



Email: committeeservices@horsham.gov.uk
Direct line: 01403 215465

Planning Committee (South)

Tuesday, 19th December, 2017 at 2.30 pm

Main Conference Room, Parkside, Chart Way, Horsham

Councillors:	Brian O'Connell (Chairman)	
	Paul Clarke (Vice-Chairman)	
	John Blackall	Gordon Lindsay
	Jonathan Chowen	Tim Lloyd
	Philip Circus	Paul Marshall
	Roger Clarke	Mike Morgan
	David Coldwell	Kate Rowbottom
	Ray Dawe	Jim Sanson
	Brian Donnelly	Ben Staines
	David Jenkins	Claire Vickers
	Nigel Jupp	Michael Willett
	Liz Kitchen	

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
<p>To approve as correct the minutes of the meeting held on 21 November 2017 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk 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></p>	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
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** 13 - 16

Applications for determination by Committee:

6. **DC/17/1000 - Blakers Yard, Worthing Road, Dial Post** 17 - 46

Ward: Cowfold, Shermanbury & West Grinstead Applicant: Blakers Yard Ltd

7. **DC/17/2117 - Longbury Hill Wood, Rock Road, Storrington** 47 - 60

Ward: Chantry Applicant: Mr Julian Hanbury-Aggs

8. **DC/17/1499 - Firtops, Grove Lane, West Chiltington** 61 - 72

Ward: Chanctonbury Applicant: Mr & Mrs P Barker

9. **DC/16/2326 - Nutbourne Studio, Nutbourne Common, Pulborough** 73 - 80

Ward: Pulborough & Coldwaltham Applicant: Mr Nick Sweet

10. **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

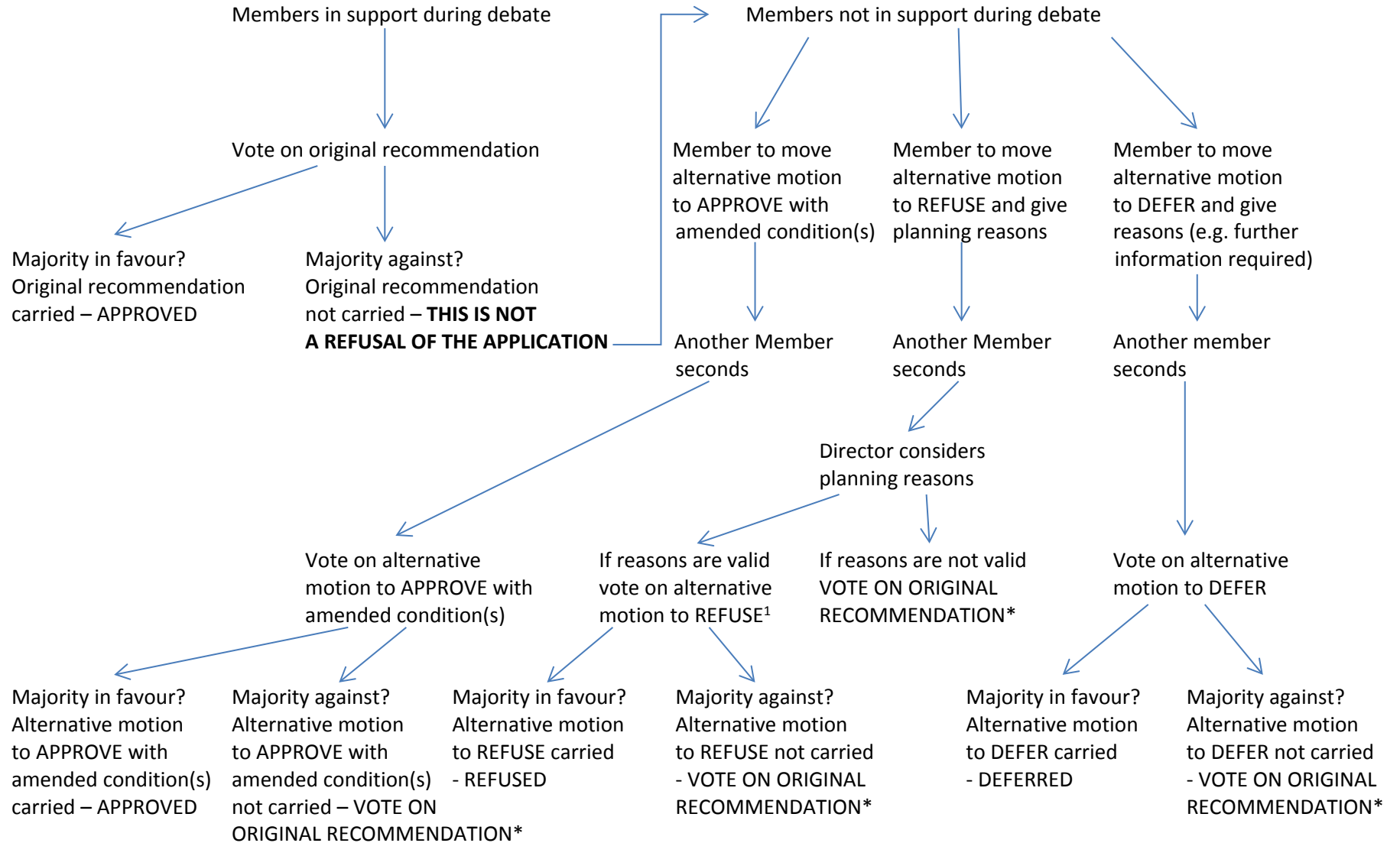
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

Addressing the Committee	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.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	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.
Declarations of Interest	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.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	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.
Public Speaking on Agenda Items (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 2 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<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"> ○ 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. ○ 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. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - 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). - 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). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<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>
Alternative Motion to Refuse	<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>
Voting	<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"> - Two Members request a recorded vote - A recorded vote is required by law. <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>
Vice-Chairman	<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>

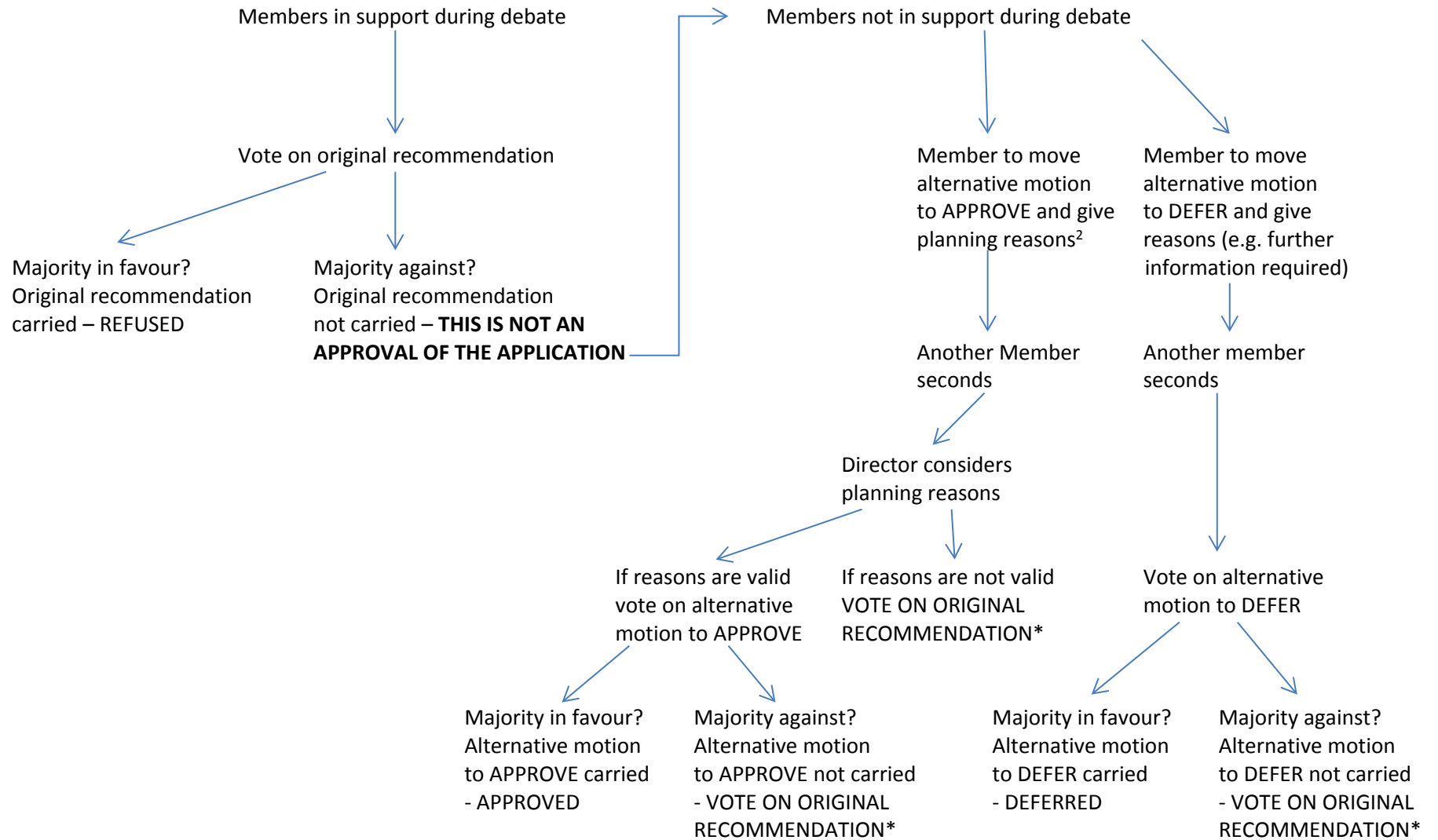
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

¹ 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

² Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

Planning Committee (South)
21 NOVEMBER 2017

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, David Coldwell, Brian Donnelly, David Jenkins, Nigel Jupp, Liz Kitchen, Gordon Lindsay, Tim Lloyd, Paul Marshall, Mike Morgan, Kate Rowbottom, Jim Sanson, Ben Staines and Michael Willett

Apologies: Councillors: Roger Clarke, Ray Dawe and Claire Vickers

PCS/38 **MINUTES**

The minutes of the meeting of the Committee held on 17 October 2017 were approved as a correct record and signed by the Chairman.

PCS/39 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/2025 – Councillor Nigel Jupp declared a personal interest because he knew the directors of the development company and the original site owner. He was also a West Sussex County Councillor for Southwater Parish.

DC/17/2111 – Councillor Jim Sanson declared a personal interest because he knew one of the public speakers.

DC/17/2107 – Councillor Nigel Jupp declared a personal interest because he knew the family of the owners of the site.

PCS/40 **ANNOUNCEMENTS**

There were no announcements.

PCS/41 **APPEALS**

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

PCS/42 **DC/17/2025 - LAND WEST OF MILL STRAIGHT, WORTHING ROAD, SOUTHWATER (WARD: BILLINGSHURST & SHIPLEY)**
APPLICANT: MR ROBERT COLLETT

The Head of Development reported that this application sought a variation to conditions 18 and 22 of outline permission DC/14/2582 for a development of up to 193 dwellings. The variation would allow occupation of 20 dwellings in advance of completion of highway works (newly designed access from Mill Straight and construction of a toucan crossing).

The application site was located southwest of Mill Straight, adjacent to the southern boundary of Southwater. The proposed variation related mainly to the eastern boundary of the site where 20 dwellings had been completed and highway works, including the construction of a new roundabout off Mill Straight, were ongoing.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The consultation response from the Highway Authority, as contained within the report, was considered by the Committee.

The Parish Council objected to the application. There had been 13 letters of objection. The applicant addressed the Committee in support of the proposal. A representative of the Parish Council and a Local Member for Southwater both spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was the impact of the occupation of up to 20 dwellings before completion of the permitted highway works, which would be facilitated by the use of temporary four-way traffic lights opposite the site until the works were completed, which was scheduled for mid-December 2017.

Members discussed concerns regarding pedestrian and driver safety, and were concerned that the mitigating measure of having manually controlled traffic lights for one hour twice a day during peak hours, as set out in Condition 28, would not sufficiently mitigate the queuing traffic and detrimental impact on drivers and pedestrians.

After careful consideration Members concluded that, on balance, the proposal was acceptable subject to an amendment to Condition 28.

RESOLVED

- (i) That a modification, by way of a Deed of Variation, be made to the legal agreement attached to permission DC/14/2582.
- (ii) That on completion of (i) above, planning application DC/17/2025 be determined by the Head of Development. During determination Condition 28, as set out in the report, to be amended so that the temporary traffic controls referred to in the condition are to be manually monitored and manually controlled daily during the hours of **7.30 – 9.30** and **15:30 – 18:30**. The view of the Committee was that the application should be granted.

The Head of Development reported that this application sought permission for works along Robell Way, including: realignment of the southern kerb line and widening of the footpath; resurfacing of the road and footpaths; the introduction of areas of soft landscaping; traffic calming to slow vehicles at the entrance of Robell Way; yellow lines to restrict parking; bollards to protect the grass verge; and two streetlights.

The application site was located southwest of Water Lane in Storrington and was a private roadway and access to the Water Lane Trading Estate. It would also be the vehicular access for a new residential development of 98 dwellings that had recently been approved. The new dwellings would replace a number of industrial units to the southwest of Robell Way.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The consultation response from the Highway Authority, as contained within the report, was considered by the Committee.

The applicant had been in discussions with local businesses and submitted amended plans in response to concerns regarding the impact of the proposal on access for larger vehicles.

The Parish Council raised no objection. Twelve letters of objection had been received, including one since publication of the report. One member of the public 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 need to protect the functions of this Key Employment Site; the narrowing of the carriage way; the impact of the proposed changes on the access for large vehicles; and the appearance of the road.

Members discussed the current traffic issues along Robell Way and considered that concerns regarding access for larger vehicles when manoeuvring into Robell Way and accessing the industrial units had not been satisfactorily addressed. Members therefore concluded that the item should be deferred to allow for further discussion between the applicant and stakeholders.

RESOLVED

That planning application DC/17/2111 be deferred to allow for the applicant and stakeholders to continue discussions with a view to addressing concerns regarding access.

PCS/44 **DC/17/2107 - UPPER CHAMPIONS FARM BARN, DUKES HILL,
THAKEHAM (WARD: CHANCTONBURY)
APPLICANT: MR ANTHONY JAMES**

The Head of Development reported that this application sought permission for the erection of a single storey five bedroom dwelling with a planted flat roof and roof terrace, in the eastern corner of the site. It would be built into the ground by approximately 1.5 metres, giving the building a height of 1.8 metres above ground level. A large metal grain store would be removed. The wider site would be for grazing and a ha-ha to the west of the dwelling was proposed. Two parking spaces and a tractor store were proposed. The applicant cited paragraph 55 of the National Planning Policy Framework (NPPF) relating to new dwellings of 'exceptional quality or innovative nature of design' in support of their proposal.

The application site was located outside the built-up area west of Duke Hill and was an open field, which a public bridleway crossed diagonally. There were hedges and trees on the boundaries with a mature tree line along the western boundary. Thakeham Manor was approximately 60 metres north of the site. There were a number of agricultural buildings, including dwellings, approximately 100 metres to the southeast.

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.

The Parish Council supported the application and had reiterated their strong support for the proposal. Five letters of objection, from three households, had been received. The applicant and the architect both 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; the design and how it related to paragraph 55 of the NPPF; whether it would enhance the immediate setting; how it related to the characteristics of the local area; the amenity of neighbouring occupiers and users of adjacent land; and traffic and parking.

Members noted the amendments that had been made in response to the Design South-East Review Panel, which reduced the building's scale, re-orientated it and improved landscaping, and concluded that the proposal was in accordance with paragraph 55 of the NPPF. It was noted that permitted development rights had been removed under Condition 15, in the interests of visual amenity.

RESOLVED

That planning application DC/17/2107 be granted subject to the conditions and reasons as reported.

PCS/45 **SDNP/17/02592/FUL - DOWNSVIEW FARM, CLAY LANE, COOTHAM**
(WARD: CHANTRY) APPLICANT: MR RICHARD SCOTT

Item removed from the agenda.

PCS/46 **DC/17/2117 - LONGBURY HILL WOOD, ROCK ROAD, STORRINGTON**
(WARD: CHANTRY) APPLICANT: MR JULIAN HANBURY-AGGS

Item removed from the agenda.

The meeting closed at 4.08 pm having commenced at 2.30 pm

CHAIRMAN

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Planning Committee (South)

Date: 19th December 2017

Report on Appeals: 09/11/17 to 6/12/17

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/17/1409	Spring Acres West End Lane Henfield West Sussex	13 th November 2017	Refuse	
DC/17/1885	Land Rear of Oakley Flats High Street Partridge Green RH13 8HX	14 th November 2017	Refuse	
DC/17/1170	2 The Birches West Chiltington Pulborough West Sussex RH20 2PH	20 th November 2017	Refuse	
DC/17/0808	White Canons Fryern Park Fryern Road Storrington Pulborough West Sussex RH20 4FF	25 th November 2017	Refuse	
DC/17/0789	Holme Manor Mare Hill Road Pulborough West Sussex	30 th November 2017	Refuse	
DC/17/1398	Woodmancote Place Brighton Road Woodmancote Henfield West Sussex BN5 9SR	30 th November 2017	Refuse	
DC/17/1616	27 Meiros Way Ashington Pulborough West Sussex RH20 3QB	5 th December 2017	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/16/2553	Plot 2 Gay Street Lane North Heath West Sussex	Written Reps	20 th November 2017	Refuse	
DC/17/0753	Willards House Broomers Hill Lane Pulborough West Sussex RH20 2DU	Written Reps	29 th November 2017	Refuse	
DC/17/0790	Rock Cottage Common Hill West Chiltington Pulborough West Sussex RH20 2NS	Written Reps	28 th November 2017	Refuse	
DC/17/0791	Rock Cottage Common Hill West Chiltington Pulborough West Sussex RH20 2NS	Written Reps	28 th November 2017	Refuse	
DC/17/1584	Coconino London Road Ashington Pulborough West Sussex RH20 3JR	Written Reps	20 th November 2017	Refuse	
DC/17/1600	26 Cricketers Close Ashington Pulborough West Sussex RH20 3JQ	Written Reps	20 th November 2017	Permit	

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/16/2153	Yew Tree Stud Farm Harbolets Road West Chiltington Pulborough West Sussex RH20 2LG	Informal Hearing	Allowed	Refuse	
DC/16/2673	2 Henderson Walk Steyning West Sussex BN44 3SG	Fast Track	Dismissed	Refuse	

DC/17/1161	Fringe Cottage Mouse Lane Steyning West Sussex BN44 3LP	Fast Track	Allowed	Refuse	
DC/16/1664	Crosswinds Hampers Lane Storrington Pulborough West Sussex RH20 3HZ	Written Reps	Allowed	Permit	Refuse

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 19 December 2017

DEVELOPMENT: Outline Planning Application for the conversion and extension of an existing building to provide 250sqm of flexible commercial floor space (A1 and B1 Use Classes), demolition of other existing buildings and erection of 12 No. dwellings, and associated landscaping and parking. All matters reserved except access.

SITE: Blakers Yard Worthing Road Dial Post Horsham RH13 8NH

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/17/1000

APPLICANT: **Name:** Blakers Yard Ltd **Address:** C/O ECE Planning

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representations received contrary to the Officer's recommendation.

RECOMMENDATION: Approve, subject to conditions and completion of a s106 Legal Agreement

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks Outline planning permission for the erection of 12 residential units (indicatively shown as two 2-bed, nine 3-bed and one 4-bed) and 250sqm of flexible (A1/B1) commercial floorspace. Site clearance (including some tree removal) and demolition of most of the existing buildings on the site is also proposed. Only the principle of development and proposed access is for consideration now, with layout, scale, landscaping and appearance reserved for later consideration.
- 1.2 The illustrative site plan shows the proposed commercial building would be located towards the entrance of the site, fronting Worthing Road. This would comprise the partial demolition and conversion of the existing 2-story pitched-roof building, as well as additional extended floorspace to the rear to create flexible commercial units. The existing building is currently disused, but was historically used as an engineering works (B2 industrial). In recent years the site has been used for ad-hoc storage. Ten parking bays would be provided to serve the proposed extended commercial unit.
- 1.3 The 12 residential dwellings are illustratively shown to be arranged in a mix of semi-detached and detached plots located to the rear of the main entrance and commercial unit.

The illustrative site plan shows 11 single garages are proposed, as well as an additional 13 residential car parking spaces, and 2 additional visitor spaces. Indicative landscaping around the site has been indicated, with the retention and addition of boundary hedging and fencing, as well as tree and other planting within the site. The existing public right of way adjacent to the north and east of the site is proposed to be upgraded by widening and resurfacing the pathway. Access to the site is proposed to be from the existing vehicular access point directly from Worthing Road which would be upgraded in order to improve visibility splays.

DESCRIPTION OF THE SITE

- 1.4 The site is located in Dial Post – a small, unclassified settlement located approximately 12km to the south of Horsham. Dial Post is located in the Parish of West Grinstead and is sited immediately to the west of the A24, which is accessed directly via slip roads from the northbound carriageway. Dial Post is located outside any of the District's defined Built-Up Area Boundaries, and is classed as an 'unclassified settlement' in Policy 3 of the Horsham District Planning Framework, which means it is a '*Settlement 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*'.
- 1.5 To the immediate north of the site entrance are two detached residential dwellings (one of which, Alma Cottage, is Grade 2 listed) with relatively large residential curtilages, and approximately 70m to the north (along Worthing Road) is The Crown Inn public house. To the immediate south are two matching pairs of semi-detached houses. The Village Hall is located approximately 60m south of the site. Opposite the site entrance is 'Dial Post House' – a large, Grade 2 listed residential dwelling situated in a large plot stretching along the roadside and screened by mature hedgerow. An area of public open space (grassed area) is located approximately 1km to the north west of the site. The site is accessed directly from Worthing Road which is the main road running through the settlement, and is relatively rural in character. A bus shelter is located on Worthing Road opposite the Crown Inn serving the 108 route between Horsham and Shoreham, which runs only one service per week.
- 1.6 The site is an irregular 'diamond' shape, and widens/deepens to the rear of the main entrance to abut the rear boundaries of the surrounding residential dwellings both the north and south of the site. The rear of the site boundary is 40m from the A24 at its closest point. Two Public Rights of Way (1859 and 1859/1) run via the northern and eastern boundaries of the site, and form part of a network of PROWs in the local vicinity. The site comprises previously developed land to the southern portion which is currently occupied by several disused buildings and hardstandings. The northern portion of the site comprises open scrubland, overgrown vegetation and discarded rubbish. The site was formally a small engineering works, but has been unused for this purpose for several years. The existing buildings comprise mostly of 2-storey structures with pitched roofs and gable ends. The buildings, whilst in a poor state of repair, are structurally sound. The structures towards the rear of the site are industrial in appearance with little architectural merit. The buildings to the front of the site, whilst run-down, are more characterful, and include features such as bay windows and chimneys stacks.

APPLICATION BACKGROUND

- 1.7 During the course of determination, the applicant submitted amended plans in order to address various concerns identified by Officers. The amended plans reduced the development proposal from the originally proposed 17 residential units to the revised 12 unit scheme described above. The extent and location of commercial floorspace has not been amended and remains as originally submitted. Accordingly, the planning assessment outlined in this report is based on the amended scheme for 12 dwellings and 250m² of commercial floorspace.

- 1.8 When the application was originally submitted and validated by the Council in May 2017 the Council had approved but not yet adopted the CIL Charging Schedule. As of 1st October 2017 the CIL Charging Schedule was formally adopted and is now fully implemented. As a result, this application is now CIL liable, and most financial contributions necessary to mitigate the impacts of development are likely to be collected through CIL rather than via s106 as was previously the case. Accordingly, the applicant has submitted the required CIL forms.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (2012):

Section 1 – Building a Strong, Competitive Economy
Section 3 – Supporting a Prosperous Rural Economy
Section 4 – Promoting Sustainable Transport
Section 6 – Delivering a wide choice of High Quality Homes
Section 7 – Requiring Good Design
Section 11 – Conserving and Enhancing the Natural Environment
Section 12 - Conserving and Enhancing the Historic Environment

RELEVANT COUNCIL POLICY

- 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 7 (Strategic Policy: Economic Growth)
Policy 9 (Employment Development)
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 31 (Green Infrastructure and Biodiversity)
Policy 32 (Strategic Policy: The Quality of New Development)
Policy 33 (Development Principles)
Policy 34 (Cultural and Heritage Assets)
Policy 35 (Climate Change)
Policy 36 (Appropriate Energy Use)
Policy 37 (Sustainable Construction)
Policy 38 (Flooding)
Policy 39 (Strategic Policy: Infrastructure Provision)
Policy 40 (Sustainable Transport)
Policy 41 (Parking)

- 2.4 The Horsham District Council Planning Obligations and Affordable Housing Supplementary Planning Document (SPD) – September 2017

- 2.5 The Horsham District Council Community Infrastructure Levy (CIL) Charging Schedule – April 2017 (Adopted 1st October 2017).

NEIGHBOURHOOD DEVELOPMENT PLAN

- 2.6 West Grinstead Parish Council is designated as a Neighbourhood Development Plan area. The Parish Council are at the early stages of preparing a plan (pre-Reg 14 evidence gathering stage). The Parish Council are assessing sites but a draft plan has not yet been prepared. Very limited weight can therefore be given to the NDP status in West Grinstead.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.7 DC/14/1402 – Permitted 18 December 2015
Demolition of 692m² of B2 industrial floor space, the conversion of 116m² of B2 industrial floor space to B1 use, and extension to provide 256m² of office (B1) use, 9x live-work units (3 x 2-bed and 6 x 3-bed), together with associated car parking, amenity areas and landscaping (Full Application)

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
- 3.2 Consultees were notified of the revised proposals for 12 dwellings. The following paragraphs identify where consultees raised concerns in respect of the original scheme for 17 dwellings, and whether the revised scheme for 12 units changes their original view. Some consultees have advised that their original comments on the 17-unit scheme remain applicable to the 12-unit scheme. Where revised comments have not been received, it is considered that the changes now made (a reduction in units) do not fundamentally change the consultee's comments and they are therefore still relevant to the revised scheme for 12 units.

3.3 INTERNAL CONSULTATIONS

- **HDC Community and Culture (Summarised):** No Objection
Subject to the following contributions towards Open Space, Sport and Recreation, and Community Centre and Halls. [Officer Note: these community infrastructure needs are now fulfilled by the Council's CIL charging schedule]
- **HDC Economic Development (Summarised):** Support
Scheme as originally submitted: Support
'From an economic point of view, this type of proposal should be supported as it provides floorspace suitable for start-up or small businesses. I note that there is reference to provision for an A1 use/village shop, with the commercial floorspace being flexible. An ancillary retail use to support the local community would be an advantage but the majority of the floorspace should be focused on B1 use classes'.

Subsequent consultation response: Support

The amended site plan seems to indicate some additional parking adjacent to the commercial floorspace. If this is the case, this is certainly a benefit to the viability of the commercial units.

- **HDC Drainage Engineer (Summarised):** No objection
Scheme as originally submitted: Further Information Required

No drainage information has been submitted to make any appropriate comment or observations. As the proposed development consists of 10 dwellings or more i.e. 'major development' a suitable 'Flood Risk Assessment' should be requested where drainage is assessed as a material consideration. It would help if the applicant completed the Surface Water Drainage Statement that would support a 'major' outline planning application of this nature.

Subsequent consultation response (Summarised): No objection subject to conditions
I have no overall objections to the drainage strategy proposed therefore until detailed design information has been submitted at the appropriate planning stage, suitable drainage conditions should be applied that include evidence to show that an agreement is in place for the on-going maintenance of the SuDS systems, including the existing watercourse over the lifetime of the development; and/or evidence that the SuDS will be adopted by third party.

Subsequent consultation response: No objection subject to conditions
I have no further comments to make following submission of the revised Layout & Drainage Strategy.

- **HDC Strategic Planning (Summarised):** Objection

Scheme as originally submitted: Objection

It is considered that the current scheme, which is located outside of the BUAB of a town or village in the District, and within the countryside would conflict with policies 3, 4 and 26 of the HDPF in particular. It is also not considered that the application is in general accordance with Policy 15 or Policy 16, unless the Council agrees that the Viability Statement submitted with the application proves that the provision of affordable housing would make the development unviable.

Subsequent consultation response (Summarised): Objection

The proposed residential development would conflict with policies 4 and 26 of the HDPF. The site is not allocated for development in the HDPF or in a 'Made' Neighbourhood Plan. This development is not required in order for the District to meet its current 5 year housing land supply position. Therefore, there is a policy objection to the principle of residential development in this location. Furthermore, the proposal does not include any provision for affordable housing and is therefore not in compliance with policy 16 (3)(b) of the HDPF.

- **HDC Environmental Health (Summarised):** No Objection

Subject to conditions relating to land contamination, noise mitigation and construction management.

- **HDC Housing (Summarised):** Objection

Scheme as originally submitted: Objection

This scheme proposes no affordable accommodation. It is therefore not policy compliant and not supported by Housing Officers.

Subsequent consultation response (Summarised): Objection

This scheme proposes no affordable accommodation. It is therefore not policy compliant and not supported by Housing Officers.

- **HDC Landscape Architect (Summarised):** No Objection

Scheme as originally submitted: Objection

The illustrative outline plan PL002 Rev A shows a high proportion of building and hard landscaping on the site with little in the way of public green space which could be used to militate against the habitat destruction caused by the development. The scheme fails to comply with policies 25 (biodiversity), 31 (green infrastructure) and 33 (development principles) and therefore the quantity and extent of development on the site is not supported on landscape grounds.

Subsequent consultation response (Summarised): No Objection

The illustrative outline plan PL002 Rev B shows a revised scheme with an increased area of green space in relation to the built areas. It has also introduced more sympathetic boundary treatments and increased the public areas planted with native planting. The landscaping and layout proposed in the new scheme mitigates against any negative landscape / green infrastructure effects and on this basis I would have no objection on landscape grounds.

- **HDC Waste Collection (Summarised):** Further Information Required
Swept path analysis requested to ensure refuse vehicles can manoeuvre through the site. [Officer Note: the application is made in outline and details of internal layout are reserved for later consideration]
- **HDC Conservation Officer (Summarised):** No objection
The development site falls within the setting of several grade II listed buildings. Alma Cottage would see the greatest level of impact from development at the site.

The sensitive area of the site is to the north-west where proposed plots 11 and 12 would be in close proximity to the listed building. Thus, the development would likely encroach on the existing rural backdrop to the listed cottage. Therefore, it is considered that the development would suburbanise the setting and erode the existing rural characteristic contrary to para 137 of the NPPF.

For the above reasons, it is considered that the development proposal would result in harm to the setting of the heritage asset (considered to be at the lower end of the sliding scale of less than substantial harm). This harm should be weighed against the public benefits of the proposal and this is a consideration in the planning balance.

If the case officer is minded to recommend approval for the outline application, the proposed detailed design, including materials and finishes, should be controlled by way of condition. Similarly, appropriate landscape conditions should be applied to secure a suitably landscaped setting.

3.4 OUTSIDE AGENCIES

- **West Grinstead Parish Council (Summarised):** No Objection
Scheme as originally submitted: Objection
Loss of small start-up business premises, live-work units are needed, site overdevelopment, lack of public transport (not sustainable development), no affordable housing, inadequate parking.

Subsequent consultation response: No Objection
12 units would be the maximum number of units acceptable for this site. The Parish Council is pleased that the comments of the local residents have been taken on board. The Parish Council still has concerns about the parking provision as there is no public transport in the area there is likely to be a higher than normal quota of cars for the units.
- **WSCC Local Development Division (Summarised):** No Objection
Subject to the following contributions towards Education, Library Service, Fire & Rescue Service, Total Access Demand (TAD). [Officer Note: these community infrastructure needs are now fulfilled by the Council's CIL charging schedule]
- **WSCC Flood Risk Management (Summarised):** No Objection
Scheme as originally submitted: Conditions Suggested
Site is low risk from surface and ground water flooding. No records of historic flooding within the site. No watercourses within the site. No FRA or Drainage Strategy has been

included with this application. While this is only an outline application, there is not enough information contained within this application to comment further.

Subsequent consultation response (Summarised): No Objection
Subject to the submission of a Drainage Statement.

- **WSCC Highways (Summarised):** No Objection

Scheme as originally submitted: Objection

In line with the WSCC Safety Audit Adopted Policy this application needs to be supported by a Stage 1 Road Safety Audit (RSA) and a signed and dated Designers Response. The LHA can offer no further comment on the application until this information has been provided.

Subsequent consultation response (Summarised): Clarification Required

The LHA in its previous response requested a Stage 1 Road Safety Audit (RSA) and a signed and dated Designers Response (DR). This has now been submitted. The LHA are of the opinion that there are no grounds in principle to object to this application, although some clarification is required as detailed in the full consultation response.

Subsequent consultation response (Summarised): Clarification Required

There doesn't appear to be any new highways related information to address the two points raised in our response dated 14th August 2017. The following points need addressing. The most important being problem 2.1 identified in the RSA, this needs to be addressed by the Designer in the Designers Response.

Subsequent consultation response (Summarised): No Objection Subject to Contribution, and Suggested Conditions.

The LHA are satisfied that the points raised in the response dated 14th August 2017 have now been covered adequately. The LHA would have no objection to the planning application and note that the dwelling numbers on site have been reduced. With regards to problem 2.1, the LHA note the RSA team's revised comments. The LHA would require a sum of money (secured via s106 agreement) for the monitoring of vehicle parking in the visibility splays. If required, this sum could be used to implement a TRO for parking restrictions. The sum would most likely be held for 5 years after the last occupied dwelling on the development. If it is not required, the sum would be returned to the developer after this period. The sum would be approximately £7,300. With regards to access and visibility, conditions are suggested.

- **WSCC Public Rights of Way (Summarised):** Comment

Scheme as originally submitted: Comment

Footpath 1859/1 runs along the northern boundary of the development, within the red line of the application boundary. Fences are in a poor state of repair and form an obstruction of the footpath. The fence should be repaired or replaced to ensure that they do not obstruct the public footpath. It is proposed that the footpath width be increased to 2.0m and the path be resurfaced by the Applicant. This is welcomed and the specification is to be agreed with the Public Rights of Way Team prior to construction starting. New close board fencing is proposed immediately adjacent to the path, in addition to the existing close board fencing which may reduce path users' enjoyment by creating a darkened, tunnel-like environment. The applicant and planning authority are strongly encouraged to consider mitigation, which could be to change the new fencing for lower post and rail fencing or to further increase the path width.

Any alteration to, or replacement of, the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with WSCC's RoW Team. No structure, for example gates or stiles, may be erected on the PROW without the prior consent of WSCC's RoW Team. The surface of the PROW must not be altered in any way without the prior consent of WSCC's RoW team. Should any building works, demolition or

construction encroach upon the PROW then a Temporary Path Closure Order may be required, for which an application must be made to WSCC's RoW Team.

Subsequent consultation response (Summarised): Comment

I have no further comments to make and my comments & advice remain as per my previous response of 14/08/17.

- **Southern Water (Summarised)**: No Objection
Scheme as originally submitted: Conditions Suggested
No development or new tree planting would be accepted within 3 meters of the public sewers. Conditions suggested if the application is to be permitted.

Subsequent consultation response (Summarised): Conditions Suggested

No change to previous comments.

- **Consultant Ecologist (Summarised)**: No Objection
Scheme as originally submitted: Objection
We have reviewed the available information, in particular, the ecology reports by Arbtech Consulting Ltd (2017). Bat surveys are on-going on the site; the results of these surveys are required to fully inform the planning application. No mention is made in the report as to whether the site has potential to support dormouse, although records are known from the wider area. Recommendation: further information required with regards to ecology.

Subsequent consultation response (Summarised): Objection

We have now been provided with the Bat Survey Report. A single bat has been recorded roosting within the building on site. No further information has been provided as to whether the site has potential to support dormouse, although records are known from the wider area. Further information is requested to confirm whether this species is likely to be present, and if so whether further surveys are required to inform any licensing or mitigation requirements.

Subsequent consultation response (Summarised): No Objection

Subject to conditions relating to the submission of an Ecological Enhancement and Mitigation Plan, and a bat sensitive lighting scheme.

Subsequent consultation response: No Objection

Thank you for re-consulting us on the above application. We have reviewed the updated illustrative site plan SITE PLAN - AMENDED (6437-PL0002-B) as uploaded onto the planning website on the 8th September 2017. We can confirm that the below comments remain valid.

3.5 PUBLIC CONSULTATIONS

Initially, 13 letters of objection (from 10 different households) were received when the previous (17 unit) scheme was consulted on. In response to the consultation on the revised (12 unit) scheme, a further 5 letters of objection were received and no households wrote in to withdraw their original objection to the 17 unit scheme. In total, 18 letters of representation have therefore been received, from 10 different households. All representations expressed an objection to the application citing the following summarised planning concerns:

- Overlooking
- Increase in noise
- Increase in pollution
- Loss of light
- Overdevelopment of the site
- Insufficient parking

- Unsustainable development in unsustainable location
- Sewerage concerns
- No essential services including: bus links, shops, doctors, schools, church.
- Loss of live-work units
- No affordable housing
- No amenities
- Smaller properties than others in the village (impact on character)
- No public transport

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 ASSESSMENT

- 6.1 The key issues for consideration in relation to this proposal are:

- The extant permission
- The principle of the development
- Location of the site and access to local services and facilities
- Employment floorspace provision
- Affordable housing provision
- Indicative layout, mix and character
- Highways, Access and Parking
- Amenities of nearby and future residents
- Heritage impact
- Landscape impact
- Ecology impact

Background: The Extant Permission

- 6.2 In December 2015 the Council granted full planning permission on this site for the provision of 9 live-work units (three 2-bed and six 3-bed), and conversion/extension of existing B2 industrial floorspace to 256m² of B1 office use, together with associated car parking, amenity areas and landscaping (DC/14/1402). The permission was considered and granted under current adopted policies contained within the HDPF. Whilst the permission granted under DC/14/1402 has not been implemented yet (no development has commenced on site), it remains extant until 18 December 2018. This extant permission is a material consideration in the determination of the current application.
- 6.3 The Applicant argues that this extant permission is similar in principle to the current proposal, albeit not deliverable, as live-work units are not needed or desirable. The HDPF acknowledges that there is a shortage of employment sites in the District, stating at paragraph 5.7 that *'current evidence identifies a shortfall of employment floorspace to meet the future needs in the district over the plan period'*. In permitting the previous scheme, the Council considered that the significant benefit of the proposed 256m² commercial (B1) use

on site coupled with 9 live/work units would, on balance, outweigh the harm caused by the residential element (i.e. the unsustainable location as defined by the HDPF). Given the live/work element was limited to 9 units; it was not thought that this would constitute overdevelopment of the site (it would be approximately 16dph), or that it would be at odds with the character of the wider village. The live/work units would provide employment space, and as employees could be accommodated on site, that development could be viewed as more sustainable than the current proposal, as out-commuting for employment would be reduced.

- 6.4 Whilst the individual number of units proposed now has increased to 12 in comparison to the 9 live/work units previously permitted, the Applicant has asserted that the total floor area of buildings associated with the proposed development is equivalent to the floor area of buildings approved under DC/14/1402. This has been calculated by Officers and found not to be accurate (permitted scheme covers 1413m², and proposed scheme covers 1605m²). Whilst the proposed development would represent a 13.5% increase on floor area compared to the extant scheme, it is considered by Officers that it would be difficult to resist the development on the basis of overdevelopment as the site density is not considered to be significantly different to the permitted scheme, or at significant odds with residential densities in the surrounding area (as set out in the character and appearance section above).
- 6.5 It is considered that the validity of the extant permission is an important factor in the consideration of this application. By granting permission for the extant scheme, the Council acknowledge that some form of development (including residential) is acceptable on this site; and accept that the quantum of development previously proposed (256m² employment floorspace and 9 live-work units) is acceptable.
- 6.6 Notwithstanding the above, it is important to recognise that the nature of the development proposed in the extant scheme differs from that proposed in this application. Namely, the quantity of units is greater (3 additional), but more importantly the units would be purely residential, and not linked to on-site employment space. The significance of this is that the activity generated by the scheme now proposed would likely be more intensive than the extant scheme. This is due firstly, to the intensification of units (therefore more vehicular movements); and secondly, to the necessity for the future residents to travel to and from work, rather than working from home as the 'live-work' arrangement would have required. As such, the extant permission, whilst a material consideration in favour of development, does not provide a complete justification for the granting of a purely residential (and less sustainable) development on the majority of this site.

The Principle of the Development

- 6.7 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development which should run through both plan-making and decision-taking (paragraph 14). Paragraphs 2 and 12 of the NPPF state that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise; and that proposed development that conflicts with an up-to-date Local Plan should be refused unless other material considerations indicate otherwise. The Horsham District Planning Framework (HDPF) was adopted by the Council in November 2015 and forms the up-to-date development plan for the District. West Grinstead Parish Council was designated as a Neighbourhood Plan Area in 2013, but there is no 'made' Neighbourhood Development Plan (NDP) for this area at present.
- 6.8 Policy 2 of the HDPF sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the District's most sustainable settlement (Horsham) and to allow growth in the rest of the District in accordance with the settlement hierarchy. Policy 3 of the HDPF sets out the settlement hierarchy and classifies Dial Post as an "Unclassified Settlement" - defined as an area 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'. By virtue of this classification, the site is considered to be located in an unsustainable location, with very few services and facilities to serve the existing population.

- 6.9 The site is not within a defined Built up Area Boundary (BUAB) and is therefore considered to form part of the District's countryside. HDPF Policy 4 (Settlement Expansion) and Policy 26 (Countryside Protection) are therefore of key importance when determining this application. Both policies make provision for expansion outside the BUAB where certain criteria are complied with. In accordance with the first criteria of Policy 4 it is necessary for development outside of BUAB to be either allocated in the local plan (HDPF or any future Land Allocations document) or in a Neighbourhood Development Plan (NDP) and for the site to adjoin an existing settlement edge. In this case, the site is not allocated in the HDPF, and West Grinstead Parish Council has only reached the early stages of preparing a NDP, thereby very limited weight can be afforded to the NDP. In addition, while the site is located adjacent to the settlement of Dial Post, this is an unclassified settlement with no defined settlement boundary identified on the HDPF Policies Map. Residential development of the site is therefore contrary to the requirements of Policy 4 of the HDPF.
- 6.10 Policy 26 of the HDPF aims to protect the countryside from inappropriate development and states that development in these locations would only be considered acceptable if it is essential to the countryside location and meets one of four criteria. New residential development is not considered to be essential to this countryside location and therefore the proposal conflicts with Policy 26.
- 6.11 The site was included within the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) - identified as land parcel SA447 and assessed as being 'Not Currently Developable'. The assessment states that the site is 'unsuitable for residential development' by virtue of Dial Post not having any services and facilities. Although the SHELAA is a high level, desk-top exercise which does not allocate sites for development or fully assess potential development to the same degree of detail as the development management process, these comments are indicative of the principle of residential development of this site not being appropriate.
- 6.12 In light of the above, the proposed development conflicts with the strategy for growth set out in the Development Plan. This conflict carries significant weight against the proposal. Before moving on to considering whether there are any other material considerations which would warrant permitting this development as a Departure from the Development Plan, it is necessary to consider the proposal in terms of other relevant Policies of the HDPF, and identify whether any other harm or benefits arise from the proposal.

Previously Developed Land and Existing Use

- 6.13 This site is not a 'greenfield' site and a large proportion of it has been previously developed. The most recent use of the site was an engineering company (therefore the existing lawful use falls within Use Class B2). The HDPF Policies relating to employment uses are therefore relevant when considering the principle of this proposed development.
- 6.14 In justifying the acceptability of the proposal, the applicant asserts that the site comprises previously developed land (PDL). Officers agree that a large proportion of the site is PDL, but it is disputed whether the disused and overgrown portion of the site to the north is PDL. The NPPF defines PDL as "*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure*". The use of PDL for development is promoted in paragraphs 17 and 111 of the NPPF where land is not of high environmental value. Whilst the main strategy of the HDPF, as set out in Policy 2, is to focus growth based on the settlement hierarchy within

the BUAB and allocated sites; as per the NPPF it also encourages the effective use of land by reusing PDL (criterion 8).

- 6.15 In accordance with the overarching development strategy outlined in the HDPF, the identification of a site (or part of a site) as PDL does not amount to the principle of redevelopment being acceptable, particularly where the site is located in the countryside outside of the BUAB. Whilst some re-development of this disused PDL could be acceptable, any development must still accord with the requirements of relevant adopted policies, including the strategy for growth set out in Policies 2 and 4. In this instance, Policies 7(2), 9(2) and 10 of the HDPF are also relevant. Policy 7 sets out how sustainable employment development in Horsham District will be achieved, and this includes through the redevelopment, regeneration, intensification and smart growth of existing employment sites. In accordance with Policy 10 of the HDPF, any proposals for conversion of rural buildings should favour business and commercial use over residential in the first instance. Policy 9(2) states that before alternative re-development is considered acceptable, it must be demonstrated that the site is no longer needed and/or viable for employment use. The following paragraphs discuss the proposal in relation to these policy requirements.

Need and/or Viability of the Site for Employment Use

- 6.16 Given that the proposed re-development of the site would result in a net loss of 558m² (69%) of the existing employment floorspace, the acceptability of the development must be assessed against the relevant economic development and employment provision policies of the HDPF. Policy 9 requires that where a site outside a Key Employment Area (KEA) is proposed for redevelopment, it must be demonstrated that the site is no longer needed and/or viable for employment use.
- 6.17 The former occupiers of the site relocated their engineering business approximately 10 years ago, and the site has been largely vacant since then. The site has subsequently become run-down and the buildings are in a state of disrepair, although not to such an extent that there is no potential to convert and make-good the buildings on site for employment use. The Applicant's Planning Statement explains that the site was marketed from early February 2016, seeking final offers in late April 2016 (3 months). During this period, the site was marketed on-line and a marketing board was erected on site. Sales particulars were circulated to developers, investors and commercial owner-occupiers.
- 6.18 Following marketing, the main interest was from developers, rather than owner-occupier businesses. The Applicant has advised that interested developers explained they would not implement the extant permission for live/work units, but if successful at acquiring the scheme would seek permission for an alternative residential-only scheme. Several owner-occupiers fed back to the Applicant that they were seeking around 1,800 – 2,800m² of warehouse/industrial accommodation but it concluded that it would be impractical to extend the existing 800m² buildings or replace with a new, bespoke unit due to the irregular shape of the site. The findings of the marketing exercise conclude that no meaningful interest was expressed for commercial redevelopment of the site, which was attributed to the unconventional shape of the site and the condition of the buildings. Several offers were received above the asking price from developers with the view of seeking planning permission to develop a predominantly residential scheme. The site was sold in January 2017.
- 6.19 Despite the interest generated from developers, the 3-month marketing period undertaken by the Applicant is considered to be fairly short, and this period does not offer sufficient time to truly test the market and thereby, to dismiss the site's potential for commercial redevelopment. It would normally be expected that a site such as this is actively marketed for a 12-month period to satisfy the requirements of HDPF Policy 9(2). Given the District Valuer's assessment of the Benchmark Land Value it is also considered that the site was

marketed at too high a sales price. A price more reflective of other similar commercial sites in the area is considered to have been lower than the value at which the site was marketed.

- 6.20 Notwithstanding the above, independent advice that Officers have received from both the District Valuer and from Stiles, Harold Williams Partnership LLP confirms that full commercial re-development of this site is not likely to be viable, primarily due to the rural nature of the site, and proximity to residential dwellings which would necessitate operational restrictions to protect amenity.
- 6.21 Given the above, whilst the proposed re-development of the site would result in a net loss of 558m² (69%) of existing employment floorspace, it is accepted that full commercial redevelopment of this site is not likely to be viable. It is considered therefore that a reduction in employment floor space would be acceptable in accordance with Policy 9(2). While this does not override the conflict with Policies 2, 3, 4 and 26 discussed in earlier paragraphs of this report, the partial previously developed nature of the site and the assessment of the viability of on-going commercial use of the site is a material consideration in assessing the weight to afford to the conflict with Policies 2, 3, 4 and 26.

Meeting Local Housing Needs

- 6.22 Policy 16 of the HDPF requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable. A policy compliant scheme in this case would therefore require 4 affordable units to be provided on site, or if on-site provision is not possible, a financial contribution calculated in accordance with the 2017 Planning Obligations SPD (2017) may be acceptable. In line with the Council's Planning Obligations SPD, schemes that would otherwise require 35% affordable housing to be provided on site, a contribution towards off-site provision will be sought (calculated as £280 per m² gross internal area of the proposed dwellings) where the Council agrees that on-site provision is not achievable. According to the submitted CIL form, the residential elements of the proposed development equates to 1,355m². This would generate an equivalent affordable housing financial contribution of £379,400.
- 6.23 Due to viability constraints, the Applicant has not offered any on-site affordable housing, but has offered a financial contribution of £50,000 towards off-site affordable housing. A viability study prepared by Turner Morum Chartered Surveyors on behalf of the Applicant was submitted to the Council explaining the reasons for this reduced contribution. The study details the associated costs including build costs, remediation works, demolition costs, professional fees, marketing costs and CIL payments etc, as well as land values and projected revenues from sales. The study shows that even at 0% affordable housing the scheme is in deficit and is non-viable. Despite the deficit, the applicant is prepared to offer £50,000 towards off-site provision of affordable housing. While the Council's preference is the delivery of on-site affordable housing to create mixed communities, Officers acknowledge that Registered Providers are rarely able to take on clusters of less than 10 units, and therefore Officers would be willing to accept a financial contribution in lieu in this case.
- 6.24 The Council instructed the District Valuer (DV) to independently assess the Applicant's viability study. The DV's assessment highlights several differences in opinion and some limited evidence provided to justify some of the costs quoted. The DV scrutinised the Applicant's study and the conclusion drawn from the independent review is that in terms of the assumed residual value generated by the development and the likely benchmark land value of £750,000, the scheme would only be able to afford a maximum financial contribution towards affordable housing of £50,000. Whilst it is disappointing that a policy-compliant level of affordable housing is not achievable; based on the evidence to hand it is acknowledged that the costs and constraints associated with the development of this site at this stage do not allow for a contribution of more than £50,000. It is accepted therefore that the proposed development accords with the requirements of the Council's Planning

Obligations and Affordable Housing SPD which allows for flexibility in seeking planning obligations where viability constraints are identified, in accordance with the NPPF and HDPF Policy 16. The DV has recommended a review mechanism be included in the s106 agreement given limitations to the evidence submitted by the applicants and some disagreements between the applicants and the DV over some of the assumptions. Accordingly it is proposed that a review mechanism is included within the s106 Legal Agreement to require a review of costs and viability post-commencement, with the view of increasing the AH contribution should the evidence demonstrate it appropriate. For the avoidance of doubt this review will be an uplift only and the development will provide a minimum contribution of £50,000 towards off-site affordable housing.

Mix / Layout / Character / Design

Proposed Housing Size Mix

- 6.25 Policy 16 of the HDPF requires that development should provide 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 Assessments. Policy 16 also notes that the appropriate mix will depend on the established character and density of the neighbourhood and the viability of the scheme. The housing mix proposed by the Applicant (two 2-bed, nine 3-bed and one 4-bed) is in general conformity with the Council's District-wide Market Housing Mix report from November 2016 which seeks a higher proportion of 2 and 3 bedroom properties. Whilst specific local housing need for Dial Post is unknown, the mix proposed is acceptable in terms of its accordance with District-wide needs. The mix at this stage is indicative, but provides an indication of the Applicant's intentions for the detailed scheme and the submitted information therefore demonstrates that it is feasible for the detailed scheme to deliver an appropriate mix of dwelling sizes.

Layout and Character

- 6.26 The proposed development seeks permission for 12 dwellings which equates to a density of approximately 21dph. This is not considered to be at significant odds with the prevailing development pattern of the existing settlement. As an example, the triangular cluster of 14 existing houses to the north of the site (located between Worthing Road and Swallows Lane) covers a site of approximately 0.8ha, equating to 17.5dph.
- 6.27 Policy 26 of the HDPF requires development to be of a scale appropriate to its countryside character and location, and for development to protect and conserve the development pattern of the area. Policies 32 and 33 of the HDPF require new development to complement locally distinctive characters of the District, and to optimise the potential of the site to accommodate development including making efficient use of previously developed land. Whilst the development proposed would result in a slightly higher density development compared to other clusters of dwellings in Dial Post, the illustrative layout for the 12 unit scheme demonstrates that a layout could be achieved which respects the existing pattern of development in the vicinity of the site and would not unduly harm the character and appearance of the locality. Furthermore, the area shown on the illustrative masterplan for residential development is in a screened and contained location to the rear of the site entrance, further reducing the visual impact of the development.
- 6.28 The application is in Outline form, so details of layout and appearance are purely indicative at this stage and will require further consideration and formal approval at Reserved Matters stage. The relatively enclosed nature of the site's location means that the impact of this development on the immediate streetscene is likely to be minimal provided the buildings are of an appropriate scale. Notwithstanding this, the illustrative layout comprising detached and semi-detached units combined with a simple but functional internal road network and landscaping to the site boundaries is generally considered to be acceptable and not at significant odds with the settlement character.

- 6.29 The illustrative layout and arrangement of the site will assist in the mitigation of noise emanating from the A24 to the east. The internal road has been placed to the eastern-most part of the site which increases the separation distance between the proposed dwellings (plots 5 – 10) and the A24. The illustrative orientation of the dwellings in these plots (facing east) would further shield rear gardens from noise impact from the dual carriageway, whilst the plans detail a 2.5m high acoustic fence along the eastern boundary. In the event of a recommendation for approval, a full noise assessment including proposals for satisfactory mitigation where needed, will be required by condition and any reserved matters application should demonstrate that an acceptable noise environment can be achieved.
- 6.30 The illustrative design of the housing and business unit within the proposed development (as shown in plan reference PL003 Rev B) is considered to create an appropriately designed development that comprises a variety of house types, architectural features, roof styles and materials, and which complements the character of existing development in the local vicinity. The illustrative design and materials shown for the extended B1/A1 business unit to the front of the site is considered to retain and enhance the character of the existing building and will provide a pleasant and improved addition to the streetscene along Worthing Road.
- 6.31 Overall, subject to some more detailed refinement at RM stage, the indicative housing size mix, site density, layout and appearance is considered to largely accord with the aims of Policies 32 and 33 of the HDPF, and is broadly acceptable.

Heritage Impact

- 6.32 In addition to the requirements of HDPF Policies 26, 32 and 33; when relevant, the acceptability of a development must also accord with the provisions of Policy 34 (Cultural and Heritage Assets). The development site falls within the setting of several grade II listed buildings which means that the requirements of Policy 34 must be taken into account. The garden of Alma Cottage bounds the north-western boundary of the application site, Dial Post House lies opposite the site on the western side of Worthing Road, and Hazel Cottage is located north of the application site. Alma Cottage, which is situated to the immediate north-west of the site boundary, would see the greatest level of impact from development at the site.
- 6.33 Contrary to Policy 34 and section 12 (para 128) of the NPPF, the information submitted in support of this planning application provides a very limited assessment of the heritage assets within the setting of the application site, or the potential impact the development could have on the significance of those heritage assets. It is therefore not clear that the protection of heritage assets and their setting have been considered in detail by the Applicant in preparing their proposals. Notwithstanding this, the Council's Conservation Officer has visited the site and has assessed the significance of the nearby heritage assets. It is noted that the part of the application site to the immediate rear of Alma Cottage provides a green and semi-rural backdrop to the cottage, and allows appreciation of the sense of historic context which the cottage was originally sited within. In this regard, the application site is considered to be an important landscape component to the edge of the settlement which instils the rural sense of place, and which positively contributes to the setting of this listed building. The significance of Alma Cottage primarily lies in its architectural integrity as a C18 rural vernacular timber-framed building; however, its setting plays a key role in reinforcing the rural and open countryside setting that it was originally sited within.
- 6.34 The Conservation Officer has identified the most sensitive area of the application site to the north-west, in the location of proposed plots 11 and 12 which would be sited in relatively close proximity to the listed building. It is considered that the proposed development as shown on the illustrative layout would likely encroach on the existing rural backdrop to the

listed cottage and that the development would suburbanise the setting and erode the existing rural characteristic contrary to para 137 of the NPPF which advises that new development within the setting of heritage assets should enhance or better reveal their significance.

- 6.35 The Conservation Officer has identified that whilst the harm would be permanent and irreversible, it would be '*at the lower end of the sliding scale of less than substantial harm*'. Paragraph 134 of the NPPF state that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefit of the proposal.
- 6.36 Officers acknowledge the concerns raised by the Heritage Officer and the significance of the rural backdrop that the existing site provides in the historical context of Alma Cottage. It is considered that plots 11 and 12 would impede on this backdrop to some extent, and would change the existing nature of the site to a more suburban form. However, considering the historical use of the site as an engineering works, coupled with the proximity of the A24 dual carriageway beyond, and as the redevelopment would ensure that the existing buildings do not fall further into disrepair and harm the setting of the heritage assets, Officers are of the view that the low level of harm is outweighed in this case by the public benefit of the proposal, which include the provision of employment opportunities in the proposed retained/extended commercial building and the provision of housing. Whilst it is considered that improvement to the illustrative layout shown in plan PL002 Rev B should be made at Reserved Matters stage (including revision to the orientation and scale of plots 11 and 12); Officers are of the view that the proposed quantum of development could be accommodated within the site while having an acceptable impact on the heritage asset in accordance with section 12 of the NPPF and Policy 34 of the HDPF.

Impact on Residential Amenity

- 6.37 The proposed site adjoins the boundaries of several existing residential dwellings. Whilst the proposed layout at this stage is indicative, it is considered that the positioning of the 12 dwellings and commercial units have been designed to make best use of the site without resulting in significantly harmful impacts on residential amenity. The commercial element of the proposal converts and extends the existing building at the front of the site therefore whilst the use on site would change; given that it would be used for A1/B1 uses (and not B2 as existing) it is not thought that it would result in unacceptably harmful impacts on amenity.
- 6.38 Given the location of plots 2 and 4-9 located within the centre of the site, these are considered to be the least sensitive units with the least impact on existing residents. The more peripheral plots (1, 3, and 10-12) are likely to be more sensitive in terms of impact on neighbouring residents, however, given the proposed orientation of the units (as shown on the indicative site plan) which incorporates relatively large rear gardens and garage units between dwellings and the site boundaries, it is considered that subject to detailed design at Reserved Matters stage, the indicative layout would be acceptable in terms of neighbouring amenity and is not likely to cause unacceptable harm in terms of overlooking or loss of privacy.

Access / Highways and Transport / Parking

Access

- 6.39 The existing access to the site from Worthing Road that previously served the commercial units is well established. Upgrades to the existing vehicular access point are proposed to serve the development site. This is to include the provision of a bell-mouth style access

point. To support the planning application, the applicant submitted a Transport Note and undertook a Stage 1 Road Safety Audit (RSA) with Designer's Response.

- 6.40 The existing access has visibility splays of 2.4m x 25m to the north and 2.4m x 43m to the south. Despite Manual for Streets (MfS) standards requiring 43m in each direction, consultation with WSCC Highways has confirmed that vehicle trips and activity associated with the proposed development would be very similar to the most recent commercial use, and would not be to a severe extent. Officers are therefore satisfied that the existing/proposed splays of 2.4m x 25m to the north and 2.4m x 43m to the south are acceptable.
- 6.41 The Stage 1 Road Safety Audit (RSA) initially identified several issues with the proposed access improvements in terms of highways safety. Issue 2.1 (visibility splays) identified that obstructions (including on street parking and overhanging vegetation) were observed in close proximity to the access obscuring the splay. Additional information from the Applicant and subsequent assessment from the RSA team confirmed that the identified issues would be adequately addressed by way of monitoring of the access to ensure it operates safely and as intended. Accordingly, WSCC Highways have confirmed that they have no objection to the planning application subject to a financial contribution for monitoring purposes (and implementation of a TRO if necessary), and suggested conditions relating to the submission and approval of full access and visibility details.

Transport and Sustainability

- 6.42 As described in paragraph 6.3 above, Dial Post is an 'Unclassified Settlement' in accordance with Policy 3 of the HDPF - defined as an area 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'*. By virtue of this classification, and based on the limited bus services and facilities within the settlement, the site is considered to be located in an unsustainable location.
- 6.43 Policy 40 (Sustainable Transport) of the HDPF promotes the aspiration to develop communities connected by a sustainable transport system. Policy 40 supports development if (amongst other things) it is appropriate and in scale to the existing transport infrastructure; is integrated with the wider network of routes (including PRoW's); includes opportunities for sustainable transport; and is located in areas where there are (or will be) a choice in the modes of transport available.
- 6.44 The applicant has submitted a Transport Note with the application which details the existing facilities and networks, and the impacts on the network as a result of the proposed development. The Transport Note was submitted with the original application for 17 units and has not been updated or reviewed in relation to the current 12 unit scheme. Given that the quantum of development as part of the current scheme has reduced, it is considered that the impacts identified in the Transport Note are in reality, likely to be less significant.
- 6.45 The Transport Note identifies that there are very little existing public transport networks in the vicinity, which is not unexpected for a settlement of the scale of Dial Post. The nearest railway station is 9km away (Billingshurst), and the nearest bus stop is located on the A24, approximately 1.2km from the site. This bus stop serves the No. 23 bus route between Crawley and Worthing and operates 2x services per hour. Whilst not identified in the Transport Note, an additional bus stop is located opposite the site on Worthing Road. This serves the once-weekly No. 108 service between Shoreham and Horsham. Whilst there are busses serving the village, the associated bus stop for the No. 23 is not easily accessible, and potentially dangerous due to its proximity to the A24 (users would be required to cross the A24 dual carriageway to access the southbound bus stop).

- 6.46 Overall, it is considered that the public transport network in the vicinity of the site is poor. This is not unusual for a settlement of this scale and location, but the upshot of this is that such rural locations are unlikely to be an appropriate location for new dwellings (hence it being unclassified in Policy 3). It is likely that current residents of the village rely heavily on the private car, and the same would be likely of any new residents and employees resulting from the proposed development. This reliance on the private car is not in accordance with the aspirations of HDPF Policy 40. In a similar vein to Policy 40, Paragraph 29 of the NPPF aims to promote sustainable transport solutions and choices, but recognises that opportunities to maximise these sustainable solutions will vary from rural to urban areas. In this rural location, it is unlikely that significant transport infrastructure will be implemented in the near future to reduce reliance on private vehicles for access services, facilities and employment.
- 6.47 In terms of access to local amenities, the nearest primary school is located approximately 3km from the site (in Shipley), and the nearest secondary school is 7.9km away (Steyning Grammar). The nearest supermarket is in Ashington, around 3.4km away. None of these amenities are within sustainable travel distances from the site, nor are there any fully surfaced and lit pedestrian routes to these locations. Access to them is highly likely to require a private car which will add to the traffic generated in the local area. Information generated from the Trip Rate Information Computer System (TRICS) supplied within the applicant's Transport Note suggests that a total trip generation is around 14/15 vehicle movements in the peak AM and PM periods. These figures are based on the previous 17 unit scheme, so the likely trip generation for the reduced 12 unit scheme would be less. WSCC Highways have confirmed that no highway safety or capacity concern is raised with regard to trip generation; therefore Officers accept that the proposed development will not have a detrimental or significant impact on the local highways network. However, this does not override the need to ensure that development is sustainably located and that development is well planned to reduce reliance on the private car for access to services and facilities.
- 6.48 PRoW 1859/1 is located to the north of the site and PRoW 1859 to the eastern boundary. These routes form part of a wider public rights of way network around the village and beyond, but they are currently largely inaccessible due to obstructions such as overgrown vegetation and collapsed fencing. The application proposed to uphold this PRoW and to upgrade and improve it to allow full accessibility. This proposal is welcomed, and is considered to be a public benefit associated with the scheme. WSCC Public Rights of Way team have confirmed that the improvements proposed are welcomed, and have suggested informatives to advise the applicant of the specifications and licences that would be required to undertake these works. However, whilst the improvements to these routes are welcomed, these paths generally provide access to the countryside for leisure and recreation, and therefore their improvement does not address the issue of the unsustainable location of development and access to services/facilities.
- 6.49 In summary, by virtue of the relatively remote location of the development site, lack of local services and poor public transport provision; the site is located in an unsustainable location, and conflicts with the requirements of Policy 40.

Parking

- 6.50 Given the unsustainable location and subsequent reliance on cars by future occupiers of the dwellings and employees of the commercial unit, sufficient parking should be provided within the site. Parking proposed on the illustrative layout drawing is considered to accord with the required standards. Parking indicatively shown for the flexible A1/B1 office element is 10 car parking spaces which is greater than the WSCC maximum standard of 9 spaces (1 space per 30m² of B1 floorspace). Parking for the residential element includes 24 spaces (including 11 garages) and an additional 2 visitor spaces. This allows for 2 car parking spaces per dwelling which is considered acceptable for the 2 and 3-bedroom units.

However, it is considered that the one 4-bed units (plot 11) should have 3 car parking spaces; therefore in the event of a recommendation for approval, this would be sought at Reserved Matters stage. Whilst it is considered that cycle parking can be accommodated within the site, the illustrative plans submitted do not currently indicate that any cycle parking is included, so again, this will need to be detailed at the Reserved Matters stage.

Landscape Impact

- 6.51 The illustrative outline plan PL002 Rev B shows indicative landscaping features within the site including proposed tree removal, tree planting, grassed areas, and some indication of proposed hard landscaping features such as block paving surfacing and a 2.5m acoustic fence on the eastern boundary. The Council's Landscape Architect was consulted, and after a site visit, has noted that the proposal is in general accordance with the requirements of Policy 31 of the HDPF, and that there would be no objection on landscape grounds.
- 6.52 The proposed (illustrative) boundary treatments are considered to be sympathetic to the rural nature of the site, and would work to preserve and enhance the existing hedging to provide a valuable green corridor. Proposed post and rail fencing and hedging adjacent to the PRoW would be rural in appearance, and would help to ensure that no 'closing in' of the route takes place, thus helping to preserve the countryside character of the PRoW whilst ensuring security for the future residents. The 2.5m acoustic fence to the eastern boundary is proposed to be combined with hedging and planting to help screen it from views within the site.
- 6.53 No objection is therefore raised to the proposed development in respect of landscape impacts. Landscaping conditions are recommended to ensure that full details of hard and soft landscaping are submitted and approved prior to commencement of development.

Ecology Impact

- 6.54 In support of the application, the Applicant submitted various supporting documents and surveys with regards to bats, reptiles, barn owls, and dormice. These surveys have been reviewed by the Council's Consultant Ecologist, and the key findings were that a single bat was recorded roosting within the building on site, a good population of slow worms have been found to be present, barn owl are known to roost on the site, and the habitat was considered sub-optimal for dormice.
- 6.55 As bats are protected under EU law by the Habitats Directive, the consideration of the Habitats Directive should be proportional to the value of the receptor and the impact. In this instance, impacts are considered likely to a low number of common bat species. Measures for avoidance and mitigation have been included within the Applicant's Bat Survey Report and are considered to be acceptable. If planning permission is granted, the Applicant will need to engage with Natural England to obtain a licence which would be required to proceed with demolishing the roost.
- 6.56 Subject to conditions relating to the submission of an Ecological Enhancement and Mitigation Plan, and a bat sensitive lighting scheme; the development is considered to be acceptable in terms of ecology.

Other Matters

Community Infrastructure Levy (CIL)

- 6.57 The application will be CIL liable development, and based on a net addition gross floorspace of 825.9m², has been calculated to generate a payment of £111,496.

Land Contamination

- 6.58 Previous communications between the applicant and the Council has highlighted the issue of ground contamination arising from historical use of the site. The Council's Environmental Health department have therefore recommended a condition to be applied to any permission granted in order to satisfactorily identify and mitigate any adverse effects of land contamination before any construction commences.

Drainage

- 6.59 In support of the application, the applicant submitted a drainage strategy by the Civil Engineering Practice. This was reviewed by the Council's Drainage Engineer and the proposed strategy was considered to be acceptable. The Drainage Engineer has recommended that conditions are applied to any permission granted to include evidence to show that an agreement is in place for the on-going maintenance of the SuDS systems, including the existing watercourse over the lifetime of the development; and/or evidence that the SuDS will be adopted by third party.

Other Material Considerations

Housing Need and Land Supply

- 6.60 In considering proposals for new residential development which are in conflict with the Development Plan, the Council's position in terms of a demonstrable 5-year housing land supply is a relevant material consideration. Part of the Applicant's justification for the proposal is that it will result in the provision of new housing in line with the Government's aim to '*boost significantly the supply of housing*' as set out in the NPPF. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year housing supply. The HDPF was adopted by the Council in November 2015 and currently makes adequate provision to meet a 5 year housing land supply for the District. The Council's current housing trajectory indicates that a 5.5 year housing land supply (109%, including 5% buffer) can be demonstrated. It is therefore considered that the HDPF is up-to-date for the purposes of paragraph 49. This point has been successfully defended in a number of appeal decisions made since the HDPF was adopted; such as the proposed development at Sandgate Nurseries in Henfield where both the Inspector and the Secretary of State acknowledged the Council's ability to demonstrate a 5 year land supply (DC/14/0588, APP/Z3825/W/14/3001703, December 2016).
- 6.61 Whilst the housing targets in the HDPF are not ceiling targets, given the above (and in terms of the plan-led strategy adopted in the HDPF), it is considered that there is currently no justification for additional housing at the present time other than that which may be brought forward on a site specifically allocated within the HDPF or those within a made Neighbourhood Plan as required by Policy 4. Without robust evidence to the contrary, the approval of ad-hoc development that does not accord with the requirements of the adopted development plan is highly likely to place a greater strain on infrastructure and service provision in the District and is therefore not considered to amount to sustainable development appropriate in this countryside location. A recent appeal decision at Chanctonbury Nurseries in Ashington (DC/15/1886, APP/Z3825/W/16/3151508, June 2017) identified a number of significant benefits arising from the proposed scheme, but the Inspector ultimately dismissed the appeal by virtue of its conflict with the overarching development principles of the development plan. This decision reinforces the importance of the plan-led system and makes it explicit that the policies and provisions of the development plan carry significant weight in the planning balance.

- 6.62 The Applicant argues that the provision of 12 residential units in this location will contribute to meeting identified local housing need. This need however, is not specifically identified or evidenced; and at present the housing need specific to Dial Post (or in West Grinstead as a whole) has not been quantified separately from the District-wide housing need identified through the HDPF background documents. The Parish Council have recently commissioned a housing needs study to support the production of their NDP, but this has not been completed or published yet, therefore the outcome is unknown. As such, it has not been demonstrated by the Applicant that there is a need for residential development of this type in this location.

Conclusion and Overall Planning Balance

- 6.63 The development of this site falls contrary to the spatial strategy set out in the HDPF as it is not allocated in the development plan or in a made Neighbourhood Plan, and does not adjoin a defined settlement boundary. As the HDPF is an up-to-date development plan, this in principle conflict weighs considerably against the grant of planning permission.
- 6.64 The development, as indicatively detailed in the illustrative plans, would result in some harm (albeit considered low harm), to the setting of the Grade II listed Alma Cottage. In this case the level of harm is 'less than substantial' and is outweighed by the benefits of the development when applying paragraph 134 of the NPPF. Nevertheless, s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities '*shall have special regard to the desirability of preserving the [listed] building or its setting*'. The identification of harm to a listed building carries considerable importance and weight when applying this section of the Act and leads to a strong presumption against the grant of planning permission. This presumption is though capable of being outweighed by material considerations of sufficient power.
- 6.65 The proposed development offers a number of benefits that weigh in its favour. These include the provision of housing, new and better quality flexible commercial floorspace, the re-use of previously developed land, and increased local spend and construction job opportunities. Further more limited benefits arise from the improved appearance to the site, the provision of a commuted sum towards affordable housing, and improvements to the public footpath and site entrance. There is also an existing extant planning permission for a development of a similar scale and impact across this site which weighs considerably in favour of the grant of planning permission.
- 6.66 Overall, it is considered that the extant planning permission for a development of a similar scale and impact, which can be implemented up to 18 December 2018, is of sufficient material weight that it outweighs the considerable weight that should be applied to the conflict with the core spatial planning policies within the HDPF and the harm (albeit limited harm) that would result to the setting of the listed building. For these reasons the application is recommended for approval subject to the recommended conditions and a s106 agreement to secure the affordable housing and visibility splay monitoring contribution.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development.**

In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage.

7. RECOMMENDATIONS

- 7.1 To approve the application subject to conditions and completion of a s106 Legal Agreement to secure affordable housing and monitoring contributions

CONDITIONS:

1. PLANS LIST

2. STANDARD TIME 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.

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 provide for, but not be limited to:

- i. construction working hours
- ii. the parking of vehicles of site operatives and visitors
- 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 neighbouring dwellings and occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. **PRE-COMMENCEMENT CONDITION:** No development shall take place, including any works of demolition, until an Ecological Mitigation and Management Plan (EMMP) based on up to date ecological surveys, and incorporating all recommendations from the supporting ecological information, has been submitted to and approved in writing by the Local Planning Authority. The EMMP will include full details of the proposed reptile receptor site, as well as measures for habitat protection of retained habitats, avoidance measures with regards to protected and notable species (such as bats, reptiles, dormice and nesting birds), and enhancement

measures for biodiversity. The EMMP will be revised if necessary to incorporate any methodologies agreed with Natural England during the licensing process. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), NPPF and Policy 31 of the Horsham District Planning Framework.

5. **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 in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.

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

6. **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 in consultation with Southern Water. 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 and 38 of the Horsham District Planning Framework (2015).

7. **PRE-COMMENCEMENT CONDITION:** Prior to the commencement of development hereby approved (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

a) A preliminary risk assessment which has identified:

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

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

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development

works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

8. **PRE-COMMENCEMENT CONDITION:** No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details that have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority. The vehicular access shall be retained as such thereafter.

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

9. **PRE-COMMENCEMENT (LIGHTING) CONDITION:** No external lighting shall be installed until a bat sensitive lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted lighting scheme shall be produced in accordance with the recommendations made in the bat survey reports (by Arbtech, dated 28 April 2017 and 19 July 2017). The lighting shall be implemented in full accordance with the approved details prior to their first use and shall be retained as such thereafter.

Reason: To provide ecological protection and enhancement in accordance with the Conservation of Habitats & Species Regulations 2010 (as amended), NPPF and Policy 31 of the Horsham District Planning Framework.

10. **PRE-COMMENCEMENT (SLAB LEVEL) CONDITION:** No residential development above ground floor slab level shall commence until a scheme for sound attenuation against external noise for all residential dwellings has been submitted to and approved by the Local Planning Authority. The approved sound attenuation works shall be installed prior to the first occupation of each dwelling and shall be retained as such thereafter.

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

11. **PRE-COMMENCEMENT (SLAB LEVEL) CONDITION:** No development above ground floor slab level of any part of the residential 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).

12. **PRE-COMMENCEMENT (SLAB LEVEL) CONDITION:** No development above ground floor slab level of any part of the residential development hereby permitted shall take place until details of the upgrading works to the Public Rights of Way have been submitted to and approved in writing by the Local Planning Authority. The upgrading works to the Public Rights of Way shall be carried out in full accordance with the approved details prior to first occupation of the residential units and the works shall be retained as such thereafter.

Reason: To ensure improved pedestrian access around the development to accord with Policies 39 and 40 of the Horsham District Planning Framework (2015).

13. **PRE-OCCUPATION CONDITION:** Prior to the first occupation (or use) of any part of the development hereby permitted, visibility splays of 2.4 metres by 25 metres and 43 metres shall

have been provided at the proposed site vehicular access onto Worthing Road in accordance with the approved planning drawings within the Stage 1 Road Safety Audit (Peter Brett, October 2017). 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 in writing.

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

14. **PRE-OCCUPATION CONDITION:** Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition 8 are complete, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

15. **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).

16. **PRE-OCCUPATION CONDITION:** Prior to the first occupation (or use) 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).

17. **PRE-OCCUPATION CONDITION:** Prior to the first occupation (or use) 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 and 38 of the Horsham District Planning Framework (2015).

18. **REGULATORY CONDITION:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the commercial premises hereby permitted shall be used for A1 or B1 use only and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to (insert with reasons) under Policy 33 of the Horsham District Planning Framework (2015).

19. **REGULATORY CONDITON:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

INFORMATIVES:

Conditions to be Discharged

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms .

Bats

The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: enquiries@bats.org.uk, <http://www.bats.org.uk/>.

Unexpected Contamination

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

Highways Works

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Implementation Team Leader (on 01243 642105) or visit <https://www.westsussex.gov.uk/> to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Southern Water

Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.

Surface Water Drainage Statements

A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.

Landscape Details

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

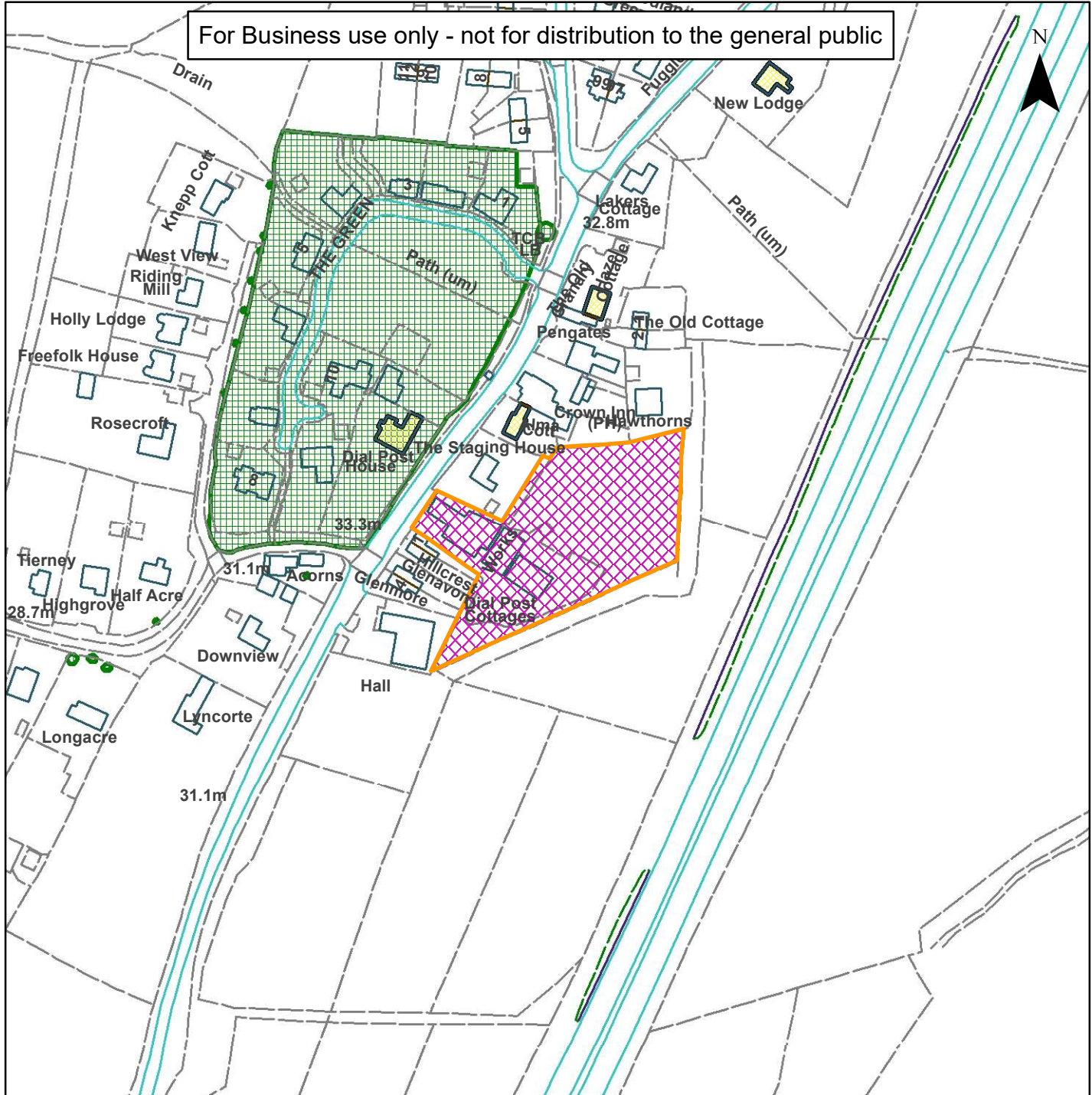
Background Papers:

DC/14/1402

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Organisation	Horsham District Council
Department	
Comments	
Date	07/12/2017
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21 December 2017

DEVELOPMENT: Proposed creation of new vehicular access into woodland from Rock Road, laying of hardstanding to form stacking area, loading bay and access track associated with forestry management activities.

SITE: Longbury Hill Wood Rock Road Storrington West Sussex

WARD: Chantry

APPLICATION: DC/17/2117

APPLICANT: **Name:** Mr Julian Hanbury-Aggs **Address:** Little Thakeham Farm Merrywood Lane Storrington RH20 3HE

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations have been received of a contrary view to the Officer recommendation.

RECOMMENDATION: To approve planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The proposal concerns the creation of a vehicular access off Rock Road to form a loading bay / stacking area which can then be used to facilitate the wider forestry works on the site.
- 1.3 The proposed new access / loading bay would be sited some 85m west of Gorsebank Close, and would be 40m in length and 7.5m wide with a timber stacking area indicated along its eastern side. A 15m x 5m wide turning spur would be formed along the western side to allow vehicles to turn within the site and exit onto Rock Road in forward gear. The proposed access would be provided with a 10m wide bell-mouth access to the road, to a depth of some 2.5m into the site, allowing visibility splays in each direction of in excess of 120m.
- 1.4 The proposed new access / loading bay would be formed of a geotextile membrane under 0.175m depth of well-compacted MOT type 2 sub-base with a 0.05m top layer of MOT type 1 top surface (limestone aggregate). The spur and access would be formed with a camber and drainage gulleys, which would maintain the existing gully running alongside Rock Road. the road edge would be reinforced with granite setts to prevent degradation through use.

- 1.5 No building up or excavation of the site is required and the access / loading bay will have an expected height variation above the natural ground level of some 0.25m. No gates are proposed and a simple timber barrier would be used to prevent unauthorised access to the site.

DESCRIPTION OF THE SITE

- 1.6 The application site is a small part of a larger area of privately owned and maintained woodland set on the southern side of Rock Road and to the east off Hampers Lane, amounting to an overall area of about 10ha. The wider site lies adjacent to the defined built-up area boundary of Storrington along its western and northern sides, and for planning purposes, lies within the rural area.
- 1.7 The smaller area concerning the current planning application proposal is located along the northern edge of the site, abutting Rock Road, amounts to an area of some 395sq.m. There are two residential properties which lie directly opposite the application site, Welmdene and Spring Cottage, both of which are screened from the road by reasonably robust vegetated front boundaries.
- 1.8 The wider site includes an existing vehicular access off Hampers Lane, a private single track road which serves a large number of residential properties within the Heath Common area, and was formerly used in association with the sandpit quarry located within the site along its western side. The applicant also indicated during the site visit, that there is a right of vehicular access to the site from the south, along a single-width residential access drive to 'Rosebay' which leads off Hampers Lane.
- 1.9 The wider site includes a plantation of Scots Pine which are some 50 years old and were intended as a forestry 'crop'. Historic maps depict this area within the site as a 'plantation'. Also evident across the site was an understory of sprawling *Rhododendron ponticum* with some heathland habitat returning to previously cleared areas.
- 1.10 There are no designations on the land in terms of tree preservation orders, ancient woodland or archaeological areas of interest. The site does not lie in a designated flood zone, and there are no public rights of way or bridle paths through the site, although it is noted that Hampers Lane forms a public footpath which runs along the wider site's western boundary.
- 1.11 It is noted that there is a Forestry Commission Felling Licence for the site (FLA/019/180/17-18) covering the felling of the commercial forestry crop consisting of mature Scots Pine plantation that was established approximately 50 years ago within the central swathe of the site, and which is ready for harvesting. The Felling Licence is conditional on the areas being re-stocked to maintain woodland cover.
- 1.12 In addition, the works set out under the Felling Licence also involve the coppicing of Chestnut, Birch and Oak trees within the northern sectors of the site, which will regenerate the woodland. The maintenance works will seek to eradicate the non-native invasive *Rhododendron ponticum* growth that has spread throughout the understory of the site, at the expense of the native species.
- 1.13 Currently, the only access in to the site is via the private Hampers Lane to the west of the site, which is narrow and has limited passing places, as well as a narrow junction onto Rock Road at a blind summit off the public highway, presenting problems with large forestry trucks accessing the site in order to carry out maintenance and improvement works. It would appear that some of the neglect to the woodland over the last 50 years has been in response to access difficulties from Hampers Lane.

- 1.14 In September 2017 an Agricultural Prior Notification (DC/17/1727) was refused on account of the works not complying with the criteria of Class E of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. In essence, the proposed creation of the forestry access track required full planning permission, as it would adjoin a classified public highway. This type of Prior Notification is not subject to a public / neighbour notification procedure. The formal planning application has therefore been submitted for full consideration.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 **National Planning Policy Framework:**
NPPF1 - Building a strong, competitive economy
NPPF4 - Promoting sustainable transport
NPPF7 - Requiring good design
NPPF10 - Meeting the challenge of climate change, flooding and coastal change
NPPF11 - Conserving and enhancing the natural environment
- 2.3 **Horsham District Planning Framework (HDPF 2015)**
HDPF1 - Strategic Policy: Sustainable Development
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF26 - Strategic Policy: Countryside Protection
HDPF31 - Green Infrastructure and Biodiversity
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF40 - Sustainable Transport

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Storrington, Sullington and Washington Neighbourhood Plan is currently subject to another pre-submission consultation and therefore has limited weight

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1727	Prior approval for the creation of a forestry access track and stacking area	OBJECTION to Notification on 25.08.2017
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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

INTERNAL CONSULTATIONS

- 3.2 Arboricultural Officer: No Objection:-

- Longbury Hill Wood is a tract of woodland measuring around 10 hectares in square area and constitutes primarily a plantation of Scots pine trees. Along its northern boundary, abutting Rock Road, are two roughly delineated areas containing a high proportion of coppiced Sweet chestnut, standard Silver birch and other mixed

broadleaves trees; the two largely peripheral areas abutting its eastern and western boundaries would be more accurately described as mixed woodland.

- This woodland is not subject to any constraint or designation. It is not subject to a tree preservation order; it does not lie within a conservation area or Area of Outstanding Natural Beauty (AONB); nor is it considered to be ancient woodland, explaining its exclusion from the **Revision of the Ancient Woodland Inventory for West Sussex (January 2010)**. As a plantation, it is inevitable that the time will come – possibly determined by the price of timber – when it is set to be harvested.
- The woodland is presently unmanaged and in very poor condition, primarily on account of an intensive colonisation by rhododendron. The Scots pine is now semi-mature and in a condition, and at a size, making timber extraction viable. It is understood that a felling licence has been applied for from the Forestry Commission to clear fell the central area of Scots pine (approximately half the square area of the site), subject to a re-stocking order. At the same time the areas of coppice stool, abutting Rock Road, are to be re-coppiced, and the rhododendron on the whole site cleared. In general terms, these actions represent standard beneficial woodland management, improving the area's biodiversity, though the specific matter of the determination of the felling licence application, and compliance with the re-stocking order, are under the jurisdiction of the Forestry Commission.
- Should a licence be granted, an off-road loading bay will clearly be required somewhere on the site enabling timber extraction to be carried out, without causing obstruction to the local highways abutting the site. The position selected will require a measure of levelling, importation of roadstone, and the clearing of a relatively small number of trees. Within the context of the works as a whole, this will not result in any damage to the woodland, nor any long-term alteration of the natural hydrological patterns in the locality. It should be noted that the design for the loading area is recommended as best practice as set out in the **UK Forestry Standards Operations Note 25 'Forest Roads and Tracks' (Aug 2011)**. Some cutting back of the boundary trees abutting Rock Road will be required to create suitable visibility splays in each direction from the access; but this is readily achievable without requiring the removal of any large roadside trees and will also not result in any harm to the area.
- In terms of this stand-alone application, the activities required for creation of the access, visibility splays, and internal works, including minor tree felling and creation of a loading and turning area, will not result in any long-term damage or harm to the wooded area, nor to its overall visual contribution to the local area. In terms of what the proposal facilitates, it contributes to the overall long-term enhancement of the site, making a positive contribution to biodiversity in compliance with policy 31 of the **Horsham District Planning Framework (November 2015)**.

3.3 Drainage Engineer: No Objection, the submitted drainage details are acceptable.

3.4 Ecology: No Objection:-

- The submitted *Protected Species Walkover Survey (dated November 2017)* confirms that the red line boundary is unlikely to support species such as dormice, bats and reptiles.
- Further data requested from the Sussex Biodiversity Records Centre confirms that there have been no reported sightings of Great Crested Newts, despite the presence of ponds within 500m of the site

- In the event of planning permission being granted, a suitable condition is advised to ensure that works are in accordance with Section 6 of the *Protected Species Walkover Survey* (by AEW/C).

OUTSIDE AGENCIES

3.5 West Sussex Highways: No Objection:-

- Additional information demonstrating the Vehicle Tracking Plan has been submitted and the details considered to be sufficient;
- No Highway Objection is raised subject to the inclusion of conditions regarding provisions of visibility splays and turning space prior to first use of the access.

3.6 Washington Parish Council Consultation: No Objection:-

- It was noted that the felling of the mature Scots Plan plantation in Longbury Hill is subject to licence by the forestry commission and is not the subject to this application, with a restocking order to maintain woodland cover;
- It was also noted that the existing Hampers Lane access is inadequate with poor visibility onto Rock Road, and has resulted in the woodland becoming neglected and infested with invasive non-native Rhododendron;
- No Objections to the principle of the proposed Rock Road access, owing to concern that refusal of the proposal would result in access to the site via Hampers Lane by large lorries, which is considered dangerous, particularly due to the blind junction.

3.7 Thakeham Parish Council Consultation: No Objection:-

- Council notes that the forestry aspects of this proposal are subject to a separate license, and that the proposal addresses key ecological aspects including the requirement to replant the area and to control rhododendron infestation;
- Officers are requested to further review and advise on appropriate measures to mitigate risks particularly relating to eastbound vehicles on Rock Road cresting the blind ridge, some 150m from the proposed access point, where vehicle speeds are frequently in excess of 40m.p.h.;
- Concern particularly relates to the logging period (some 2-3 months) so there may be a role for temporary signage;
- Measures to tackle muddy surface water run-off from the new hard-standing onto Rock Road – can permeable design be utilised to address this?
- Council requests HDC and WSCC Highways officers to engage with the applicant to put in place an explicit logistic plan for vehicles carrying logs from the site. The strongly preferred direction of vehicle movements is via the easterly section of Rock Road to access the A24. It was noted that (dependent on expected length of timbers being carried) there may be a problem with the sharp bend at Muttons Farm; however, it may be possible to navigate around this issue via Newhouse Lane and Muttons Lane. The route north-westwards via Merrywood Lane and the B2139 northwards is problematic and should be ruled out, as long vehicles already regularly get stuck in the narrow/steep-sided bends over Dukes Hill. If there is no alternative to vehicles moving west along Rock Road, they need to be directed south along Water Lane to the A283 (although that junction may be problematic), and not through central Storrington. And if

this route is to be used, then timing of lorry movements should be restricted to between 9.30am and 2.30pm, to avoid clashing with peak vehicle movements around the Rock Road school site. The applicant has signalled flexibility on these issues.

PUBLIC CONSULTATIONS

3.8 Letters of objections from 90 properties have been received citing the following concerns:-

- destruction of old / ancient woodland
- change of character from natural woodland reserve to intensive commercial forestry site is unexpected at this site
- Scots Pines are good for wildlife - not good for commercial purposes
- Space designated as a 'green space' in the emerging Neighbourhood Plan / site to be enjoyed and conserved as an 'unmanaged site' in Storrington, Sullington & Washington 2016 'Local Green Spaces Report'
- radical impact on wildlife arising from clearance of trees - no appropriate wildlife / habitat survey conducted
- large-scale habitat destruction from tree clearance works
- worrying use of herbicides to 'eradicate' Rhododendron - has not taken over the site
- moral obligation to maintain woodland cover
- focussing on the harvesting of the plantation crop of Scots Pine overlooks irreplaceable value of woodland trees
- how much useable timber is there on the site and what will it be used for?
- Will work be phased to maintain tree cover throughout the site and avoid gaps in the woodland?
- Works to TPO's in nearby / adjacent residential gardens often met with resistance in terms of 'character' - proposal to remove thousands of trees will permanently affect rural character

- coppicing required to provide visibility splays but will open site to fly-tipping, anti-social behaviour such as moto-cross, and security issues
- removal of vegetation will allow wildlife to exit onto highway - increased risk to highway users
- existing access to the woodland should be used
- loss of Anglo-Saxon boundary bank onto Rock Road
- loss of character
- increased noise from intensive forestry activity and loss of a sound barrier
- historically, land-owner has allowed Hampers Lane residents to access the woodland site for amenity purposes - hence it is covered in 'well-trodden paths' - loss of amenity in event of woodland clearance
- proposed timber barrier may not be sufficient to prevent unwanted activity occurring within the site
- potential plans to redevelop the site
- site has great amenity value and provides families and dogs with an area to exercise
- loss of peace and quiet to local residents overlooking the site
- question on the need for an area of hard-standing as large as proposed when it is for a temporary period of works
- potential for remaining trees to fall on homes during storms if natural windbreak in the form of the woodland is removed
- increased water run-off to properties north of the site - properties in Melrose Place and Gorse Bank Close have high water table resulting in standing water -
- use of tarmac in woodland area is inappropriate

- loss of tranquil amenity value and environment
- any new homes on the site will increase traffic

- no idea on length of time required to undertake works - so potentially an ongoing level of disturbance
 - loss of view from properties opposite proposed access - proposed industrial site
 - loss of privacy to nearby neighbours on account of people / workers coming and going
 - residents may have purchased properties on the understanding of the site being identified as a wooded area rather than a commercial plantation site
 - no evidence of felling licence
 - lack of security could encourage trespassing
 - distress to nearby residents awaiting uncertain future of cleared site
-
- unsuitable exit onto Rock Road
 - HGV traffic is not encouraged along Rock Road
 - speeding traffic in excess of 40mph limit
 - provision of access will encourage people to use it to pull in, increase in litter, noise and other unwarranted activities
 - scale of access proposed is not commensurate with the woodland size and poor quality of crop
 - visual impact of new access once works are complete
 - additional 100+ vehicles will impact on local traffic, pollution and congestion issues
 - slow-moving and turning trucks along fast stretch of road will cause accidents
 - Rock Road used by school children / drop-offs along road from coaches
 - concealed driveways opposite - poor location along Rock Road
 - damage to road surface from turning vehicles
 - provisions for wheel cleaning at the site?
 - more suitable site directly opposite Gorsebank Close and within Scots Pine plantation
 - increased visibility along Rock Road from clearance works will encourage speeding along road
 - scale of proposed industrial-sized logging operation unsuited to Rock Road
 - WSCC comments should take account of make-up of the new roadway, how speeds will be reduced along Rock Road off the brow of the hill, how mud / debris will be prevented on the public highway
 - inappropriate to allow a new access into Longbury Hill Wood from Hampers Lane at the blind summit
 - lorries waiting to turn will block driveways opposite and block the whole road
 - increased risk to pedestrians and horse riders along Rock Road
-
- Queries on whether there will be operation time limits on works, restriction on vehicle size to prevent damage to road surface, whether the site would be locked / secured once clearance works has finished
 -
 - Whether this is precursor to other development of the site, and if the track is temporarily needed, could surface be removed once no longer needed?
-
- Concern that the proposal was not more widely notified / publicised – leading to concern that there was insufficient notice and time for more affected residents to comment on the proposal
-
- Assurances necessary that woodland management means the nature of the woodland is unchanged

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:

- 6.1 The application does not seek planning permission for felling or coppicing of the woodland, and no permission would be required for such works. The works instead require a 'Felling Licence' from the Forestry Commission, such a licence exists (under ref: FLA/019/180/17-18) covering the felling of a commercial crop of mature Scots Pine that was established approximately 50 years ago within the central swathe of the site. It should be noted that the Felling Licence is conditional on the areas being re-stocked to maintain woodland cover. Although outside the scope of this application the Felling Licence represents best practice in terms of the long-term woodland management, with the previous lack of management of the woodland resulting in the incursion of the Rhododendron ponticum, which is an invasive and non-native species that can have some very negative impacts on woodland habitat as it excludes other native species.
- 6.2 The planning application seeks only to install / construct a vehicular access and loading bay off Rock Road, which would facilitate vehicular access to the site, thus assisting with planned forestry management works across the site. The proposal would therefore support the needs of forestry and would be essential to the countryside location, thereby according with policy 26 of the HDPF.

Impact on trees / biodiversity:

- 6.3 HDPF policy 31 requires proposals to 'maintain or enhance' existing green infrastructure networks. Proposals that result in the loss of existing green infrastructure would be resisted unless the proposal demonstrates that new mitigating opportunities will be provided to retain the wider ecosystem. Furthermore, this policy sets out support for proposals which retains and enhances significant features of nature conservation interest.
- 6.4 The proposed track would affect some 0.4% of the wider site, resulting in the loss of some trees in the location of the proposed access track. The area covered by the proposed access and loading bay would therefore be minimal in terms of the wider site, and is considered to represent benefits to the overall long-term positive management strategy for the woodland site, which the current owner appears to be implementing. As such, the proposed access track would facilitate this positive management approach, and the loss of trees in what is a very small proportion of the wider site would not be considered contrary to the aims of policy 31 of the HDPF.
- 6.5 The Council's Arboricultural Officer has raised no objections to the proposal, noting that the site is not subject to a TPO / woodland protection order or Ancient Woodland status, with most of the woodland comprising reasonably 'young' stock of Scots Pines, planted around 50 years ago.

- 6.6 A protected species walkover survey has been undertaken by the applicant and considered by the Council's Ecologist, who has commented that the report confirms that the application site is unlikely to support species such as dormice, bats and reptiles; and there have been no great crested newt records within 500m of the site. For these reasons there is no objection to the proposal on ecology grounds, and the proposed forestry access track is unlikely to affect any protected species.

Visual Impact:

- 6.7 There would be a loss of approximately a 9m width of vegetation to facilitate the required bell-mouth access. This loss would be viewed in relation to the wider site, which encompasses a retained road frontage of some 180m to the west and some 200m to the east. Therefore, in relation to the scale of woodland maintained along the site's northern boundary, the proposed vehicular access track would represent a reasonably modest break in the continuous vegetated site boundary, and no adverse visual harm is judged to occur as a result of the proposal.
- 6.8 The proposed access would be constructed in a manner that seeks to provide a visually recessive surface of aggregate, rather than tarmac, which would be commensurate with the woodland location. The proposal does not seek permission for gates across the access, only a timber bar to prevent trespassing and other vehicular access. This light-weight barrier would also be considered to be commensurate with the woodland site and the overall rural appearance of the area,
- 6.9 Furthermore, it is noted that the siting of the loading bay and access would be set opposite a vegetated front boundary of residential properties Welmdene and Spring Cottage. Visually, the staggered positions of the respective vehicular accesses off Rock Road would maintain the rural aspect of the area.

Neighbour Impact:

- 6.10 Policy 33 of the HDPF requires that proposals do not lead to unacceptable harm to the amenities of neighbouring occupiers / users, for example, through overlooking or noise.
- 6.11 The volume of representations received in response to the proposal is noted, along with comments made, many of which refer to the loss of woodland and habitat, noise and environmental impact arising as a result of the felling works, rather than the proposed access track / loading bay itself. The coppicing works and wider clearance / felling works to the Scots Pine plantation do not require planning permission and cannot therefore be considered as part of the current application. If complaints did arise from these works they could potentially be investigated under separate, Environmental Health, legislation.
- 6.12 The planning application deals with the merits of the proposed access / loading bay which would assist in facilitating the wider works, but are not essential to the implementation of the felling licence. The use of the access would not be expected to generate significant or harmful levels of noise or disturbance for adjoining properties given existing traffic flows and vehicular background noise levels in this section of Rock Road. The proposal is not therefore considered to be contrary to the above policy.

Impact on Highways:

- 6.13 HDPF policies 33 and 40 both require safe and suitable access, parking and integration with existing routes.
- 6.14 The site has an existing gated access to the western section of the site from Hampers Lane, a private lane with limited passing places. This part of the site appears to be significantly lower than the area of land which is to be coppiced and felled, and is sited

within the area of mixed woodland which is to be retained at the site. This access was not deemed suitable to provide access to the site in association with the required forestry works; this proposal therefore seeks permission for the access onto Rock Road.

- 6.15 Washington and Thakeham Parish Councils accept the limitations of accessing the site as it currently stands and consider a new access directly off Rock Road would be desirable. The proposed access directly off the public highway along Rock Road, which is straight and provides for optimal visibility in each direction, is considered to represent the most favourable option in terms of facilitating the imminent and any future forestry maintenance works across the sider site.
- 6.16 The applicant has provided swept path analysis, drawn to incorporate a lower turning speed of the vehicles entering the site, to demonstrate sufficient space within the site to manoeuvre a forestry vehicle and exit the site in forward gear. There would be visibility splays of 120m in both directions along this straight section of road and this would prevent any safety hazard for users of Rock Road. The Highway Authority has raised no objection to the proposal, which is considered acceptable in terms of highway impacts.

Other Matters:

- 6.17 The site is not subject to any statutory designation and there are no identified archaeological sites within the application site. The works do not propose ground disturbance works with the exception of drainage ditches along the edges of the storage / loading bay.
- 6.18 While the site is not defined as being at risk of flooding under Flood Zone the Environment Agency has recorded instances of surface water flooding along Gorse Bank Close, to the south-east of the site, resulting in a 'low' risk along this nearby roadway. The nature of the proposal is not though anticipated to adversely affect a current 'low' risk area situated some 100m to the north-east.
- 6.19 Consideration has been given to the reference of a non-designated heritage asset potentially affected by the works, forming an Anglo-Saxon boundary within Washington, the line of which passes through Longbury Hill Wood, reference Benna's Hill. On the basis of the available information the line of the boundary bank lies some distance to the east of the application site and would not be affected by the proposed development.

Conclusion:

- 6.19 The proposed new vehicular forestry access track of some 40m depth and turning spur to facilitate the stacking and loading of logs and associated forestry trucks, which would facilitate imminent and future forestry maintenance works at the 10ha privately-owned woodland site, accord with the local and national planning policies. Accordingly, the proposal is recommended for approval subject to the following conditions.

7. RECOMMENDATIONS

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

1 **Approved Plans Condition**

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.

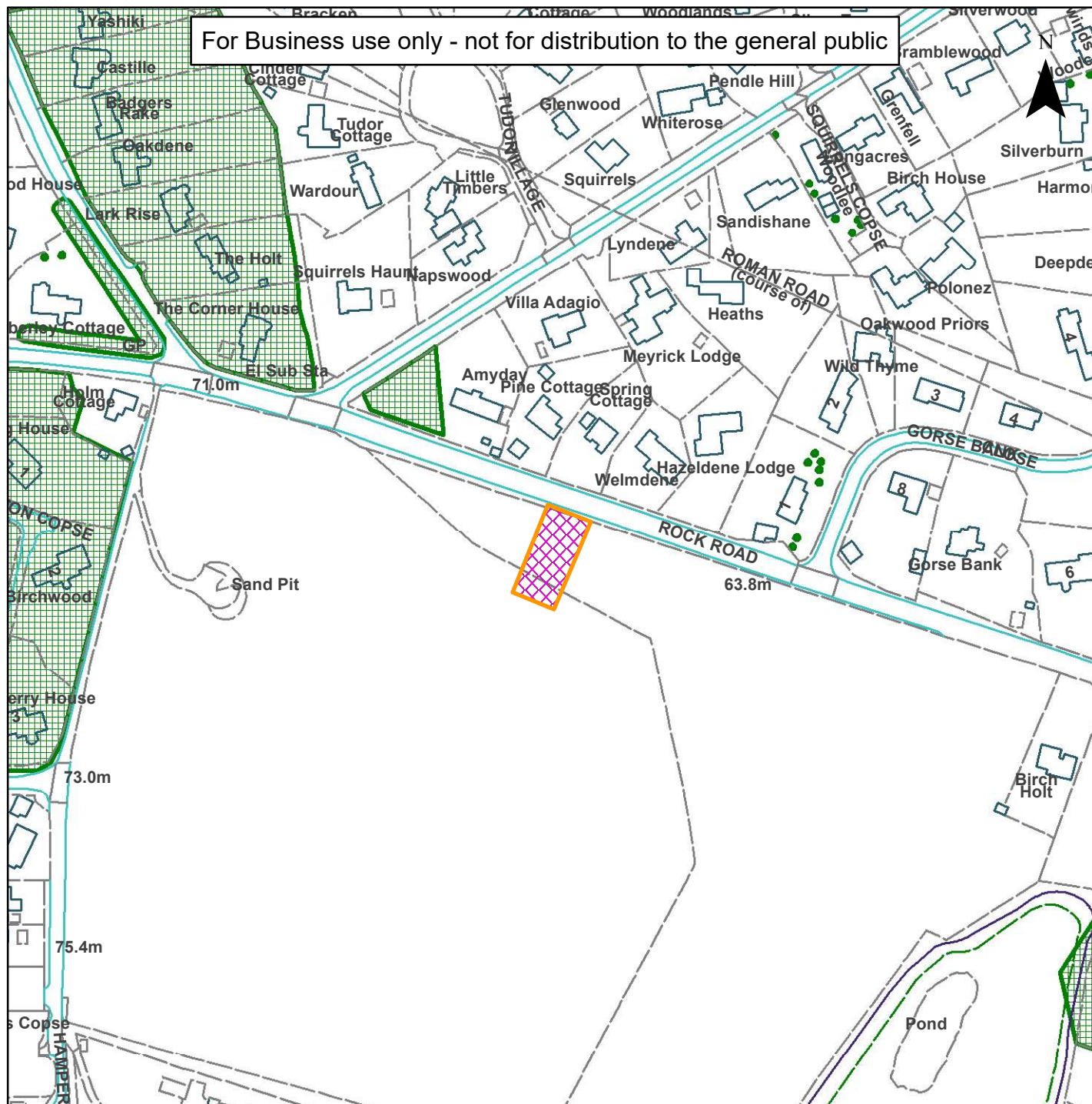
- 3 **Pre-Occupation Condition:** Prior to the first use of the hereby approved access the vehicle turning space shall be constructed in accordance with the approved site plan. The turning space shall thereafter be retained at all times for its designated use.
Reason: In the interests of road safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 4 **Pre-Occupation Condition:** Prior to the first use of the hereby approved access visibility splays of 120 metres by 2.4 metres shall be provided either side of the vehicular access onto Rock Road. 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 the interests of road safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).
- 5 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Loading Bay drawings submitted on 20 September 2017.
Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 6 **Regulatory Condition:** The hereby approved development shall take place in accordance with Section 6 of the *Protected Species Walkover Survey* by AEWG and dated November 2017, unless otherwise agreed in writing by the Local Planning Authority.
Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2117

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Organisation	Horsham District Council
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 19 December 2017

DEVELOPMENT: Erection of a two-storey four bedroom dwelling with detached garage, associated hardstanding and alterations to access

SITE: Firtops Grove Lane West Chiltington Pulborough West Sussex RH20 2RD

WARD: Chanctonbury

APPLICATION: DC/17/1499

APPLICANT: **Name:** Mr & Mrs P Barker **Address:** c/o Agent

REASON FOR INCLUSION ON THE AGENDA:

RECOMMENDATION:

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The proposal seeks to subdivide the existing residential plot to create a new residential curtilage within the northern section of the site, utilising the same vehicular access as the host dwelling.
- 1.2 The new property would be sited approximately 15m off the northern boundary with a footprint of approximately 14m x 6.8m and an additional rear gable-end bay approximately 3m in depth. The design of the new dwelling would include first-floor accommodation set largely within the roof-space and served by front and rear part-inset dormers and a rear-facing Juliet balcony. A half-hipped roof form with brick elevations and a clay-tiled roof seeks to create a 'traditional' appearance, with elevations broken up by arched soldier coursing and painted brick banding.
- 1.3 The proposed dwelling would retain distances of separation of approximately 12m to the western boundary with Firwood Cottage (cumulative distance of approximately 21m), approximately 20m to the boundary with Yew Tree House (cumulative distance of approximately 32m), and some 4m between the garage and the neighbouring property Firwood.
- 1.4 Indicative site sections show a 2.4m difference between the proposed new ridge level and that of the closest dwelling Firwood Cottage, with the intervening garage stepping down to a height that is comparable to the neighbouring property at Firwood, seeking to utilise some of the natural slope level.

- 1.5 The resulting footprint of the proposed new dwelling and double garage would amount to some 150sq.m.

DESCRIPTION OF THE SITE

- 1.6 The application site forms a large residential plot accessed off a single-width private track, Grove Lane, within the West Chiltington built up area.
- 1.7 The host property forms a white rendered detached house which is set back some 40m off the site's northern boundary with Grove Lane, and is therefore sited with most of its amenity space to the front. The vehicular driveway into the property is a sloping track off Grove Lane, leading to a large turning area at the front of the house where there is also a double garage. The site boundaries are reasonably well screened by mature vegetation and trees. Given the rising topography and the vegetation across the wider site, the host property is visible only from limited vantage points along Grove Lane, notably from the northern edge where the access drive joins the Lane. It is also noted that none of the trees on the site are subject to preservation orders and the site does not lie within a conservation area.
- 1.8 The host property has an overall site area of some 3811sq.m, which is significantly larger than its immediate adjoining neighbours, including Firwood Cottage, Mallards, Yew Tree House and The Rustlings, which vary in site area from around 1140sq.m to some 1940sq.m, with each of these properties taking up a central position in relation to their site boundaries. In comparison there are some properties on the northern side of the lane which are comparable to the host property in terms of site areas. Quilters has an area of some 6330sq.m, and is the largest plot on the lane.
- 1.9 Grove Lane provides vehicular access to some 20 properties, with a couple of spurs leading off the lane that serve clusters of dwellings. Whilst on site, it did not appear that the lane operated only as a one-way route, suggesting that it currently provides access from both Roundabout Lane and Threals Lane.
- 1.10 The site visit also revealed a number of trees across the site having recently been felled, increasing the sense of light and space to the northern area of the site, which is the location of the current planning application. What appeared to be a dry valley landscaping feature was also noted in this northern part of the site, along with a topography which drops towards the west.

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 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
 Policy 26 - Strategic Policy: Countryside Protection
 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

2.4 RELEVANT NEIGHBOURHOOD PLAN

The West Chiltington Neighbourhood Plan is still at pre-submission stage and therefore still carries limited weight

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/07/0433	High hedges complaint	Application Permitted on 09.08.2007
DC/16/0309	Removal of thatched roof and replacement with tiles	Application Permitted on 31.03.2016
SG/22/82	2 storey extn to provide garaging and stores at ground floor and additional bedroom/bathroom at first floor	Application Permitted on 28.09.1982
SG/8/82	Two storey extension	Application Permitted on 30.04.1982
SG/5/69	Extension to form utility room	Application Permitted on 21.02.1969
SG/38/65	Extension to include studio, three bedrooms and bathroom	Application Permitted on 08.12.1965

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

OUTSIDE AGENCIES

3.2 WSSC Highways: No Objection:-

- Grove Lane is a private road;
- The nearest junction with the public highway at Roundabout Lane, where there is no apparent visibility issue and no evidence that the junction has been operating unsafely;
- The applicant would be advised to contact the proprietor of Grove Lane to obtain formal approval to carry out works affecting the private lane.

3.3 Southern Water: No Objection:-

- No stated means of foul disposal from the site – Southern Water would require a formal application for connection to the Public Foul Sewer required from the applicant / developer;
- Application lies within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy;
- There is the potential for public sewers to be crossing the site, formerly deemed to be private;
- Southern Water can provide a water supply to the site but requires formal application for connection and on-site mains to be made to Southern Water by the developer / applicant.

PUBLIC CONSULTATIONS

3.4 Parish Council Consultation: Objection:-

- Overbearing – impact on neighbouring properties;
- Not in keeping with surrounding Wells Houses;
- Too large for plot size;
- Concerns over access onto single-track unmade road;
- Affect setting of Wells Houses – Policy EH10 in West Chiltington Draft Neighbourhood Plan.

3.5 Representations have been received from 10 properties along with a petition signed by some 28 neighbouring individuals objecting for the following reasons:-

- Additional access to unmade road - close to bend and access point to 3 other properties (*Second access omitted from current proposal*);
- Increased traffic along lane / bridleway (getting busier owing to online shopping trends);
- Construction traffic cause unacceptable pressure on narrow and unmade road;
- Lack of access for emergency services;
- Further tree felling needed in addition to existing trees lost on site;
- Loss of garden space / harm to wildlife and biodiversity;
- Loss of trees and hedgerows contrary to objectives in Village Design Statement and HDPF policies;
- Unsustainable;
- Create new and unwanted views for many neighbours;
- Principle of infilling is contrary to draft neighbourhood Plan;
- Does not meet local housing needs (which are for small dwellings for downsizing or for affordable);
- Sizable gardens to other properties;
- Unacceptable resulting density;
- Unsympathetic in design, form and scale to site context and neighbouring development - out of character from local vernacular / Wells Cottages;
- Overbearing on area owing to gradients at the site;
- Overbearing on Firwood Cottage which has a narrow rear courtyard garden and is only some 7.2m off application site boundary and about 1-1.2m below garden - proposal would need significant earthworks to create level ground;
- Loss of light to Firwood Cottage;
- Potential to remove screening by any prospective owners exacerbating overbearing impact on Firwood Cottage - main screening provided by a large conifer tree which has been subject to discussions with applicant and requests to remove it;
- Limited local amenities in West Chiltington;

- Restrictive covenants on Wells properties in Grove Lane that development is not less than 1/2 acre (2023sq.m);
- Since 2005, no new-build development along lane;
- Loss of heritage assets (character and setting of Wells Cottages);
- Previous refusals for development at:-
 - Poppys Place - Roundabout Lane.
 - Maison Deau - Spinney Lane.
 - Plashetts - Grove Lane.
 - Firwood Cottage - Grove Lane.
- Noise and disturbance during building process;
- Lack of clarity in plans, no indication of steep gradient on plan, extension to host property not shown, distance to Firwood Cottage inaccurate, no levels of proposed height of new dwelling, difference in property width between plans.

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

Principle of Development:

- 6.1 HDPF Policy 3 advises that development will be permitted within towns and villages which have defined built up areas provided that it can demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy as set out within the policy. The application site falls within the defined built up area of West Chiltington and the scale of the development would maintain the characteristics and function of the settlement. The principle of development is therefore considered acceptable, subject to detailed considerations.

Character and appearance:

- 6.2 Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'. Policy 33 requires developments to relate sympathetically with the built surroundings and seeks to make reference to any Design Statements or Character Assessments where relevant.
- 6.3 This area of West Chiltington is known for its low density housing, consisting mainly of detached dwellings in generous and landscaped plots, laid out in a patchwork pattern of development, with houses exhibiting varying architectural styles and scales. However, tying the street-scene together along these narrow and unmade rural lanes is the sense that each property is well separated from its neighbour and is set back from the edge of the lane, allowing the retention of the landscaping, boundary hedging and trees.

- 6.4 It is considered that where visible subsequent infill development throughout the lanes has allowed plots to maintain this sense of spaciousness, with landscaping features maintaining the overall sylvan character of the lanes and the adjacent properties. These newer plots, such as Deveron House and Quilters Place, are set on generously proportioned plots of their own and are sited back from the edge of the lane, provided with sufficient intervening landscaping features and boundary hedges, so as to avoid any dominating urban features which would otherwise erode the overall rural aspect of the lane.
- 6.5 Whilst the Neighbourhood Plan is still at pre-submission stage, and therefore carries limited weight in the determination of the current planning application, it is noted that this document, and the Village Design Statement (2003) identifies the host application site, Firtops, as an original 'Wells Cottage', along with Quilters, Firwood Cottage, Plashetts, Coleraine, Silverwoods, Barmley Cottage, Grove Gate, Rosemary Cottage, Little Hayden, Summerleas and Brackenhill (formerly Karibu) all in the immediate vicinity along Grove Lane and Bower Lane. The Wells Cottages are not listed or locally listed, but have shaped the development of this southern area of West Chiltington since the inter-war years, establishing a rural and 'quintessentially English' character with many of the houses having thatched roofs, eyebrow windows and some instances of mock-Tudor beams. All of these properties are set in generous plots, albeit they have been subject of some infilling over the years.
- 6.6 The siting of the proposed new dwelling would be on land levels that are higher than the adjacent roadway. However, the amended location of the proposed new dwelling, further from the access point off Grove Lane, would diminish the resulting public views of the new dwelling. It is therefore considered that the proposed new dwelling would not result in an unduly dominant and overbearing feature. Its position in relation to the lane is noted to be comparable to the adjacent western dwelling, Firwood Cottage, and the amended plans have re-aligned the proposed new dwelling on the sub-divided plot, with the garage set on the lower ground levels adjacent to Firwood Cottage, and the dwelling set at the more level part of the site, providing opportunities to introduce screening and landscaping within the forecourt.
- 6.7 The proposed site area appears to be capable of providing a subdivided residential plot, which would be of a comparable resulting area to a number of adjacent properties. Although the siting of a new dwelling would somewhat diminish the original relationship of the host property to the Lane, this is already limited by the site levels and boundary screening which result in the host dwelling having a very modest visual relationship to the wider setting of the lane. The site is not subject to any tree preservation orders, which would prevent clearance of planting on the site, and further detail of landscaping works are therefore sought through condition.
- 6.8 The proposal would therefore continue to respect its context and would accord with the provisions of Policies 3, 32 and 33 of the HDPF (2015).

Impact on neighbouring amenity:

- 6.9 Policy 33 of the HDPF (2015) seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.10 It is considered that there would be sufficient separation distances between the proposed new dwelling and the neighbouring properties on the northern side of the and, as well as to the south-west (Yew Tree House and Reynards), to prevent any direct or harmful overlooking or loss of light or outlook. It is considered that sufficient space would be retained around this property to create adequate amenity space for occupants, with the siting of the new dwelling precluding any adverse and direct instances of overlooking or loss of light to the habitable windows of the host dwelling.

- 6.11 The siting and layout of the proposed dwelling would not include any side-facing windows, reducing concerns regarding any resulting direct loss of privacy towards the west. At its closest, the proposed new dwelling would be set some 11m off the common boundary with Firwood Cottage, which is currently noted to include a high level of screening vegetation. The amended layout would set the smaller garage structure some 4m off the common boundary. Given the site's topography and the proposed layout, the proposal is not considered to result in an unduly close relationship which would adversely affect living conditions within the neighbouring dwelling Firwood Cottage.
- 6.12 A condition is recommended (no. 3) to secure a Construction Method Statement and this would reduce the potential impacts of construction activities on adjoining properties and the wider surroundings.
- 6.13 It is therefore considered that the proposal would not result in any significant or harmful loss of amenity for occupants of adjoining properties, and there would be no conflict with Policy 33 of the HDPF.

Highways and Traffic:

- 6.14 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, with Policy 41 requiring adequate parking facilities within developments.
- 6.15 In this location, the width, unmade surface and winding nature of the lane is considered to encourage most drivers to go at a modest speed. While the lane does not form a designated public right of way or bridleway in general terms the lanes are considered to be wide enough for cars to pass pedestrians safely and there are areas of verge or entrances where pedestrians can stand as a vehicle passes.
- 6.16 It is not anticipated that the cumulative effect of one additional dwelling within the area, either in its contribution to vehicle movements or pedestrian use, would have any detrimental effects on highway safety of the public highway network. The proposal allows for sufficient off-street parking in an accessible location on the site. The Highway Authority has raised no objections to the proposal. As such there are considered to be no highway grounds to refuse the application, which would accord with the relevant policies of the HDPF.

Conclusion:

- 6.17 There is policy support for additional and appropriate development within built-up area boundaries, and the proposed scale and layout of the development would respect and be sympathetic to the street-scene and pattern of development along the lane. The proposal would not result in harm to neighbouring amenity or highway safety.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.18 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

6.19 **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	184.67	0	184.67
		Total Gain	184.67
		Total Demolition	0

6.20 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

6.21 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

7.1 That planning 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-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 provide for, but not be limited to:

- i. the parking of vehicles of site operatives and visitors
- 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 neighbouring occupants 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 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).

- 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-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).

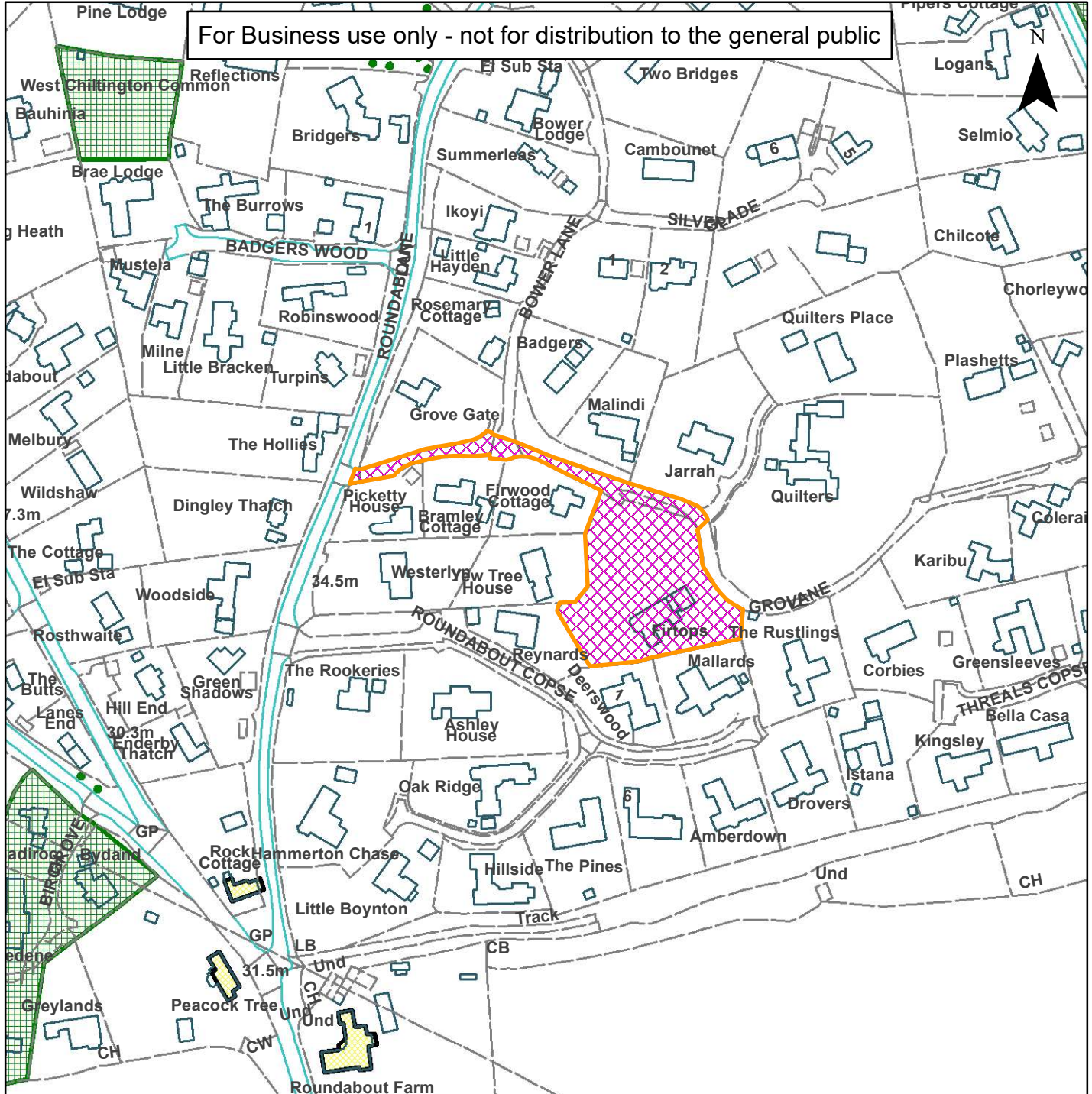
- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan 2840/700 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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Firtops, Grove Lane, West Chiltington, RH20 2RD



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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 19 December 2017

DEVELOPMENT: Conversion of existing water storage reservoir to form a residential outbuilding

SITE: Nutbourne Studio Nutbourne Common Pulborough West Sussex RH20 2HB

WARD: Pulborough and Coldwaltham

APPLICATION: DC/16/2326

APPLICANT: **Name:** Mr Nick Sweet **Address:** Nutbourne Studio Nutbourne Common Pulborough RH20 2HB

REASON FOR INCLUSION ON THE AGENDA: At the request of Pulborough Parish Council

RECOMMENDATION: Approval subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the conversion of an existing water storage reservoir to form a residential outbuilding in association with Nutbourne Studio, a residential dwellinghouse fronting Nutbourne Common. The proposed conversion would result in the provision of an entertainment area, office, store, bathroom and open courtyard. A staircase would be provided within the existing reservoir to enable access. The building would have an element above ground floor level which would be 1.8 metres high and would have a flat green roof.
- 1.2 Planning permission was previously granted for the conversion in December 2013, ref: DC/13/2087. This permission was not implemented and has now expired, hence the submission of this application.

DESCRIPTION OF THE SITE

- 1.3 The application site is set within a rural location on the western side of Nutbourne Common. The main dwelling is a former water pumping station which has been converted into a dwelling. The building is white rendered and is set back from Nutbourne Common. To the north of the site is the residential dwelling The Old Pumphouse, whilst to the east on the opposite side of Nutbourne Common are further residential dwellings. To the north of the site is Twitten Orchard, and a mobile home known as Oak Tree View, whilst to the west is Lane Top. The application boundary to the rear is a panel fence with part beech hedging. The Old Pumphouse has windows at first floor level looking into the site. The

water reservoir is below ground level, and currently grassed and forming part of the garden of Nutbourne Studio.

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 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

Pulborough was designated as a Neighbourhood Plan Area in 2014. Ongoing discussions are being undertaken with HDC to progress the plan to Reg. 14.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/13/2087	Conversion of existing water storage reservoir to form a residential outbuilding	Application Permitted on 13.12.2013
DC/04/2015	Erection of 3 houses, car port and access	Application Refused on 04.11.2004
DC/06/1245	Demolition of water holding tanks and retention of existing building and refurbishment to form B1 (a) and (b) Business Use	Withdrawn Application on 21.07.2006
DC/07/2041	Conversion of former water pumping station to a single 3-bed dwellinghouse	Application Permitted on 24.04.2008
DC/07/2042	Conversion of former water pumping station to a B1 Business use	Application Refused on 13.11.2007
DC/09/2024	Conversion of former water pumping station to a single 3-bed dwellinghouse (revised design to that approved under DC/07/2041)	Application Permitted on 28.01.2010

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

OUTSIDE AGENCIES

- 3.2 **WSSC Highways:** No objection.
- 3.3 **Southern Water:** Public water trunk mains cross the site as do decommissioned mains and a deed of easement for public water apparatus within the site. There appear to be limited opportunity to divert existing water apparatus. Object until an agreement has been made (with Southern Water) for diversion of the mains.

PUBLIC CONSULTATIONS

- 3.4 Pulborough Parish Council: Object.
- 3.5 Two letters have been received objecting to the application on the following grounds:-
- Concern with regards to water drainage;
 - Height of building would be visible and give the appearance of being within the built up area;
 - Lack of privacy;
 - Reassurance would be required to show no heavy equipment within area where neighbours main sewer runs through site;
 - Objections relating to previous application remains relevant.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application is a resubmission of a previous application approved in December 2013 (DC/13/2087) and the proposed plans and elevations remain the same as previously approved. The application has been submitted as works have not commenced on site within the three year time frame. The formerly approved scheme is a material consideration in the determination of the current application. As the scheme has previously been approved the principal consideration relates to whether there has been a material change in planning policy or site circumstance that would warrant a different decision to that previously made.

Principle

- 6.2 The previous application was considered within the context of the NPPF. The same policies within the NPPF remain the national planning policy at the present time. However, in terms of local policies since the approval of the previous application the Horsham District Planning Framework (HDPF) has been adopted. The policies within the HDPF relevant to the proposal are broadly similar in content to those used in the determination of the previous application. In particular, policy 28 relates to house extensions in the countryside and states that ancillary accommodation should demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the

site, and that the size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house.

- 6.3 The reservoir structure is within the rear curtilage of the site and is disused, with the pipework connecting it to the former pumping station redundant. The structure is not required for water supply purposes, cannot be occupied in its current form, and, without a viable future use is likely to deteriorate. It is considered that conversion of the structure to a use ancillary to the main dwellinghouse would be acceptable in principle, subject to detailed considerations.

Character and appearance

- 6.4 Policy 33 of the HDPF relates to Design Principles and requires that development should be designed so as to avoid unacceptable harm to the amenities of occupiers/users of nearby property and land for example through overlooking or noise, and ensure that the scale, massing and appearance of the development is of a high standard of design and layout.
- 6.5 The main dwelling on the site is a former water pumping station which retains much of its original functional and industrial appearance. The conversion of the existing storage reservoir would have no visual impact due to its subterranean location. The key (visible) external alterations would comprise an above-ground extension to provide additional height to the proposed accommodation, with excavation to create a new access and stairs from garden level and an open courtyard. Associated alterations include the addition of rooflights and flues. The proposal would include a green roof.
- 6.6 As part of the consideration of the earlier scheme it was considered that, *“the proposal would be located to the rear garden area of the existing property with views into the site from the adjoining road are limited. The height of the proposal above ground floor level would be 1.8 metres in context with the existing 1.8 metre close boarded fence along the north western boundary of the site. It is considered there would be no adverse visual impact to the surrounding area or would there be any adverse impact to the landscape character of the area as a result of the proposal.”*
- 6.7 The physical circumstances on site remain similar to those considered in 2013 and there are no reasons to take a different view as part of the current application. The design of the proposed external alterations would reflect the industrial character of the original use and main dwelling. The additional height would be slightly below the existing boundary fencing which encloses the site, as a result the proposed ancillary accommodation would have a minimal impact on the character and appearance of the wider surroundings.
- 6.8 The proposal would provide ancillary accommodation to the main dwelling, providing an office and entertainment space; there are no bedrooms or kitchen areas proposed as part of the proposal. It would not therefore create a separate unit of accommodation on the site. It is considered that the proposed facilities would not result in an overdevelopment of the site and would not result in a material increase in the level of activity within the site. A condition is recommended to ensure the accommodation remains in ancillary use.

Impact on Neighbouring Properties

- 6.9 Policy 33 of the HDPF requires development to be designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land.
- 6.10 The nature of the conversion, relating primarily to a subterranean structure, would not impact on neighbouring amenity, with the height of the above ground extensions and alterations coupled with the separation from shared boundaries would be sufficient to prevent any loss of light, outlook or privacy. It is considered that normal domestic use of

the outbuilding, which is surrounded by residential development, would not be expected to generate excessive or harmful levels of noise or disturbance. The development is therefore considered to comply with policy 33 of the HDPF.

Southern Water

- 6.11 Southern Water has advised that there are two water mains on site, each of which requires a clearance of 6 metres either side of the water trunk mains to protect it from construction works and allow for future access for maintenance. The proposal may therefore require the diversion / protection of these mains before development works commence, and Southern Water has objected to the application until the required agreement (securing the diversion / protection) is in place.
- 6.12 While this objection is noted, there was no objection (from Southern Water) on the original planning permission and the proposal primarily relates to the conversion of an existing structure with associated development above at ground level. The applicant has also advised that an agreement with Southern Water is nearing completion. It is therefore considered, taking the above into account, that refusal of the current application on this grounds would not be warranted. A condition is instead recommended to secure further details to ensure the concerns of Southern Water can be addressed before any development works commence.

Conclusion

- 6.13 It is considered that the proposed development would make effective use of an existing underground water storage reservoir. The proposed design would be a sensitive addition which would be in keeping with the wider surrounding context. It is considered that the proposal would not cause any adverse impact to the amenity of neighbouring properties or any adverse impact to the visual amenity of the surrounding area.

7. RECOMMENDATIONS

- 7.1 That planning 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-Commencement Condition:** No development shall commence until details relating to measures to be taken to divert/protect the public water supply main and water booster station have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be carried out in accordance with the approved details prior to any development taking place in connection with the conversion of the reservoir.

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).

4 **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 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).

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the proposed green roof shall be submitted to and approved, in writing, by the Local Planning Authority. The approved details 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).

- 6 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

- 7 **Regulatory Condition:** The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of Nutbourne Studio as a single dwellinghouse and shall not be used as a separate unit of accommodation.

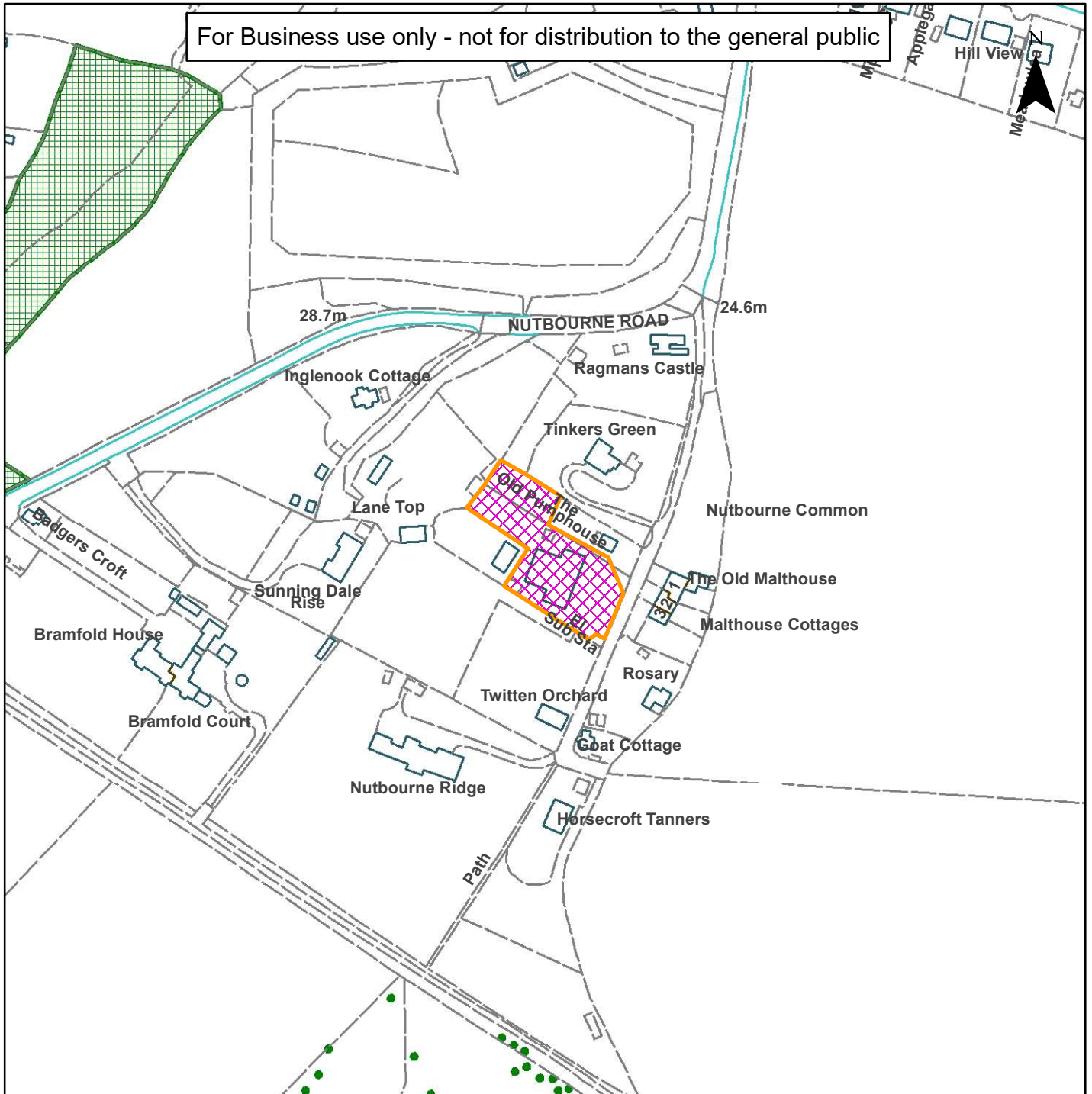
Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2326
DC/13/2087



Nutbourne Studio, Nutbourne Common, Pulborough, RH20 2HB

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	07/12/2017
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