 6.16 The Highway Authority has advised that they have no objections to the proposals. There would be sufficient car parking for visitors and there would be no significant highway or capacity issues arising from the proposals. The application is therefore considered to accord with HDPF Policy 41 Parking which states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users.

### Conclusions

- 6.17 The proposal is considered to be of a use, scale, form and appearance that is appropriate and sympathetic to the countryside location. The proposals would not result in any significant or appreciable harm to the amenities of neighbouring properties, and that there is a sufficient level of car parking to support the proposed use and activities.
- 6.18 In regards to the retention of the mobile home it has been established that there is a requirement for someone to be on site 24/7 to manage the welfare needs of the horses and also the other animals on site, and therefore the application meets the first test of HDPF 20 Rural Workers Accommodation as it is considered that there is a functional need for the dwelling. A temporary permission for this element of the proposal is recommended to provide opportunity for the applicant to demonstrate the business can be financially sound.

## **7. RECOMMENDATIONS**

- 7.1 Grant planning permission subject to the following conditions:-

**1 List of approved plans**

- 2 Standard Time Condition:** The dwelling hereby permitted shall be removed and the land shall be restored to its former condition on or before the 7 March 2020 in accordance with a scheme of work which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To allow for the justification of the temporary dwelling to be reconsidered at the expiry of the extended timeframe.

- 3 Regulatory Condition:** The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working at Beckley Stud, Reeds Lane, Southwater.

Reason: The site lies in an area where, in accordance with Policies 20 and 26 of the Horsham District Planning Framework (2015) development which cannot be justified as essential to the needs of agriculture or forestry would not normally be permitted.

- 4 Regulatory Condition:** The hereby approved animal assisted therapy use shall not be open for trade or business except between the hours of 10:00 and 16:30 on Monday to Saturdays, and not at all on, Sundays or Bank Holidays.

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

- 5 **Regulatory Condition:** The area of hardstanding indicated on drawing no. PLN13 shall only be used for the parking of vehicles in connection with the hereby approved use, and wider paddock, and for no other purpose.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with Policy 40 of the Horsham District Planning Framework 2015.

- 6 **Regulatory Condition:** The use hereby approved shall only comprise the provision of animal assisted therapy and the keeping and breeding of associated horses relating to the commercial operation of the site and the keeping of animals, and for no other purpose including any livery purposes relating to any commercial riding establishment without a further planning consent being sought and approved if required by the Local Planning Authority.

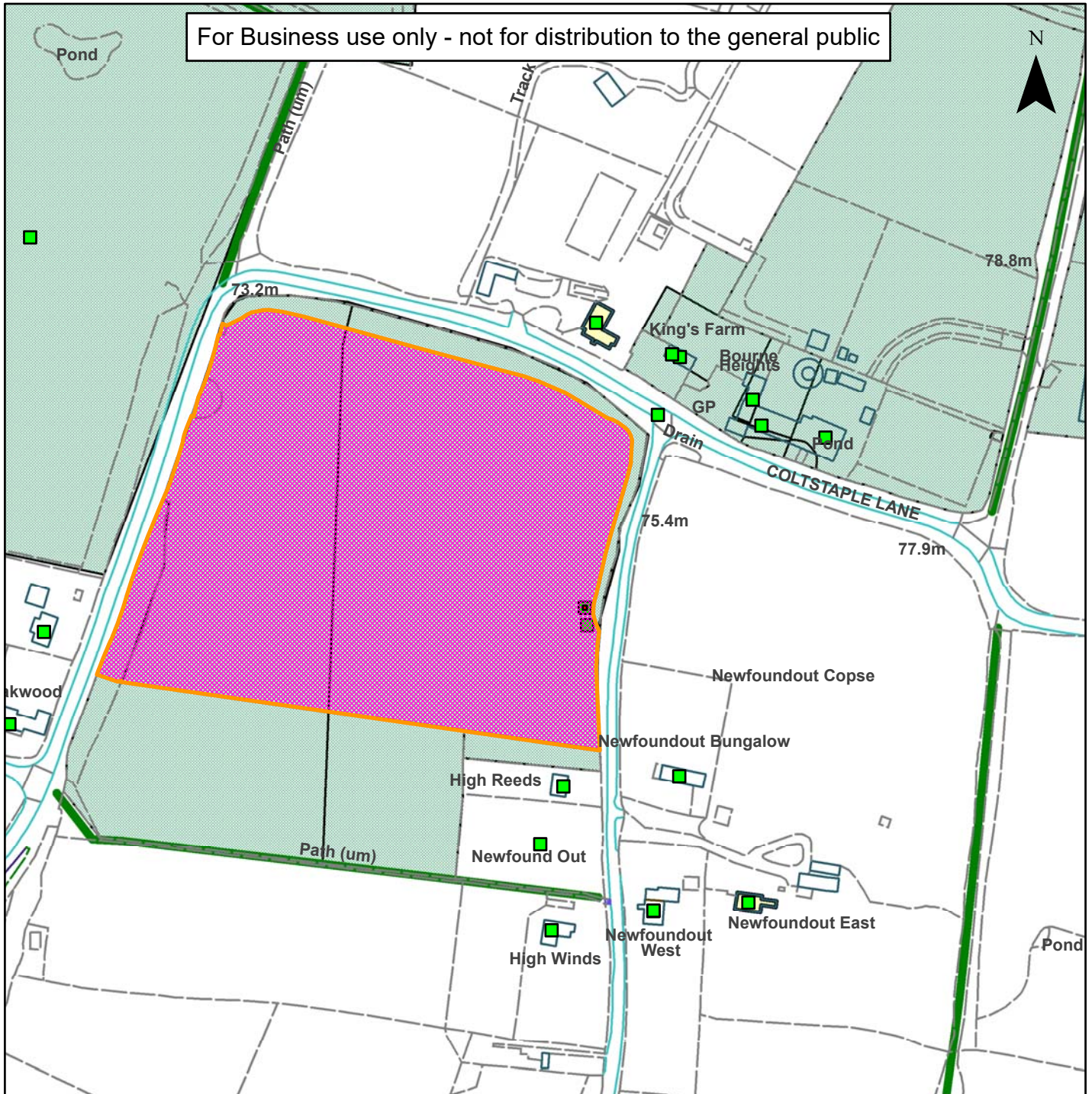
Reason: In the interests of amenity, to enable the Local Planning Authority to regulate and control the development and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2048



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**Horsham  
District  
Council**

**PLANNING COMMITTEE  
REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 6th March 2018

**DEVELOPMENT:** Erection of single storey rear extension. Installation of 1x dormer window to rear elevation at first floor level, 1x dormer windows to rear elevation at second floor level, 1x dormer window to side at second floor level and 1x skylight to front elevation at second floor level.

**SITE:** Melbury 34 Richmond Road Horsham West Sussex RH12 2EG

**WARD:** Horsham Park

**APPLICATION:** DC/17/2675

**APPLICANT:** **Name:** Mr G Bateman **Address:** Melbury 34 Richmond Road Horsham West Sussex RH12 2EG

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 representations have been received with a view contrary to the office recommendation

**RECOMMENDATION:** To approve planning permission

**1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.1 This application seeks permission for the erection of a single storey rear extension and a loft conversion featuring the installation of three dormer windows, a front rooflight and removal of an existing chimneystack.
- 1.2 The single storey rear extension would project beyond the existing rear elevation of the dwelling by a length of 2.14 metres and project from the side of an existing rear projection by 3.32 metres. The extension would have a consistent overall height of 2.64 metres owing to its flat roof construction.
- 1.3 All three dormers are of the same main dimensions. These measure at 2.22 metres in width and 2.42 metres in height. The two rear dormers would project beyond the rear roof slope by 1.85 metres and the side dormer would project beyond the side roof slope by 1.08 metres. The first floor rear dormer would be installed within the roofslope of an existing catslide roof. The dormer would be installed 20 centimetres above the existing eave height and 3.66 metres above ground level.

## DESCRIPTION OF THE SITE

- 1.4 Melbury is semi-detached two storey dwelling in a row of fifteen dwellings on the south-eastern side of Richmond Road. The property is set within a consistent south west to north east building line and a distance of 8.6 metres separates the dwelling from the public highway. Surrounding properties vary in terms of size and design, but are mostly of a similar post-Edwardian character. It is noted that Melbury forms part of a series of four adjacent semi-detached dwellings originally constructed to the same design. The full extent of the application site falls within the Horsham (Richmond Road) Conservation Area.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 No neighbourhood plan has yet been designated or made for the combined Horsham Blueprint Neighbour Forum as comprised by the unparished Horsham Denne, Forest and Trafalgar neighbourhoods.

- 2.5 **PLANNING HISTORY AND RELEVANT APPLICATIONS**

No previous or relevant planning history

## 3. OUTCOME OF CONSULTATIONS

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

### PUBLIC CONSULTATIONS

- 3.2 Twenty-one letters of representation were received, from ten different addresses, objecting to the proposal for the following reasons:-

- The loss of symmetry with adjoining semi-detached properties
- The impact of the proposed works on the street scene
- The fear of setting a precedent for similar development elsewhere in the conservation area
- Loss of privacy
- Harm to the character of the conservation area
- Loss of light
- Loss of individual character
- The quality of design

## PARISH CONSULTATION

3.3 Denne Neighbourhood Council object to the proposal due to the impact on the character of the conservation area, loss of privacy and non-compliance with local planning policy.

3.4 **Heritage Consultant:** No objection

## 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

### Policy Background:

6.1 Policies 32 and 33 of the Horsham District Planning Framework (2015) stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials, space between buildings and has regard to the amenities of nearby property and land

6.2 Policy 34 of the Horsham District Planning Framework (2015) regulates new development within a conservation area. This policy requires proposals to be of a design and/or scale which preserves or enhances the special character and appearance of the area, uses building materials and techniques that are appropriate within the local context, does not harm significant views within the area and restores or retains traditional features.

### Character and appearance:

6.3 The application originally sought permission for the erection of a single storey rear extension, installation of two large flat roof dormers to the rear roof slope and change of side roof composition from hipped to gable end. As part of the application process concerns were raised regarding the suitability of the extended gable end. In response to these concerns amended plans were received to replacing the gable (and retain the existing side hip) with a single side dormer, the amendments also reduced the size of the rear dormer windows and included a pitched roof design. This recommendation is based on these amended plans.

6.4 The single storey rear extension is an 'infill' extension between an existing rear projection and a common 1.8 metre high boundary wall. The extension does not project beyond the furthest part of the existing rear elevation and would appear a subservient addition viewed primarily against the backdrop of the main building. As such it would not harm the appearance of the building or the character and appearance of the wider Conservation Area.

6.5 The proposed rear dormers would be set within the existing catslide roof and would be viewed primarily against the backdrop of the main roof form. The lower dormer is in a comparable position, with a similar pitched roof, as an existing dormer to the adjoining

semi-detached property; this element would therefore add a semblance of symmetry to the pair. The higher rear dormer window would be sited above an existing first floor window and would be of the same dimensions and design as the lower dormer. It is acknowledged that the two rear dormer windows, when viewed together from the side elevations, would create additional bulk and mass to the building. It is though considered that this effect would not be unduly prominent when viewed from the rear, and as the dormers would be well contained within the existing roof form they would not appear unduly dominant or create a top heavy appearance to the building.

- 6.6 The proposed side dormer would be partly visible from the public highway however it is considered that the modest size and proportions of the dormer would preserve the key hipped roof form of the building (and semi-detached pair) and as such the dormer would not stand out as visually intrusive or unsightly within the streetscene or wider conservation area.
- 6.7 The proposed front rooflight is modest in size and would be partly obscured by an existing front hipped roof projection. As such its visual impact on the wider streetscene and conservation area would be limited. It is noted that a rooflight could be installed to the building as 'permitted development' without the need for planning permission.
- 6.8 It is noted that a number of representations have been received regarding the loss of the existing rear chimneystack. It is accepted that chimneystacks have the potential to contribute to the character of conservation area, however, this particular example is considered to make a limited contribution to the character of the building or conservation area given its position to the rear, scale and unattractive cement render material finish which does not complement the brick built chimneystacks typical of the surrounding area and as found on neighbouring properties.
- 6.9 The Council's Heritage Consultant has raised no objection to the proposed extensions and alterations.
- 6.10 For these reasons the proposed development would not harm the character of the existing dwelling or of the street scene, and would preserve the character and appearance of the Conservation Area, in compliance with policies 32, 33 and 34 of the HDPF.

#### Neighbouring Amenity

- 6.11 The 2.1m deep single storey extension would be constructed up to the common boundary with the adjoining neighbour (32 Richmond Road) and in close proximity to their neighbouring rear conservatory, which has a brick flank wall of a similar height and depth to the proposed extension. Given this arrangement it is not considered that the extension would result in an appreciable loss of light, privacy or outlook to 32 Richmond Road, or result in an overbearing impact.
- 6.12 The scale and siting of the dormers would not result in any loss of light or outlook for adjoining properties, the key issue is therefore the potential for loss of privacy.
- 6.13 It is considered that views created by the rear dormer windows would primarily be over the rear of the application site. While oblique views may be possible over adjoining properties it is considered there is no greater potential for overlooking above that created by existing first floor window openings. The resulting arrangement would not create a level of overlooking beyond that which would be expected in an established residential location such as this. It is therefore considered that any overlooking would create a harmful loss of privacy, and not to the extent that would warrant a refusal of planning permission.
- 6.14 The second floor side dormer is positioned in close proximity (3 meters) to the neighbouring property (Kanata) which has obscurely glazed at first and second floor level.

Notwithstanding these obscurely glazed windows it is considered expedient to require that the side dormer window be obscurely glazed to further minimise any overlooking potential. This is secured by condition.

- 6.15 It is noted that a distance of approximately 50 metres separates the application property from the southern neighbouring property of 'Lansdowne'. It was further observed that a variety of mature trees and vegetation, some in excess of 3 metres in height, are currently located on the neighbouring side of the boundary. This arrangement is sufficient to prevent any significant harm to occupants of this property.
- 6.16 For the above reasons the proposed works are of an appropriate scale and siting to prevent any substantial detriment to the amenities of neighbouring occupiers in compliance with HDPF policy 33.

Conclusion:

- 6.17 The proposed development falls within the built up area boundary of Horsham and the scale, design and material finish of the proposed extensions and alterations would not have an adverse impact on the appearance of the building or the character of the wider Conservation Area, and would not result in appreciable harm to the amenities of adjacent occupiers. The proposal is therefore deemed compliant with relevant provisions of the HDPF and is recommended for approval subject to the below conditions.

## 7. RECOMMENDATIONS

- 7.1 That permission be granted subject to the following conditions:-

1 **A list of the approved plans**

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 **Pre-Occupation Condition:** The loft conversion hereby permitted shall not be occupied until the second floor dormer window on the northern (side) elevation, as detailed by plan 1087-02 C, has been fitted with obscured glazing. Once installed the obscured glazing shall be retained permanently thereafter.

Reason: To protect the privacy of the neighbouring property 'Kanata' in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The materials and finishes of all external brickwork, windows and tiling of the development hereby permitted shall match in type, colour and texture those of the existing building.

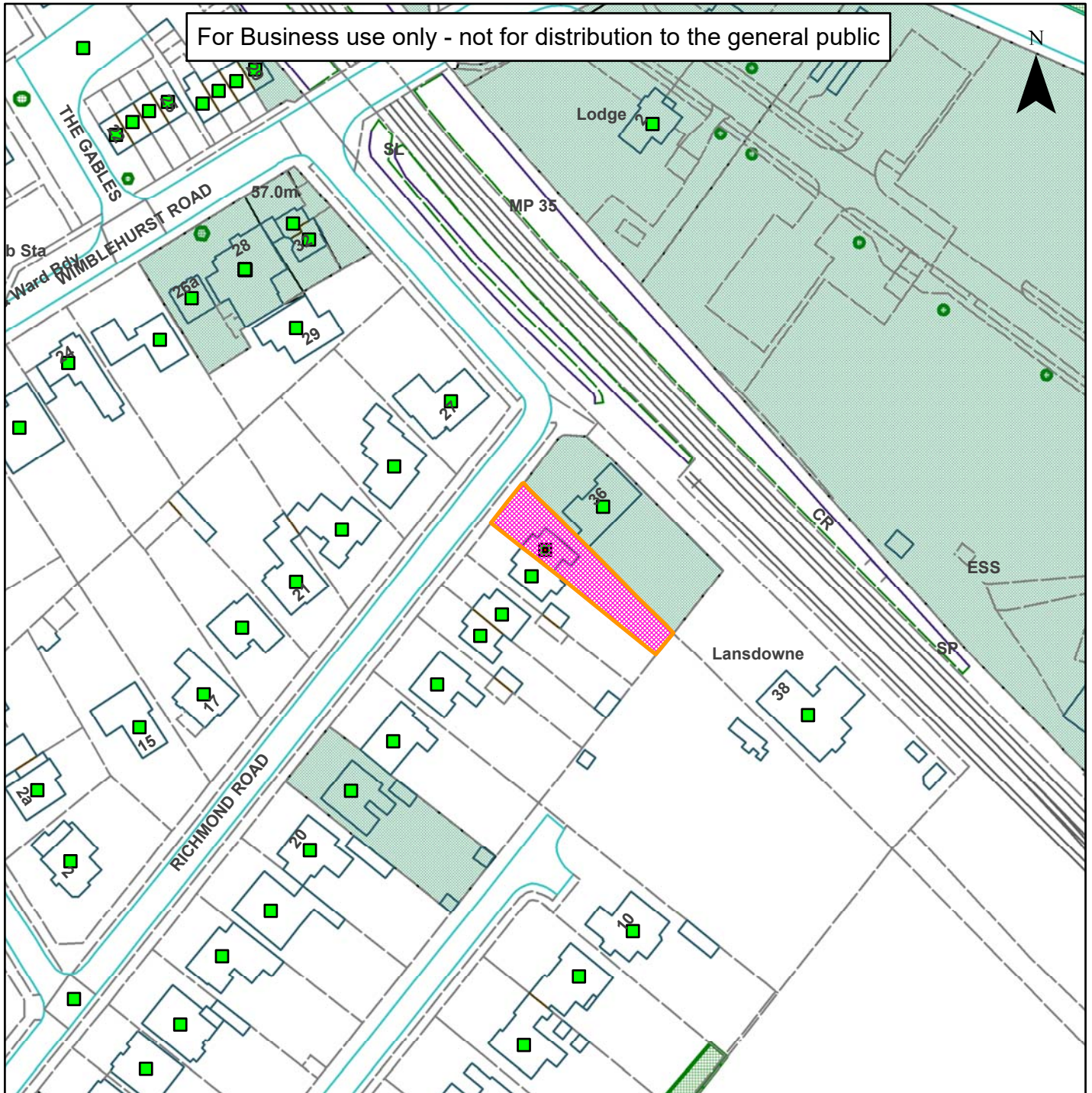
Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	22/02/2018
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