



Email: [committeeservices@horsham.gov.uk](mailto:committeeservices@horsham.gov.uk)  
Direct line: 01403 215465

# Planning Committee (South)

Tuesday, 20th March, 2018 at 2.30 pm  
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
David Coldwell	Mike Morgan
Ray Dawe	Kate Rowbottom
Brian Donnelly	Jim Sanson
David Jenkins	Ben Staines
Nigel Jupp	Claire Vickers
Liz Kitchen	Michael Willett

You are summoned to the meeting to transact the following business

Tom Crowley  
Chief Executive

## Agenda

	Page No.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 12
To approve as correct the minutes of the meeting held on 20 February 2018 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

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

5. **Appeals** 13 - 14

Applications for determination by Committee:

6. **DC/17/2074 - Land adjoining The Orchard, Cowfold Road, West Grinstead** 15 - 38

Ward: Cowfold, Shermanbury & West Grinstead  
Applicant: Mr Paul Welch

7. **DC/17/2887 - Firside, Lower Faircox, Henfield** 39 - 50

Ward: Henfield  
Applicant: Mr and Mrs Huckson

8. **DC/17/2625 - Lloyds Bank TSB Ltd, 37 High Street, Steyning** 51 - 62

Ward: Steyning  
Applicant: Mr Cameron Robertson-Aitken

9. **DC/17/2626 - Lloyds Bank TSB Ltd, 37 High Street, Steyning** 63 - 70

Ward: Steyning  
Applicant: Mr Cameron Robertson-Aitken

10. **DC/17/2620 - Land to the rear of 37 High Street, Steyning** 71 - 82

Ward: Steyning  
Applicant: Mr Cameron Robertson-Aitken

11. **DC/17/2621 - Land to the rear of 37 High Street, Steyning** 83 - 90

Ward: Steyning  
Applicant: Mr Cameron Robertson-Aitken

12. **Urgent Business**

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

# Agenda Annex

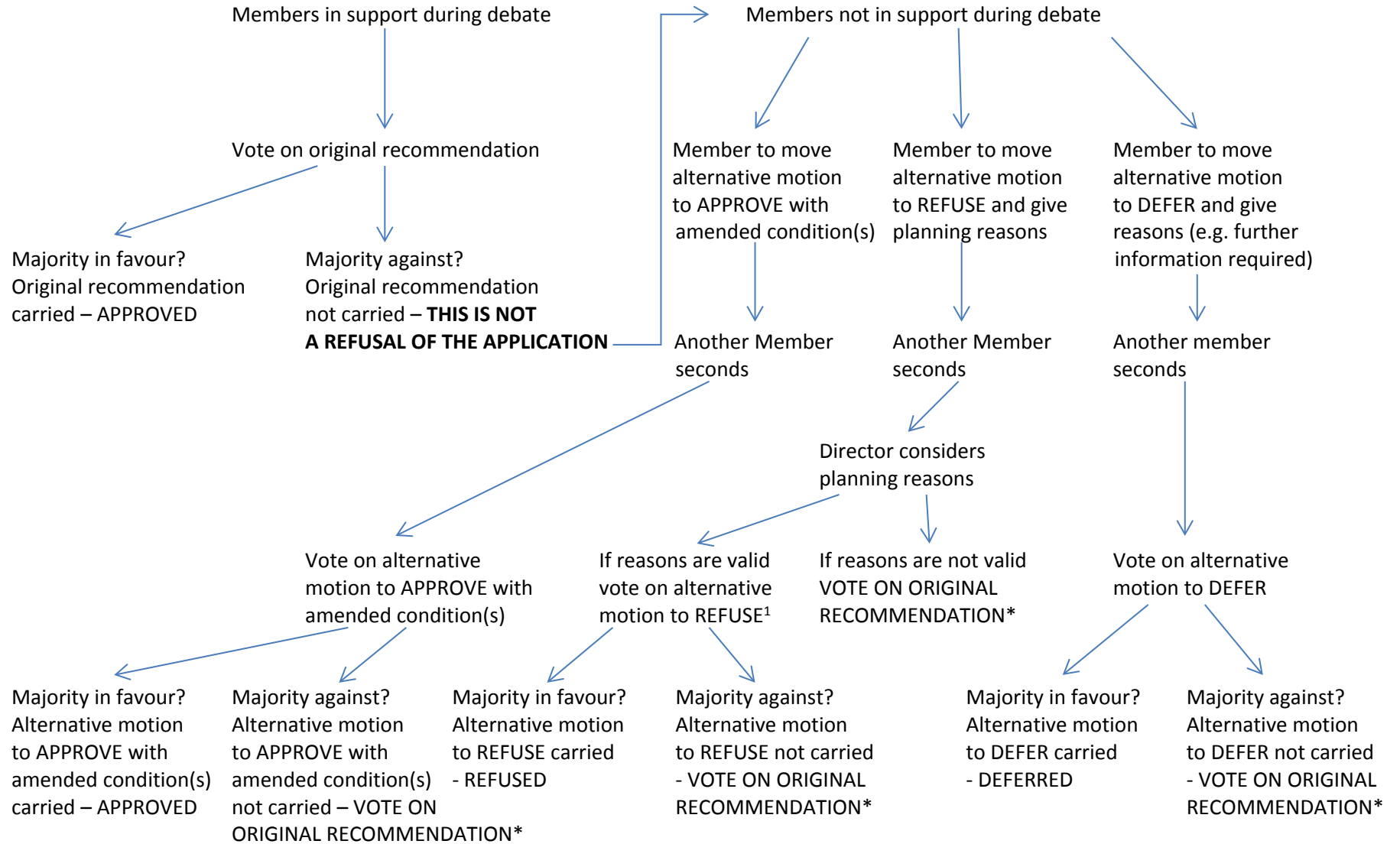
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

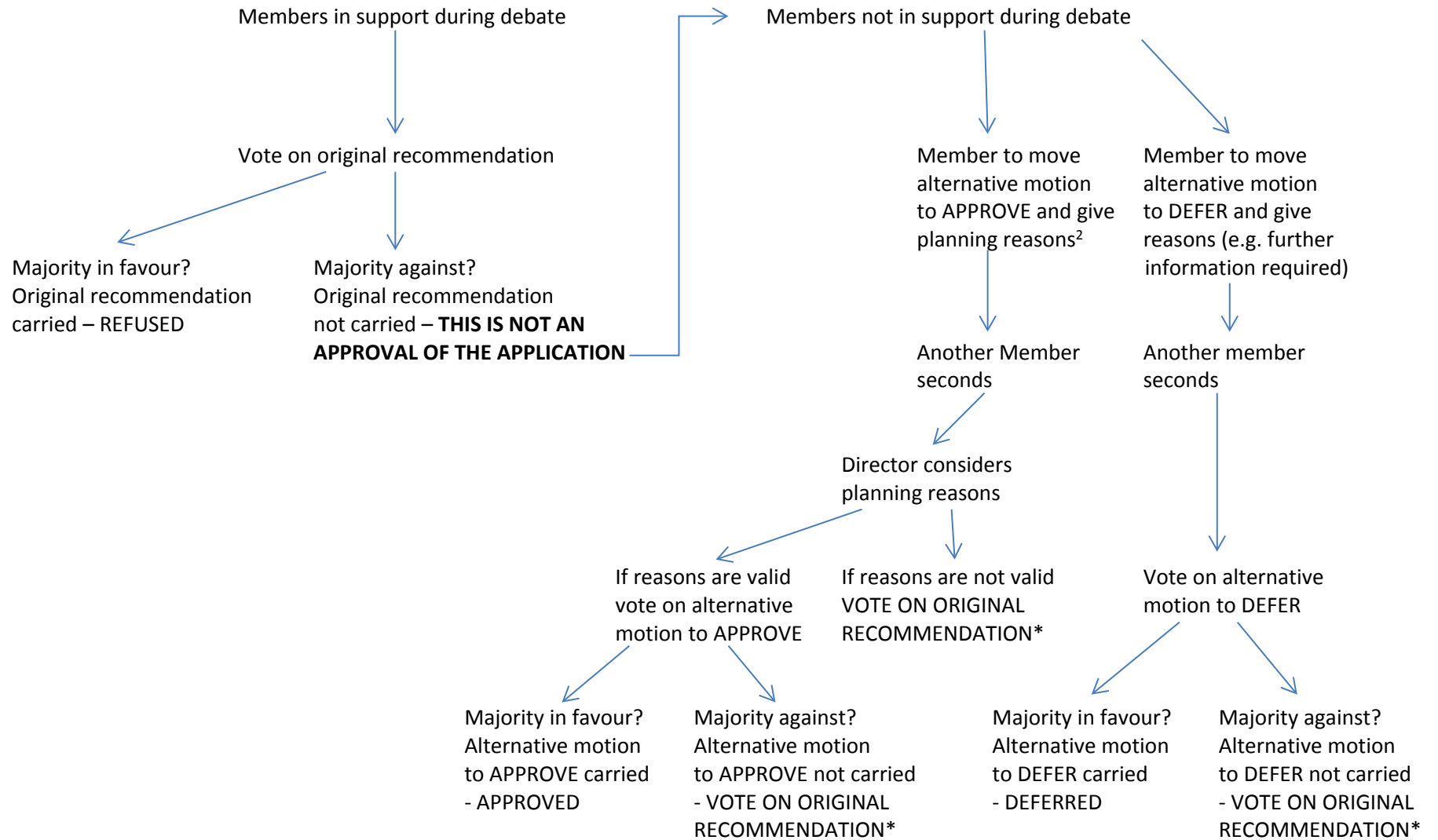
**Original recommendation to APPROVE application**



\*Or further alternative motion moved and procedure repeated

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

**Original recommendation to REFUSE application**



\*Or further alternative motion moved and procedure repeated

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

**Planning Committee (South)**  
**20 FEBRUARY 2018**

Present: Councillors: Paul Clarke (Vice-Chairman), John Blackall, Philip Circus, David Coldwell, Brian Donnelly, Nigel Jupp, Gordon Lindsay, Mike Morgan, Kate Rowbottom, Jim Sanson, Ben Staines, Claire Vickers and Michael Willett

Apologies: Councillors: Brian O'Connell, Jonathan Chowen, Roger Clarke, Ray Dawe, David Jenkins, Liz Kitchen, Tim Lloyd and Paul Marshall

PCS/62 **MINUTES**

The minutes of the previous meeting of the Committee held on 16 January were approved as a correct record and signed by the Vice-Chairman.

PCS/63 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/17/1499 – Councillor Nigel Jupp declared a personal interest in this item because one of the public speakers was a family friend.

DC/16/0728 – Councillor Ben Staines declared a personal and prejudicial interest. He withdrew from the meeting for this item and took no part in its determination.

PCS/64 **ANNOUNCEMENTS**

There were no announcements.

PCS/65 **APPEALS**

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

PCS/66 **DC/17/2564 - OAK TREE VIEW AND LANE TOP, NUTBOURNE ROAD, PULBOROUGH**

The Head of Development reported that this application sought permission for the removal of Conditions 2 and 3, relating to personal occupancy restrictions, to previously permitted DC/10/0586, which allowed the stationing of two caravans for settled gypsy accommodation on two separate sites. The conditions restricted use of two mobile homes to the applicant, his wife and their immediate family.

The application site was located about 1.7 kilometres west of Pulborough and 500 metres south of Nutbourne in the countryside, although there were a

number of properties close to the site. It was screened by trees, hedging and fencing and accessed by a driveway off Nutbourne Road. The site included a stable-block and paddock and there was an occupied barn on the site.

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

The Parish Council raised no objection to the application. There had been 17 letters of objection from neighbouring and nearby properties. Three members of the public spoke in objection to the application and the applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposed removal of personal occupancy conditions were: land use; impact on amenity; design and appearance; and highway safety. It was noted that if the conditions were removed the site could be included in the Council's site allocation provision for gypsy, travellers and travelling showpeople.

Members considered the history of the site, its established use, the policy context, and concerns raised by some nearby residents. It was noted that the number of pitches would not increase as a result of the proposal and use of the land would be controlled through conditions. Members concluded that the proposal was acceptable.

#### RESOLVED

That planning application DC/17/2564 be granted subject to the conditions and reasons as reported.

#### PCS/67 **DC/17/1499 - FIRTOPS, GROVE LANE, WEST CHILTINGTON**

The Head of Development reported that this application sought permission for the erection of a two-storey 4-bedroom dwelling with detached garage, associated hardstanding and alterations to the access. The application had been deferred by the Committee in December 2017 to allow for the design of the development to be reconsidered because of its potential overbearing impact on the amenities of Firswood Cottage and to achieve a design more in keeping with the style prevalent in the immediate setting (Minute No. PSC/53 (19/12/2017) refers).

The application site was located on a large residential plot off Grove Lane within the West Chiltington build up area. Members were referred to the previous report which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.



Amended plans had been submitted that lowered the site ground levels by an additional half a metre and the applicant had provided details of proposed external materials and confirmed that timber cladding would be used on the garage. Other minor amendments, including to fenestration, had also been submitted.

An additional condition was recommended by officers requiring details of tree protective fencing, to be in place prior to the commencement of work and maintained until the works were completed, to be submitted for approval to the local planning authority.

A site visit had been carried out to re-assess the proposed character, design and siting of the dwelling and how it related to neighbouring properties. Members were advised of the conclusions drawn by officers regarding amenity impact and design: the separation distances were considered acceptable; and the use of white painted brickwork on the dwelling and timber cladding on the garage were considered to be in keeping with other properties in the vicinity.

Since publication of support a further letter of objection had been received. Two members of the public spoke in objection to the proposal, and the applicant's agent addressed the committee in support of the proposal.

Members discussed the impact on neighbouring amenity in the light of additional details, the separation distances and orientation of the building. Some Members were still concerned that the scale and massing of the building could have an adverse impact on the amenity of the neighbouring property and on the character of the streetscene.

After careful consideration Members concluded that the proposal had addressed some of the Committee's previous concerns and noted that the scale of the building was not exceptional in an area of houses of varied sizes and designs. Officers agreed that an additional condition to secure appropriate screening of the site would be added to protect the neighbouring amenity.

#### RESOLVED

That planning application DC/17/1499 be granted subject to the conditions as reported, and two additional conditions:

- (i) to require details of tree protective fencing, to be in place prior to the commencement of works and maintained until works are completed, to be submitted for approval; and
- (ii) to secure satisfactory screening of the new house, to be agreed in consultation with Local Members and to be in place prior to occupation.

PCS/68 **DC/16/0728 - LAND ADJACENT TO RAILWAY COTTAGES AND  
PULBOROUGH RAILWAY STATION, STOPHAM ROAD, PULBOROUGH**

The Head of Development reported that this application sought permission for the erection of 23 houses and six flats with parking and landscaping, and the construction of a 106-space station car park, all served by a new access on Stopham Road. The required 35% affordable units would be secured through a legal agreement. The proposal also included private parking bays to serve some of the existing dwellings on Stopham Road which would be served by the new access. In addition to the planning application, the applicant proposed some significant community benefits including speed limit signage and a traffic light system on Stopham Road to allow pedestrians to cross beneath the railway bridge safely.

The application had been granted by the Committee in August 2016, subject to the completion of a legal agreement (Minute No. DCS/33 (16.08.16) refers). The completion of this legal agreement had been delayed for a number of reasons as set out in the report and the Committee were to reconsider the application in the light of this delay. The legal agreement would no longer be required to secure infrastructure contributions because of the adoption of the Community Infrastructure Levy by the Council.

The application site was located to the north of Stopham Road and to the west of the railway line. Members were referred to the previous report which contained details of the site location, relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

The applicant's agent addressed the Committee in support of the proposal, advising the Committee that agreement on the terms of the legal agreement had now been reached with all parties and the completion of the agreement was at its final stages. A representative of the Parish Council also spoke in support of the proposal.

Members considered the reasons for the delay in finalising a legal agreement, and noted the progress that had been made since publication of the report.

RESOLVED

- (i) That a legal agreement be entered into, no later than 23 March 2018, to secure the provision of affordable housing, the completion of off-site highway improvements and the completion of a public car park with level pedestrian access to the western station platform.
- (ii) That on completion of (i) above, planning application DC/16/0728 be determined by the Head of Development with a view to approval.

- (iv) In the event a suitably worded legal agreement has not been completed by 23 March 2018, or other later date as agreed by the Director of Planning, Economic Development and Property in consultation with Local Members, to refuse the application.

*The meeting closed at 4.00 pm having commenced at 2.30 pm*

CHAIRMAN

This page is intentionally left blank



## Planning Committee (South)

Date: 20<sup>th</sup> March 2018

### Report on Appeals: 08/02/2018 – 07/03/2018

#### 1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
EN/17/0008	Land South West of Martins The Street Thakeham West Sussex	22/02/2018		
DC/17/1884	Delspride Kent Street Cowfold Horsham West Sussex RH13 8BB	22/02/2018	Refuse	
EN/15/0410	Sandhill Lodge Sandhill Lane Washington Pulborough West Sussex RH20 4TD	05/03/2018		

#### 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
EN/17/0008	Land South West of Martins The Street Thakeham West Sussex	Informal Hearing	22/02/2018		
DC/17/0808	White Canons Fryern Park Fryern Road Storrington Pulborough West Sussex RH20 4FF	Written Representation	20/02/2018	Refuse	

### 3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/17/0753	Willards House Broomers Hill Lane Pulborough West Sussex RH20 2DU	Written Representation	Allowed	Refused	
DC/17/2105	1 Rosemary Avenue Steyning West Sussex BN44 3YS	Fast Track	Dismissed	Refused	
DC/17/1170	2 The Birches West Chiltington Pulborough West Sussex RH20 2PH	Fast Track	Dismissed	Refused	
DC/17/0623	Two Hoots Furners Lane Woodmancote West Sussex BN5 9AE	Written Representation	Dismissed	Refused	
DC/17/1157	1 Hudson Way Henfield West Sussex BN5 9FD	Fast Track	Dismissed	Refused	
DC/17/1409	Spring Acres West End Lane Henfield West Sussex	Written Representation	Dismissed	Refused	
DC/16/2553	Plot 2 Gay Street Lane North Heath West Sussex	Written Representation	Dismissed	Refused	
DC/17/1584	Coconino London Road Ashington Pulborough West Sussex RH20 3JR	Written Representation	Allowed	Refused	
DC/17/1600	26 Cricketers Close Ashington Pulborough West Sussex RH20 3JQ	Written Representation	Allowed (removal of condition)	Permitted	



**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20 March 2018

**DEVELOPMENT:** Change of Use of Woodland to a Holiday Lodge / Caravan Park, comprising layout, 23x caravan pitches, access, landscaping and open space

**SITE:** Land adjoining The Orchard, Cowfold Road, West Grinstead

**WARD:** Cowfold, Shermanbury & West Grinstead

**APPLICATION:** DC/17/2074

**APPLICANT:** **Name:** Mr Paul Welch **Address:** Oakmount Parks Ltd, 3 Queen Street, Ashford, Kent, TN23 1RF

**REASON FOR INCLUSION ON THE AGENDA:** Departure from the Development Plan & Number of Representation Letters contrary to Officer Recommendation

**RECOMMENDATION:** To grant planning permission subject to appropriate conditions and completion of legal agreement to secure the lodges/caravans for holiday use only.

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

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

1.1 To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

1.2 This application seeks full planning permission for the change of use of the existing woodland to a holiday lodge caravan park for 23 twin-unit caravan pitches, access, landscaping and open space.

1.3 The 23 caravan pitches would be arranged centrally, occupying 1.9 ha of the 4.4 ha application site with proposals to actively manage the remaining 2.3 ha of woodland.

1.4 It is the Applicant's intention that the holiday lodge park would be for over 50 year olds only with the holiday lodges being sold to allow purchasers to use the lodges for holiday purposes only, for themselves, their families and their friends.

- 1.5 The proposed development would be accessed from the south-eastern corner of the site, from the A272 Cowfold Road through the existing car park serving The Orchard Restaurant, with visibility splays of 140 metres in each direction. The access has been the subject of a speed survey submitted with the application.
- 1.6 The caravans would be placed on concrete bases with wooden plinths and would comprise grey, green or brown timber effect panels incorporating a central groove that gives the appearance of two 5-inch planks. The roof would be finished in a lightweight steel coated roof covering with a coloured grit finish.
- 1.7 2 car parking spaces would be provided per caravan, creating 46 no. car parking spaces in total. 4 additional visitor spaces have been provided close to the site entrance.
- 1.8 As part of the development, it is proposed to remove two groups of trees and the partial removal of 6 groups of trees within the site and include the provision of replacement planting. The trees to be removed are identified as Category B or C specimens within the submitted Tree Information Statement and are considered to have low or medium quality or value and/or limited wider landscape significance and a limited life expectancy. It is proposed to retain all boundary trees and trees within the north part of the site to limit the visual impact of the proposal within the wider landscape. The proposals do not require the removal of, nor impact upon, 'aged or veteran trees' or 'ancient woodland' as defined in the National Planning Policy Framework.
- 1.9 Amended plans have been received during the consideration of the application which have reduced the number of caravan pitches from 30 to 23. The caravan pitches have been spaced further apart to allow for a more integrated landscaping scheme and the hard road surfacing has been reduced to visually improve the appearance of the scheme in this rural setting.
- 1.10 An updated site plan and services plan have also been submitted which have reduced the size of the SUDS pond in the north-west corner of the site and incorporated one shared services and access path to the SUDS pond.

#### DESCRIPTION OF THE SITE

- 1.11 The application site is situated on the northern side of the A272 Cowfold Road and to the west of the former railway line that now forms part of the Downs Link. The site is situated close to a small informal group of properties that form the small hamlet of West Grinstead. The site is within a countryside location and outside of any defined built up area boundary.
- 1.12 To the south east of the site is a detached building which is a restaurant with a large car parking area to the west. To the rear of the restaurant is an orchard area which is also used for al fresco dining. The site has been vacant for a period of time and therefore become overgrown with a large number of trees and shrubs. Part of the site was previously cleared approximately 10 years ago. The remains of the former brick and timber outbuildings are still visible from within the site but are in a dilapidated state of repair.
- 1.13 Planning permission DC/08/0593 was previously granted in 2008 on the site for an eco-holiday centre with 8 timber holiday lodges (each with 3 units of accommodation), a campsite (with a maximum of 50 occupants), a Rangers office (including education centre and retail unit), a bicycle hire building, management block, parking and access. Planning permission, DC/12/1851, was granted to replace extant permission, DC/08/0593, yet was never implemented and has now expired. Planning permission, DC/12/1092, was dismissed on appeal in 2015 for a crematorium on the site due to the harm to the rural character and appearance of the area.



## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF 2012)
- 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 11: Tourism & Cultural Facilities  
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 40: Sustainable Transport  
Policy 41: Parking  
Policy 42: Strategic Policy: Inclusive Communities

### NEIGHBOURHOOD PLAN

- 2.4 The site is within the Parish of West Grinstead. West Grinstead Parish Council are currently in the process of reviewing sites which will inform a Neighbourhood Plan and are having on-going discussions with Horsham District Council to progress their Neighbourhood Plan to Reg. 14. As such, there is currently no Neighbourhood Plan in place in this area and no relevant draft Neighbourhood Plan Policies to consider in the determination of this application.

### 2.5 PLANNING HISTORY

DC/12/1851	Application for a new planning permission to replace extant permission DC/08/0593 (Construction of a sustainable low impact eco holiday and ranger centre, comprising 8 holiday lodges and campsite, WSCC Rangers office, associated parking blocks, parking and access)	Permitted 12.06.2013
DC/12/1092	Development of crematorium facility within a parkland setting, including grounds maintenance and secure equipment store and a total of 63 car parking spaces. Proposals include an upgraded access onto A272 to be shared with the existing restaurant which adjoins the site.	Refused 18.12.2013 Dismissed on Appeal 27.05.2015
DC/11/0783	Erection of crematorium building with associated infrastructure including new internal access road, manager's lodge house, grounds maintenance and secure	Refused 06.10.2011

	equipment store and a total of 63 No. parking spaces. The proposals include an upgraded access onto the A272 to be shared with the existing restaurant adjoining the site	
DC/08/0593	Construction of a sustainable low impact eco holiday and ranger centre, comprising 8 holiday lodges and campsite, WSCC Rangers office, associated parking blocks, parking and access	Permitted 30.10.2009

### 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.horhsam.gov.uk](http://www.horhsam.gov.uk).

#### INTERNAL CONSULTATIONS

- 3.2 **HDC - Arboricultural Officer:** No objection  
The proposal will result in the loss of a quite a high number of small self-seeded trees on the site. None of these trees are of any especial quality or merit, nor is the tree stock as a whole of any great age. The 1875 iteration of the Ordnance Survey clearly shows that the land had been cleared by this time, the strips of older trees on the western and southern boundaries being retained as woodland.
- On the western site boundary, this woodland remnant remains, and will be unaffected by the development proposals. Some large Oak trees remain on the southern boundary, bounding the north side of the A272, but these are also to be retained, and will also not be harmed by the proposals.
- 3.3 **HDC – Drainage Officer:** No objection  
Subject to conditions relating to approval of foul and surface water drainage.
- 3.4 **HDC – Economic Development:** Support  
The proposed holiday accommodation would fulfil the need identified within the Horsham District Hotel & Visitor Accommodation Study for more rural lodge and caravanning site type accommodations and is in an ideal location for access to the countryside and National Park.
- 3.5 **HDC – Environmental Health:** No objection  
Subject to the conditions relating to contamination, lighting and a Construction Management Plan.
- 3.6 **HDC – Landscape Officer:** No objection  
Application supported on landscape grounds in light of the submitted sample materials and further drainage strategy provided. Due consideration should be made in relation to the loss of woodland within the planning balance.
- 3.7 **HDC – Policy Section (EIA Assessment):** Following screening, it was considered that an Environmental Impact Assessment (EIA) would not be required for this proposal.
- 3.8 **HDC – Policy Section (Strategic):** Comment  
The Council would need to be satisfied that the proposal enabled the sustainable development of the countryside and also that it was of an appropriate scale and would not lead to a significant increase in the overall level of activity in the countryside, in accordance with Policy 26. In relation to Policy 11, the Council would also have to be satisfied that the proposal was “of a scale and type appropriate to the location”.

The Council would need to be satisfied that there was a way to ensure that the proposed holiday lodges could not be used for permanent residential use. If the holiday lodges were able to be used for residential use, then the Council would need to consider the proposal against Policy 19, bearing in mind that the Council can demonstrate a 5 year housing land supply.

#### OUTSIDE AGENCIES

- 3.9 **West Sussex County Council – Highways:** No objection  
Subject to conditions securing car parking and cycle storage.
- 3.10 **West Sussex County Council – Public Rights of Way:** Comment  
Request for a direct cycle and pedestrian link from the site to the South Downs Link to the east and a s106 contribution in respect of improvements to the surface of the South Downs Link. The length for resurfacing is approximately 967 metres, with a variable width between 3 and 4 metres.
- 3.11 **West Sussex County Council – Lead Local Flood Authority (LLFA):** No objection.  
Subject to conditions securing SUDs drainage scheme and maintenance.
- 3.12 **Natural England:** Comment  
Refers to Standing Advice in respect of Protected Species.
- 3.13 **Ecology Consultant:** Objection  
Based on the information provided to date, it is considered that the proposals are contrary to NPPF paragraph 118 and Horsham District Planning Framework Policy 31.
- The mitigation proposed is not considered to be adequate as no replacement woodland planting is proposed (other than planting within the existing retained woodland), and the proposed mitigation for protected species is considered unlikely to be adequate.
- Horsham District Council will need to consider the provisions and tests in NPPF, and Policy 31 of the HDPF, to determine whether the need for the proposed works in this location clearly outweighs the loss of/ harm to woodland habitats and protected species, and whether the proposed mitigation is considered acceptable.
- 3.14 **Southern Water:** No objection  
Subject to conditions securing SUDs drainage scheme and maintenance. Environment Agency should comment on the use of the private waste water treatment works or septic tank drainage which disposes effluent to sub-soil irrigation.
- 3.15 **Environment Agency:** No objection  
Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.  
The proposal may also require an Environmental Permit from the Environment Agency.

#### PUBLIC CONSULTATIONS

3.16 **West Grinstead Parish Council:** Objection

The Parish have strongly objected to this application on the following grounds which are summarised below:

- Overdevelopment of the site
- Scale and type of development inappropriate to countryside character
- Significant increase in level of activity in the countryside
- Damage the quality, character and appearance of the area and intrude on the Downs Link and old West Grinstead Railway Station
- In contrast to previous permission DC/08/0593 would not promote recreation and enjoyment of the countryside
- No need for holiday lodges in this location
- Concern regarding future use as permanent residential dwellings and HDC's ability to enforce relevant holiday accommodation conditions
- Inappropriate drainage scheme proposed
- Limited public transportation and parking provision serving development
- The existing vehicular access sightlines are substandard
- Unsustainable location

3.17 20 letters have been received objecting to the application on the following grounds:

- Increase in light pollution, noise and disturbance
- Increase in traffic, associated pollution and risk of traffic accident
- Lack of local facilities and amenities for users of the holiday lodges
- Unsuitable drainage scheme
- Limited public transportation and unsustainable location
- No provision for storage or collection of refuse
- Substandard vehicular access and parking provision
- Loss of trees on site
- Loss of biodiversity and habitat for protected species
- No need for holiday lodges in this location
- Concern regarding future use as permanent residential dwellings and HDC's ability to enforce relevant holiday accommodation conditions
- Loss of amenity for existing residential properties
- Application lacks detail
- Development of contaminated land would be harmful to human health
- Overdevelopment of the site
- Scale and type of development inappropriate to countryside character

**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

### Legal Definition of Caravan & Caravan Site:

- 6.1 In consideration of this proposal, it is important to clarify the statutory definition of a caravan and of a caravan site which is contained with the Caravan Sites and Control of Development Act 190, section 29(1) as extended by the Caravan Sites Act 1968, section 13. The result is that 'caravan' includes both:
- a) Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include (a) any railway rolling stock which is for the time being on rails forming part of a railway system, or (b) any tent; and
  - b) Such a structure which is designed or adapted for human habitation which (a) is composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices; and (b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), subject to the restrictions on dimensions (length 20m, width 6.8m and height 3.05m)
- 6.2 Planning permission is therefore sought for the change of use of the land for a holiday lodge caravan park, access, landscaping and open space. Planning permission is not required for stationing of the 23 twin-unit caravans as defined in (b) above as this would not amount to development as defined within Section 55 of the Town & Country Planning Act 1990. No detailed plans of the caravans have therefore been submitted with this application as they do not require planning permission.

### Principle of Development:

- 6.3 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Policy 1 of the Horsham District Policy Framework (HDPF) requires the Council when considering proposals to take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. The Council should work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improve economic, social and environmental conditions in the area. Planning applications which accord with the policies in the Local Plan should be approved, unless material considerations indicate otherwise.
- 6.4 Within the Horsham District there is an on-going need to maintain and enhance the rural economy; this includes maximising visitor spending through tourism across the district. Policy 10 (Rural Economic Development) encourages and supports rural economic development in the District's countryside to generate employment opportunities and to provide other benefits to local communities including the promotion of recreation and enjoyment of the countryside.
- 6.5 The NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Policy 11 (Tourism and Cultural Facilities) echoes the requirements of the NPPF and Policy 10 of the HDPF, stating that the Council will encourage proposals which promote tourism, including recreation based rural diversification. Policy 11 seeks to ensure that any development is appropriate to its location (in this case, in the countryside) and should increase the range and quality of accommodation for tourists and visitors to the

District. A holiday caravan site in the countryside could therefore be considered acceptable in principle so long as it is considered appropriate to its countryside location and maintains the quality and character of the countryside in which it is sited.

- 6.6 Policy 26 (Countryside Protection) is relevant because the proposed site is located outside any of the District's Built-Up Area Boundaries where development is more strictly controlled. This policy seeks to protect the countryside against inappropriate development, and only allows development where it is essential to its countryside location and meets one of 4 criteria listed in the policy. Policy 26 also seeks to ensure development is of an appropriate scale to its countryside character, and does not lead to an unacceptable increase in activity in the countryside.
- 6.7 The application site is located on the A272, close to the A24 and is adjacent to the Downs Link bridleway which is used by cyclists, pedestrians and horse riders. In this respect, the site would be well connected to the existing highway and pedestrian network for occupants of the caravan site. The site is also located adjacent to an existing restaurant which would provide a facility for occupiers of the site. It is acknowledged that the site would be served by limited public transportation. Whilst there is a bus stop on the opposite side of the road to site, this provides a limited daily bus service to Steyning. It is anticipated that most occupiers of the site would therefore travel to the site by car; this is considered likely to be the case for other caravan parks located in rural parts of the District and similarly any tourist accommodation located within a rural area.
- 6.8 The Horsham District Hotel & Visitor Accommodation Study supports additional tourist and visitor accommodation in rural areas and specifically identified the need for more rural lodge and caravanning site type accommodations. The site is considered to be well located with direct access to the South Downs National Park and would provide an opportunity for additional visitor accommodation as identified within the Hotel & Visitor Accommodation Study and promoted within Policy 11 of the HDPF.
- 6.9 The proposed use would create an increase in activity within the countryside. However, when taking into account the position of the site next to the busy A272 and an existing restaurant and car park, the level of activity associated with 23 holiday caravan lodges is not considered to be harmful to the rural location of the area. It is therefore considered in this instance that the principle of tourist accommodation on this site would be appropriate in scale to its countryside character, and would not lead to an unacceptable increase in activity in the countryside.

#### Landscape & Visual Effects

- 6.10 The footprint of the proposed scheme is comparable to that previously approved by the Council under applications DC/08/0593 & DC/12/1851, albeit there are a higher proportion of structures proposed on the site, 23 in total in comparison to the 8 timber lodges previously permitted on the site. The development would be well screened from Cowfold Road and from wider views to the north, east and west as the retained boundary trees would limit the visual impact of the caravan site within the wider landscape. The northern section of the site would be retained as woodland, providing planted screening of the development when viewed from the adjacent woodland to the north.
- 6.11 The caravan pitches would be informally arranged within the centre and lower part of the site. The amended plans have reduced the number of caravan pitches from 30 to 23 and the amount of internal road hard surfacing. The revised scheme provides a more spacious layout, with caravans being dispersed more evenly throughout the site and further spacing between the caravans allowing for a more integrated landscaping scheme within the site. Space has been retained to provide areas of soft landscaping and this would help to 'soften' the appearance of the development, relative to the adjacent countryside setting. The caravans would be single storey and would be low profile within the rural setting.

- 6.12 The caravans would be externally clad in grey, green or brown timber effect panels incorporating a central groove that gives the appearance of two 5-inch planks. The cladding would closely replicate the appearance of traditional timber cladding to ensure that the external appearance would remain in keeping with the surrounding woodland environment. The retained planting to the site boundaries would provide screening of the caravan lodges from the open field to the west and the woodland beyond to the north, therefore limiting the visual impact on the rural amenities of the surrounding area. The Council's Landscape Officer supports the proposal on landscape grounds, subject to the inclusion of conditions requiring the submission and approval of all external materials relating to the caravans (including balustrades, windows, doors, steps), details of hard and soft landscaping, a landscaping maintenance and management plan and combined services plan.

#### Trees

- 6.13 The proposed scheme results in the removal of two groups of trees and the partial removal of 6 groups of trees within the site. The numbers of trees to be removed are small in proportion to the overall tree cover on the site. None of these trees are considered to be of especial merit by the Council's Arboricultural Officer, as they are natural regeneration since the site's abandonment following its use as a brick yard. The proposals do not require the removal of, nor impact upon, 'aged or veteran trees' or 'ancient woodland' as defined in the National Planning Policy Framework. It is therefore considered that the proposed scheme would not have a harmful impact on any important or protected trees on the site or conflict with policy 33 of the HDPF.

#### Highway Impacts & Parking

- 6.14 Vehicular access would be gained to the caravan site via the existing access from the A272 Cowfold Road serving The Orchard Restaurant. The geometry of the existing access onto Cowfold Road would remain the same, with visibility splays of 140m to the east and 160m to the west.
- 6.15 A Transport Statement and speed survey have been submitted in support of this application. The information shows that a low loader can travel into the access and out of the access but it would require the entire width of the junction in order to make the turn. When caravans are moved into or out of the park, these movements would be marshalled as they are defined as abnormal loads. Deliveries or removal of caravans would be infrequent as the caravans would be sold as individual holiday homes. During normal operations, vehicles accessing the site would be primarily private cars which currently use the access for The Orchard Restaurant.
- 6.16 The Highways Authority have confirmed that the visibility splays would exceed the requirements and have raised no concerns in this respect. The existing access to the site would therefore provide adequate visibility splays to serve the development, so as to ensure that vehicles are able enter and exit the site without harming the interests of highway or pedestrian safety.
- 6.17 Local residents have raised particular concern regarding the increased use of the existing vehicular access given the 50mph speed of the road and the safety for road users. A speed survey undertaken by the Applicant concludes that the site is anticipated to generate 3 two way trips in the AM peak and 6 two way trips in the PM peak. Given the low increase in traffic movements the Highways Authority has raised no concern in relation to the increased usage of this vehicular access to serve the holiday caravan park.
- 6.18 The proposed development would provide 2 spaces per caravan pitch and cycle parking, in accordance with West Sussex County Council's Parking Standards. 4 additional visitor

spaces have been provided close to the site entrance. It is not, therefore, considered that the development would result in harmful overspill parking either within the site itself, or within the local highway network. The design and siting of the spaces adjacent to the caravan pitches would allow for safe and convenient maneuvering. The proposal would therefore, subject to conditions, accord with Policies 40 & 41 of the HDPF.

- 6.19 The Applicant has agreed to the provision of an off-road cycle and pedestrian access to link the caravan site along the eastern side of the development site to the South Downs Link. These improvements have been brought forward in discussion with WSCC Rights of Way Officer and would provide a safer and direct access for pedestrians and cyclists from the site to the South Downs Link, therefore encouraging journeys by sustainable modes of transport, as well as providing opportunities for leisure and recreation cycling. Details of the off-road cycle path link would be secured through a S106 agreement.
- 6.20 A contribution in respect of resurfacing improvements to the Downs Link through West Grinstead has been requested from WSCC Rights of Way Officer. The length for resurfacing is approximately 967 metres in length, with a variable width of between 3m and 4m. The Applicant has confirmed that they would not be willing to contribute to the resurfacing of this entire section of the South Downs Link. As the proposed development would secure a new pedestrian/cycle link from the caravan site to the South Downs Link, it is anticipated that the South Downs Link would be regularly used by occupiers of the holiday caravan site. It is therefore considered a contribution towards the partial resurfacing of this right of way would be necessary and directly related to the development in terms of the CIL tests. There are currently on-going discussions between the Applicant and West Sussex County Council regarding an appropriate length of re-surfacing and the associated financial contribution.

### Ecology

- 6.21 The application is supported by a Preliminary Ecological Appraisal (PEA), Phase 2 Protected Species Assessments, a Habitat Creation and Management Plan, and a Woodland Management Plan. The PEA identifies that the site has the potential to provide foraging habitat for reptiles, dormice, great crested newts, badgers and bats. The follow-up Phase 2 Protected Species Assessment has identified that mitigation measures will be required, including the need for European Protected Species licenses for the low populations of dormice and great crested newts surveyed as being present on or adjacent to the site.
- 6.22 The applicant's ecologist has proposed a number of avoidance, mitigation and enhancement measures within the Habitat Creation and Management Plan, to mitigate of the impact of the development on protected species, including dormice and great crested newts. These measures include the enhancement of the remaining 2.39ha of woodland on the site for the protected species on the site through the supplementary planting of shrub species recognised as important food sources for dormice, installation of bird and bat boxes, dormouse nest boxes, creation of reptile hibernacula, coppicing, management and the formation of a Sustainable Urban Drainage System (SuDS) pond designed for great crested newts in the north-west corner of the site.
- 6.23 The Applicant has also shown a commitment to management of the remaining 2.3 ha woodland in the northern part of the site through the submission of a Heads of Terms Woodland Management Plan and agreement to the further submission of a 25 year Woodland Management Plan which would be secured by legal agreement. The basic principle of management would be one of limited intervention allowing the woodland to continue to develop naturally with some additional planting. Rotational coppicing, a traditional method of woodland management which exploits the capacity of many species of trees to put out new shoots from their stump or roots, would take place at set times over the 25 year management period and enable natural regeneration of the site.



- 6.24 Concerns have been raised by the Council's Ecology Consultant regarding the impact that the loss of 1.79ha of woodland would have on biodiversity, woodland soils and habitat supporting protected species on the site which include great crested newts and dormice. In accordance with the requirements of paragraph 118 of the NPPF, and Policy 31 of the HDPF, it is necessary to determine whether the harm to woodland habitats, woodland soils and protected species are adequately mitigated by the proposed mitigation scheme and/or whether other material considerations would outweigh this harm.
- 6.25 Paragraph 118 of NPPF states that *'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...'*
- 6.26 Policy 31 of the HDPF specifies that where development is anticipated to have a direct or indirect adverse impact on sites or features of biodiversity, development will be refused unless it can be demonstrated that:
- i) The reason for the development clearly outweighs the need to protect the value of the site; and,
  - ii) That appropriate mitigation and compensation measures are provided.
- 6.27 The supporting Phase 2 Ecology Surveys have been submitted with this application showing that a low population of dormice are present on site and a moderate population of great crested newts use the site including the ponds adjacent to the site. Habitats within the site are considered likely to provide part of the core terrestrial habitat for dormice and great crested newt, both species of which are protected under the Habitats Regulations.
- 6.28 Due to the presence of these European protected species on the site, the Applicant would be required to obtain a European Protected Species (EPS) licence from Natural England for the proposed development. In considering whether planning permission should be granted Local Planning Authorities are required under the Conservation of Habitats and Species Regulations [the Habitat Regulations] to consider whether it would be likely that an EPS licence would be granted by Natural England to allow the development to proceed under a derogation from the law.
- 6.29 In determining this duty the Local Planning Authority must have consideration of three tests set out in the Regulations:
1. The consented operation must be for preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
  2. There must be 'no satisfactory alternative'
  3. The action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range'.

Within the Natural England Guidance Note: Application of the 'Three Tests' to Licence Applications published in 2010, Natural England encourages the application of the three tests on a 'proportionate basis'; therefore the justification required to meet the three tests increases with the severity of the impact on the species or population concerned.

Test 1 – Other reasons of overriding public interest

- 6.30 The proposal would result in some economic benefits to the local area, comprising of the employment of one permanent member of staff to oversee the management of the holiday

caravan park and short term employment opportunities during the implementation of the proposed development. It is also anticipated that the proposal would result in economic benefits to the local rural economy through tourist visitor spending. The site is well connected to the South Downs and would provide other benefits including the promotion of recreation and enjoyment of the countryside through the provision of a new pedestrian link from the caravan site to the South Downs Link.

In reaching this conclusion regard has been had to Natural England Guidance Note 2010, in which Natural England give a similar example where the social and economic benefits of a single unit of holiday accommodation were deemed sufficient to meet this test. Accordingly there are considered to be reasons of overriding economic and social interests in this case and the requirements of the first test are considered to have been satisfied.

Test 2 – There must be ‘no satisfactory alternative’

- 6.31 Within the Natural England Guidance Note 2010, it is specified that there are always going to be alternatives to a proposal and, in terms of licensing decisions, it is for Natural England to determine that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the EPS.
- 6.32 As part of the EPS licence requirements Natural England expects the Applicant to demonstrate that they have taken reasonable steps to minimise the impacts of a development on European Protected Species. It is considered that measures have been taken throughout the consideration of this application to minimise the impact on great crested newts and dormice. The layout of the caravan site has been amended to reduce the number of caravans and hardstanding on the site which allow for a more integrated landscaping scheme and additional habitat for protected species on the site. Mitigation measures are proposed in the form of the creation of the SUDS pond in the north-west corner of the site which would provide a new habitat for great crested newts. The management of the remaining woodland and retained habitat would be subject to specific habitat enhancement measures for dormice, including supplementary planting of native shrub species known to be beneficial to dormice in areas of currently lower value habitat, and the provision of 50 wooden nest boxes.
- 6.33 The Council’s Ecology Consultant considers that the loss of woodland habitat cannot be fully mitigated through the enhancement of the remaining existing woodland on site. The Ecology Consultant considers that additional areas of woodland planting would be required to compensate for this level of habitat loss, providing additional foraging and hibernating habitat for dormice and great crested newts. In this instance, it is not considered possible to fully mitigate the loss of the 1.9ha woodland through an equivalent area of re-planting as suggested by the Council’s Ecology Consultant. The Agent has confirmed that there is no additional land for planting adjoining the site that is within the Applicant’s control. The Applicant has explored the potential for new planting on adjacent sites by meeting with an adjacent land owner. However, these negotiations to acquire additional land adjacent to the site for new planting have not been successful. In light of these circumstances, it is considered that alternative options have been explored and maximum endeavours have been made to mitigate the ecological impact of the development on the protected species within the confines of the site boundaries.
- 6.34 As there are no satisfactory alternatives in terms of this case, the development is considered to meet the second test.

Test 3 – The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range’

- 6.35 With regard to the third test, it is accepted that the proposal results in the net loss of 1.9ha of woodland habitat, currently used by both of these species and would therefore have a

direct impact on the site's biodiversity. It is therefore necessary to assess whether the mitigation and compensation measures proposed are adequate in terms of ensuring that the proposed development would not be detrimental to the maintenance of the population of the protected species concerned at a favourable conservation status.

- 6.36 Avoidance, mitigation and enhancement measures have been proposed within the submitted Habitat Creation and Management Plan, to include the enhancement of the remaining 2.3ha of woodland on the site for these species through the installation of dormouse boxes, coppicing, management, the creation of a SuDS pond in the north-west corner of the site, and creation of refugia.
- 6.37 The Applicant has shown a commitment to management of the remaining 2.3ha woodland in the northern part of the site through the submission of a Heads of Terms Woodland Management Plan. The basic principle of management would be one of limited intervention allowing the remaining woodland to continue to develop naturally. That natural development, aided by additional planting and scheduled coppicing, would see formerly bare ground revert to woodland that already displays some biodiversity. A 25 year Woodland Management Plan would be secured through a s106 agreement, providing some reassurance that the remaining woodland would be adequately managed to ensure the retention of habitats for protected species using the site. It has been agreed as part of the ecology strategy that access to the remaining woodland would be restricted so that users of the caravan site or other members of the public would not be able to gain access to this retained area of woodland and SUDs pond in the north-west corner of the site to ensure that the habitats of protected species remain undisturbed. Details of any fencing or means of enclosure restricting access to the retained woodland area in the northern part of the site would be required to be submitted by condition.
- 6.38 In consideration of whether the proposal would be detrimental to the population of great crested newts and dormice it should be noted that the application site represents a very small proportion of the total available habitat for both these species (including woodland within the land holding of the applicant, and third-party land). For dormice, the development (1.9 ha) represents 3% of the total continuous woodland habitat supporting this population (58 ha) including land controlled by the applicant and third-party land. The applicant's ecologist has set out that the area affected by the proposed development consists of habitat of inferior quality compared to the surrounding woodland on third party land, based on the composition which lacks an abundance of fruit or nut bearing species for dormice and the underlying clay soil which is waterlogged in winter, making it less suitable for hibernating dormice. The Council's Ecology Consultant considers this approach to assessing the connecting woodland and percentage impacts as acceptable and that the mitigation scheme accords with Natural England's standing advice. However, in her opinion, it is not enough to mitigate for the loss of nearly 2ha of woodland habitat.
- 6.39 Natural England guidance encourages the application of the three tests on a 'proportionate basis'; therefore the justification required to meet the three tests increases with the severity of the impact on the species or population concerned. Taking into account the low to moderate levels of dormice and great crested newts found on and surrounding the site, the current habitat quality of the site, the loss of habitat in the context of the surrounding retained habitat and extensive habitat remaining, it is considered that the proposal is unlikely to be detrimental to the maintenance of the population and the dormice and great crested newt species at a favourable conservation status in their natural range.
- 6.40 Taking into consideration the opinions of both the Council's Ecology Consultant and the Applicant's Ecologist, and having regard the nature of the site and its attachment to wider woodland habitat, it is on balance considered that the proposed enhancement measures and the long term establishment of a sensitive management plan are sufficient mitigations to ensure the development would not be 'detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their range'.

- 6.41 There can be no complete certainty regarding whether Natural England would be likely to grant an EPS licence as this would need to be considered separately under an EPS licence application by Natural England. However, having considered this in detail in the above assessment, it is Officer's view that the three tests within the Habitat Regulations have been met, therefore it is considered that an EPS license would likely be granted by Natural England to allow the development to proceed. Should an EPS Licence not be granted by Natural England following any grant of planning consent for this proposal then the development would not be able to be carried out.
- 6.42 On this basis it is considered that the proposed development includes sufficient mitigation measures to avoid significant harm to biodiversity, thereby complying with the requirements of Paragraph 118 of NPPF and Policy 31 of the HDPF.

#### Impacts upon nearby and future residents

- 6.43 The closest residential property, 2 Railway Cottages is located to the south-east of the site and would be distanced approximately 30 metres to the caravan site. To the east the residential properties in Kennel Lane would be distanced by approximately 88 metres to the caravan site. The caravans would be well screened by the existing trees to be retained along the eastern and southern boundaries of the site. The proposal would therefore cause no direct loss of amenity to the occupiers of neighbouring residential properties.
- 6.44 The proposal would result in additional levels of activity associated with occupiers using the site and vehicular movements accessing and exiting the site. The position of the site adjacent to the A272 and a restaurant with car park means that there is a degree of noise created by traffic movements close to the site. The anticipated additional activity associated with the 23 holiday lodges is not considered to cause a harmful level of disturbance to the occupiers of neighbouring residential properties given their distance from the site and the infrequent manner in which the site would be occupied.
- 6.45 The proposed caravans would be set back into the site, 76 metres from the A272. It is anticipated that the occupiers of the caravans may hear some road noise. The separation distance from the road and retained mature trees along the southern road frontage would mitigate some of the road noise for occupiers of the caravans. This would ensure no unacceptable harm is caused to the amenity of occupiers of the caravans, through noise disturbance in accordance with Policy 33 of the HDPF.

#### S106 Obligations and Conditions

- 6.46 Whilst the Applicant has stated it is his intention to sell the caravans to individual owners to be used as their holiday homes, a number of concerns have been raised from local residents regarding their potential future use as permanent residential dwellings. As the site is located outside the built up area boundary, this countryside location would not be considered suitable for residential development as the application site is neither allocated for development in the HDPF or in a 'Made' Neighbourhood Plan. The residential development of this site would not therefore accord with Council's strategy as set out in Policies 2, 3 & 4 of the HDPF.
- 6.47 The proposal would also be unlikely to be considered acceptable in terms of Policy 19 (park homes & residential caravan sites) of the HDPF as the Council is in a strong position with its current 5 year housing supply and adequate evidence would need to be provided to show that the caravans would meet a local housing need.
- 6.48 It is of note that the definition of a caravan site (as detailed in para. 6.1 of this report) does not differentiate between different types of caravans or the different nature of occupation in terms of whether the human habitation is as a person's sole or main residence, or whether it is their holiday or seasonal home, or whether the use is as a holiday home on a short and

infrequent basis. All of these activities are that of human habitation and they are not distinguished by the 1960 Caravan Sites Act.

- 6.49 A caravan site is a use of land for the stationing of caravans. Once planning permission exists for the use of the land, the siting of additional caravans or changing the siting of caravans within the lawful site would not amount to a development as the land would not be changed. It is necessary to safeguard the Council's position in respect of any future use of the caravans for permanent residential units of accommodation and to ensure that the character and appearance of this woodland area of is retained. It is therefore considered important that appropriate legal agreements and planning conditions are used to control the nature of occupation of the caravans, the siting/layout of the caravan pitches, and the number of caravans which are on a site.
- 6.50 In terms of restricting the period in which a caravan may be occupied, it is noted that there are other caravan sites within the District which are subject to an occupancy condition which restricts the use of the caravans for a maximum period of 11 months of the year, with a set month, usually January or February, being restricted from occupancy. This is in order to prevent a continual residential use being established on site, thereby ensuring that the caravans on these sites are retained for their holiday purpose, supporting tourism within the District. The benefit of a time occupancy condition is that it enables the Council to effectively monitor the use of the site as a visit can be made during the restricted month to check that the caravans on the site are not being occupied.
- 6.51 In this case, the Applicant has stated that he does not want a set month of occupancy to be restricted as occupiers want to stay at different times of the year and this would affect the viability of his business, make it challenging to compete with other holiday caravan sites within the south that offer full 12 month occupancy.
- 6.52 The Horsham District Hotel & Visitor Accommodation Study 2016 specifies that planning conditions that restrict opening periods and occupancy are unintentionally limiting the ability of tourist accommodation businesses to take longer lets, particularly out of season, and to operate on a year round basis, as the market is increasingly demanding. Where these conditions are being used to prevent permanent residential use, the study recommends this condition is replaced by a legal agreement which requires the accommodation to be used for holiday purposes only, and evidenced through the keeping of guest registers. This study forms part of the background documents which accompany the HDPF and therefore needs to be attributed due weight.
- 6.53 The Council has also recently approved the variation of 11 month occupancy conditions on a caravan holiday site at Downsview Caravan Park in Woodmancote to allow for full 12 month occupancy (DC/17/1033 & DC/17/2032). In this case, Officers considered that the proposed variation of the conditions which required that the 40 caravans were only occupied for holiday purposes, with an up to date register required to be kept of all owners/occupiers of individual main residences would ensure that the caravans were retained for holiday use and not as permanent residential dwellings.
- 6.54 There are also a number of appeal decisions elsewhere which support this approach. In an Appeal Decision on one of the Applicant's other caravan sites in Ashford, the Planning Inspector applied conditions restricting the occupation of the caravans to holiday accommodation only and required an up-to-date site register of the occupant's main permanent addresses to be maintained for Council inspection. There are a number of other planning cases determined by Planning Inspectors which supports the approach of not imposing restrictive conditions relating to set occupancy periods for holiday accommodation.
- 6.55 In order to provide some reassurance to the Council, the Applicant has agreed to the provision of a s106 legal agreement which specifies that the caravan site would only be

used for holiday accommodation purposes. The s106 legal agreement would also secure a 25 year Woodland Management Plan, a cycle and pedestrian link from the site to the South Downs Link and the partial re-surfacing of the public right of way to the east of the site as previously discussed.

- 6.56 On the basis of research undertaken in relation into this matter, it would appear that there is increasing support to include either conditions and/or a s106 legal agreement which states that the accommodation shall only be used for holiday accommodation purposes and to keep an up-to date register of owner/occupiers permanent residences. The Horsham District Hotel & Visitor Accommodation Study supports this approach, specifying that planning conditions that restrict opening periods for tourist accommodation unintentionally limit the ability of tourist accommodation businesses to operate on a year round basis in an increasingly demanding tourism market. The Council would be able to monitor the occupancy of the caravan site through the imposition of a condition which required an up-to-date site register of primary residence. The register could be used as a source of evidence to allow the Council to investigate through land registry searches whether the occupants had another residence(s). The imposition of a legal restriction on the land would also give the Council stronger powers in perpetuity for recourse should the caravan site be used for permanent residential purposes. The legal agreement and condition are therefore considered to provide adequate mechanisms to allow the Council to effectively monitor the occupancy of the caravan site and provide legal powers should an alleged breach occur.
- 6.57 In addition to the above, planning conditions are also recommended that would also restrict the number of caravans on the site to 23 and the layout as shown on the submitted block plan, 5561/C/01a Rev I. This would ensure that no alterations could be made to the layout, siting or number of caravans on the site which could potentially impact on the character, appearance, trees, landscape or biodiversity of the site.

#### Conclusions and Planning Balance

- 6.58 The proposed use of the site as a site for holiday lodge caravans would meet an identified need for caravanning tourist accommodation in a rural area within the District and enable future economic growth to the local economy through increased visitor spending in accordance with Policies 10 and 11 of the HDPF. It is also considered, taking into account the position of the site next to the busy A272 and an existing restaurant and car park, that the level of activity associated with 23 holiday caravan lodges would not be harmful to the rural location of the area and would not conflict with policies 11 and 26 of the HDPF. The development would be well screened from Cowfold Road and from wider views to the north, east and west as the retained boundary trees would limit the visual impact of the caravan site within the wider landscape and would not therefore conflict with policy 33 of the HDPF. The proposals would not require the removal of, nor impact upon, protected or aged/veteran trees and ancient woodland on the site.
- 6.59 It has not been possible to overcome the Council's Ecologist's objection raised in relation to the loss of the 1.9ha woodland and the effect this would have on biodiversity, woodland soils and habitat supporting protected species on the site. The only mitigation that would overcome the Ecologist's objection would be woodland planting of an equivalent area adjacent to the site. Despite negotiations, the Applicant has confirmed that there is no additional land for planting adjoining the site that is within his control. The Applicant has put forward a number of mitigation measures within the Habitat Creation and Management Plan and committed to a 25 year Woodland Management Plan secured by a legal agreement to ensure that the remaining 2.3 ha woodland on the site is actively managed, enhanced and preserved. These measures are considered by the applicant's ecologist to be sufficient to mitigate the impact of the development. Over half of the site would therefore be retained as woodland with a SUDS pond created, which would maintain habitat for protected species using the site and retain valued woodland soils. It is considered that the

maximum level of mitigation that could realistically be achieved within the confines of the site boundaries has been put forward in the ecology strategy submitted.

- 6.60 There can be no complete certainty regarding whether Natural England would be likely to grant an EPS licence as this would need to be considered separately under an EPS licence application by Natural England. Natural England guidance states that when assessing whether the grant of an EPS license would be likely, consideration of the three tests set out within the Habitat Regulations should be made on a proportionate basis. On this basis, taking into account the low to moderate levels of protected species found on the site, the overall quality of the site as a habitat for these species, and the retention and improvement proposed to their wider surrounding habitat, it is considered that the three tests within the Habitat Regulations would be met, with the proposal unlikely to be detrimental to the maintenance of the dormice and great crested newt species population at a favourable conservation status in their natural range.
- 6.61 It is Officer's view that in this particular instance, the resultant benefits to tourism and the local economy outweighs any impact to biodiversity which would be mitigated as far as possible through the proposed ecological mitigation measures and 25 year Woodland Management Plan. It is therefore considered that the proposed development, a departure from the development plan, can in this instance be justified on the basis that the proposal would meet an identified need for caravanning tourist accommodation within a rural area of the District, enable future economic growth within the Horsham District and providing appropriate ecological mitigation measures to offset impacts to biodiversity. This would be subject to the s106 agreement and planning conditions which seek to control the caravan site to ensure no permanent residences are created in the countryside which would be contrary to the Council's policies.

## 7. RECOMMENDATIONS

- 7.1 To grant planning permission subject to appropriate conditions and a Legal Agreement
1. List of approved plans and documents.
  2. 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:** Prior to the commencement of development, a plan showing the site layout with the location of the Site Managers Lodge shall be submitted to and approved in writing by the Local Planning Authority. The identified caravan shall thereafter only be occupied as a Site Managers Lodge in conjunction with the management of the holiday caravan site, and for no other purpose.

Reason: To ensure the identified caravan is only occupied as a Site Managers Lodge in conjunction with the management of the holiday caravan site in accordance with Policy 33 of the Horsham District Planning Framework 2015.

4. **Pre-Commencement Condition: Approval of Materials**  
No development hereby permitted shall take place until details of all external materials to be used for the external walls, roofs, windows, doors, steps, balustrades of the caravan lodges, including their full range of combinations, have 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-Commencement Condition: External Lighting/Flood Lighting**

No external lighting, street lighting or flood lighting shall be installed on the site until full details have been submitted to and approved in writing by the Local Planning Authority. Any proposals for lighting should incorporate an ecologically sensitive lighting scheme to reduce impacts on protected species which should be in consultation with a qualified Ecologist. The lighting scheme shall be installed and retained in accordance with the approved details.

*Reason: In the interests of the amenities of the locality and to provide ecological protection and enhancement in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).*

6. **Pre-Commencement Condition: Foul Drainage**

No development shall commence until a drainage strategy detailing the proposed means of foul drainage 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).*

7. **Pre-Commencement Condition: Sustainable Surface Water Drainage**

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

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

8. **Pre-Commencement Condition: Construction Management Plan**

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. working hours
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding, where appropriate
- vi. the provision of wheel washing facilities if necessary
- vii. measures to control the emission of dust and dirt during construction
- viii. 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 during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*



9. **Pre-Commencement Condition: Contamination**

No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site 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.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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

10. **Pre-Occupation Condition: Car Parking**

Prior to the first occupation of the holiday caravan site hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be first occupied until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

*Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)*

11. **Pre-Occupation Condition: Cycle Storage**

Prior to the first occupation of the holiday caravan site hereby permitted details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, the caravan park shall have been submitted to and approved in writing by the Local Planning Authority. No caravan shall be occupied until the approved cycle parking facilities associated with that caravan have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

12. **Pre-Occupation Condition: Landscape Management Plan**

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

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

13. **Pre-Occupation Condition: Hard & Soft Landscaping**

Prior to the first occupation (or use) of any part of the development hereby permitted, the overall landscape strategy for the site and full details of the hard and soft landscaping works and shall have been submitted to and approved, in writing, by the Local Planning Authority. Details that will be required to be submitted include:

- Details of a green infrastructure that meanders through the space and helps to 'anchor' the caravans to the site and coordination with the ecology mitigation measures
- Details of boundary treatments on the site or defining caravan plots
- Details of street furniture (including any lighting bollards, seating, bins, finger posts, signs, which are expected to be provided in timber)
- Exact location of swales and details of their depth and pond planting
- Details of the woodland trail (levels, surfacing, construction detail)
- Coordination of landscape proposals with pedestrian link to the South Downs path
- Details (including cross section drawings) of existing and proposed levels for all external earthworks associated with the landscape proposals including the basin.
- A general arrangement plan of the landscape proposals which must include trees and hedgerows to be removed, retained and proposed
- Details of the means of enclosure to restrict access for occupiers of the caravan site to the retained woodland in the northern part of the site

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).*

14. **Pre-Occupation Condition: Refuse & Recycling (details required)**

The caravan site hereby permitted shall not be first occupied unless and until provision for the storage of refuse/recycling has been made for each caravan in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

15. **Regulatory Condition: Number of Caravans**

The total number of caravans on the site shall at no time exceed 23 holiday caravans.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

16. **Regulatory Condition: Layout of Caravan Site**

The holiday caravan site and position of the 23 holiday caravans shall at all times be laid out in accordance with the approved Block Plan (drawing no. 5561/C/01a Rev J received 26<sup>th</sup> January 2018).

Reason: To enable the Local Planning Authority to retain control on the appearance of the site in the interest of protecting the ecological and landscape impact of the development in accordance with Policies 31 and 33 of the Horsham District Planning Framework 2015.

17. **Regulatory Condition: Register of Permanent Residence**

The owners / operators of the caravan park shall maintain an up-to-date register, log and license agreements of the names of all owners / occupiers of caravans on the site and of their main home addresses and shall make the information available at all reasonable times, to the Local Planning Authority.

Reason: To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation in the interests of sustainable development and reducing the pressure on local services, to protect the appearance and character of the area and to ensure that adequate provision is retained for holiday accommodation, in accordance with Policy 11 and 26 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition: Accordance with Ecology Statement**

The development shall be carried out in accordance with the Habitat Creation and Management Plan, by the Ecology Co-op (with specific reference to Sections 3, 4 & 5), dated 24<sup>th</sup> November 2017.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

19. **Regulatory Condition: Accordance with Arboricultural Statement**

The development shall be carried out in accordance with the Tree Protection Plan, 9491-KC-XX-YTREE-TPP02 Rev B and Tree Information Statement submitted on the 5<sup>th</sup> December 2017, which details the measures to protect the retained trees on the site.

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

20. **Regulatory condition: Tree Protection**

No trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be felled as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or

become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

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

21. **Regulatory Condition: Underground Services**

The development shall be carried out in accordance with the Services Plan, 170514/100 Rev C submitted on 26<sup>th</sup> January 2018 and shall show accordance with the landscaping scheme submitted pursuant to condition 14 and the approved Tree Protection Plan, 9491-KC-XX-YTREE-TPP02 Rev B and Tree Information Statement submitted on the 5<sup>th</sup> December 2017. The development shall thereafter be carried out in accordance with the approved details.

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

22. **Regulatory Condition: No Fences, Walls or Gates**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed on the caravan site without express planning consent from the Local Planning Authority first being obtained.

*Reason: In order to safeguard the character and visual amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

23. **Regulatory Condition: Permitted Development Restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or Orders amending or revoking and re-enacting the same, no works constituting development required by the conditions of a site licence for the time being in force under Part I of the Caravans Sites and Control of Development Act 1960, shall be commenced without the prior approval in writing of detailed plans and specifications by the Local Planning Authority.

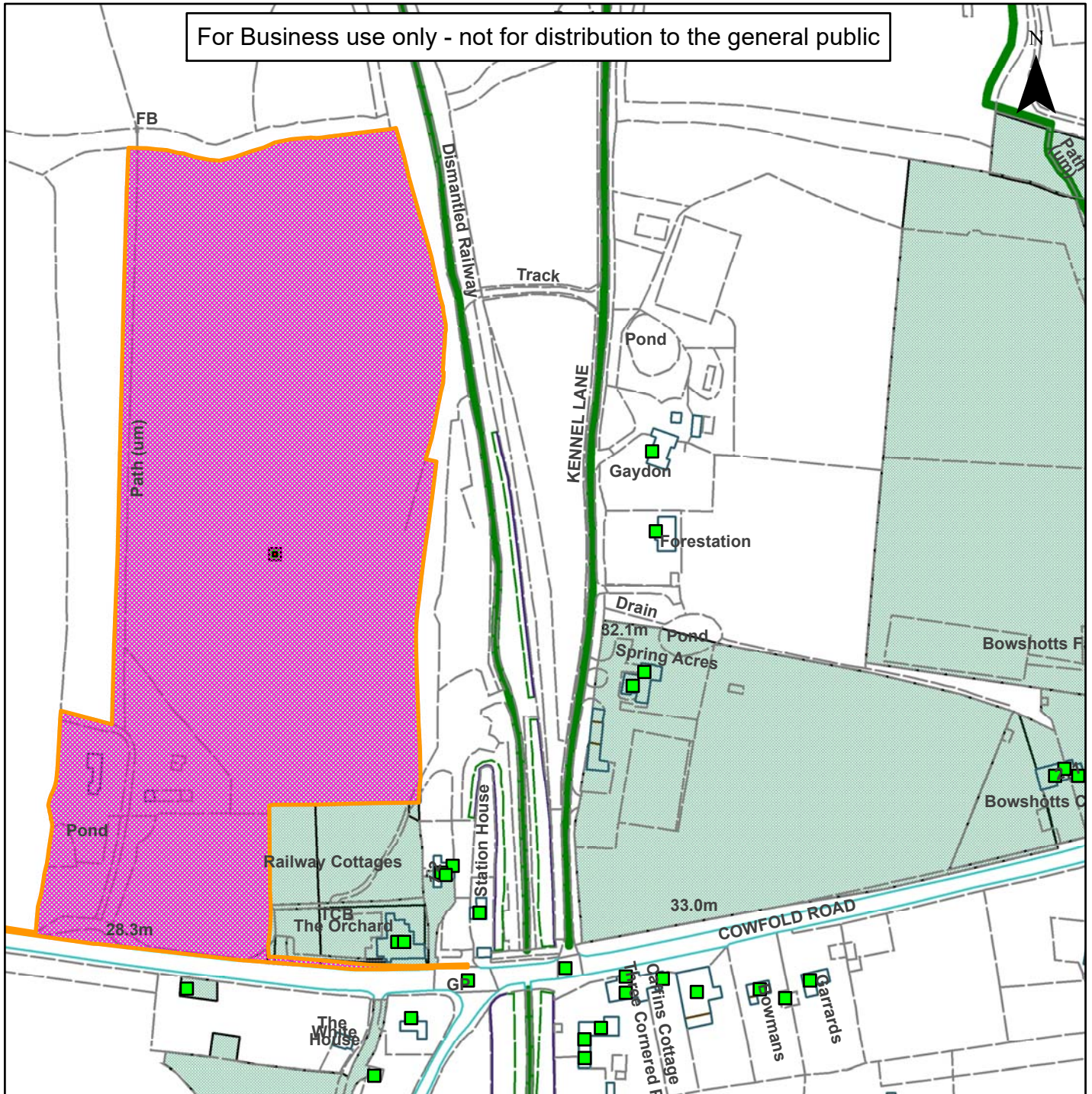
Reason: To enable the Local Planning Authority to retain control and secure a satisfactory development of the site in accordance with Policy 26 and 33 of the Horsham District Planning Framework (2015)

Background Papers: DC/12/1851, DC/12/1092, DC/11/0783, DC/08/0593



Not Set

For Business use only - not for distribution to the general public



Scale: 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
MSA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

## **PLANNING REPORT COMMITTEE**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20 March 2018

**DEVELOPMENT:** Demolition of the existing bungalow and erection of four three storey residential units as two pairs of semi-detached properties.

**SITE:** Firside Lower Faircox Henfield West Sussex BN5 9UT

**WARD:** Henfield

**APPLICATION:** DC/17/2887

**APPLICANT:** **Name:** Mr and Mrs Huckson **Address:** Fairyland Brighton Road Woodmancote BN5 9SR

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

**RECOMMENDATION:** To approve planning permission subject to conditions

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

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of 2 x pairs of semi-detached dwellings.
- 1.2 Each plot would measure to a depth of 25m and width of 7m, with the proposed dwellings positioned centrally. Amenity space would be provided to the rear of the dwellings (measuring approximately 60sqm) with parking for 2 x vehicles per dwelling and 1 x visitor space provided to the front.
- 1.3 Each pair of dwellings would measure to a depth of 11.9m and a width of 12.4m, and would extend to a total ground floor area of approximately 148sqm. The proposed dwellings would incorporate gable features to the front and rear, with pitched roof extending to an overall height of 8.4m. The proposal would extend over three storeys (with bedroom and ensuite built into the roof) and would incorporate a ground floor flat roof projection to the front.
- 1.4 Each dwelling would measure to a depth of 11.9m and a width of 6.2m, and would incorporate a pitched roof with hipped roof set back within the roofscape to provide the head space for the stairs to the attic space.
- 1.5 The proposed dwellings would be half finished in facing brick and horizontal timber cladding, with plain clay tiles to the roof. The proposed dwellings would provide a kitchen/living

room/dining room on the ground floor, 2 x bedrooms (one with en-suite), bathroom and study to the first floor, and one bedroom (with en-suite) to the second floor.

## DESCRIPTION OF THE SITE

- 1.6 The application site lies within the designated built-up area of Henfield, set back from the public highway of Lower Faircox and serviced by an existing access driveway. The site is surrounded by properties of varying size and appearance, all of which are oriented at various angles to the site.
- 1.7 The site itself is relatively flat, with the properties to the north set above the site, and those to the south and west set below. The site is well screened by mature trees to the south and west, with mature hedging provided along the north and western boundaries.
- 1.8 The rear gardens of the neighbouring properties bound the site, and these extend to a depth of between 11m and 19m, with the rear garden of the neighbouring property to the east extending the length of the site. The distance between the proposed properties themselves and those to the west is at least 24m.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

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

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

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

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 40 - Sustainable Transport

Policy 41 - Parking

#### 2.4 Supplementary Planning Guidance:

N/A

#### 2.5 Design Statement:

Henfield Parish Design Statement 2009

### RELEVANT NEIGHBOURHOOD PLAN

#### 2.6 **Henfield Neighbourhood Development Plan**



Following a court decision on 13 October 2016, Henfield Neighbourhood Development Plan has been quashed. The Parish Council is currently considering how they will move forward. Henfield Parish continues to be covered by the Horsham District Local Plan, and this plan remains the current and up to date plan for the area.

## 2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

HF/17/56	Site for bungalow. (From old Planning History)	Application Refused on 02.05.1956
HF/13/67	Dwelling and garage. (From old Planning History)	Application Refused on 05.04.1967
HF/60/68	Bungalow. Comment: Appeal allowed 23/01/69 (From old Planning History)	Application Permitted on 23.01.1969
HF/17/69	Detached bungalow and garage. (From old Planning History)	Application Permitted on 21.03.1969
HF/33/69	Amendments to hf/17/69 (From old Planning History)	Application Permitted on 25.04.1969
DC/17/0411	Demolition of the existing bungalow and erection of four residential units as two pairs of semi-detached properties	Application Refused on 28.04.2017 – Appeal dismissed on 13.12.2017

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

- 3.2 N/A

### OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection  
3.4 **Southern Water:** No Objection

### PUBLIC CONSULTATIONS

- 3.5 **Parish Council:** Objection on the grounds of failure to comply with Policies 32, 33 and 34 of the Horsham District Planning Framework (2015).  
3.6 18 letters of objection were received from 16 individual households, and these can be summarised as follows:
- Out of character in appearance to all other properties in the locality

- Outsized and overbearing character
- Loss of privacy and amenity to neighbouring properties
- Light pollution and impairment of dark skies
- Removal of trees
- Density of development compared with neighbouring properties
- Overdevelopment of site
- Impact on Public Right of Way
- Height of the dwellings compared with surroundings
- Impact on services and facilities
- Noise and pollution caused by development
- Additional traffic movement and limited visibility from access point
- Development would not relate to landscape or open spaces
- Storage of construction materials

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

- 6.1 The application seeks full planning permission for the demolition of the existing dwelling and the erection of 2 x pairs of semi-detached dwellings.

##### **Background**

- 6.2 A previous application under reference DC/17/0411 was refused at South Committee on 25 April 2017, and later dismissed at appeal. Within the Inspector's report, it was stated that the development of the site for 4 no dwellings need not appear as overdevelopment, particularly having in mind the grain of development nearby at Ganders Close, which looks onto, and is visible from Lower Faircox.
- 6.3 However, concerns were raised in respect of the design and appearance of the proposed dwellings, where it was stated that whilst the pitched roof would reflect the predominant architectural treatment of the surrounding area, and the rooms in the roof would not add height or bulk to what would appear as two storey dwellings. The the flat roof, vertical-walled central part between the two pitches would however introduce an uncharacteristic feature, with an undue appearance of bulk. It was concluded that this bulky box-like appendage would appear intrusive to the otherwise acceptable roof-scape, and would appear out-of-place and unattractive from many viewpoints. The application was therefore dismissed on the grounds that the inclusion of such contrived and unattractive stair enclosure would undermine the architectural treatment of the building, causing harm to the character and appearance of the area.
- 6.4 The current application has been amended in response to the key concerns raised in the appeal decision.

## **Principle of Development**

- 6.5 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.6 The site lies within the designated built-up area of Henfield, which is categorised as a “Small Town and Village” under Policy 3 of the HDPF. There is a presumption in favour of sustainable development within the built-up area, and as such, the proposal is considered acceptable in principle, subject to all other material considerations.

## **Character of the dwellings and visual amenities of the street scene**

- 6.7 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.8 The wider area consists of a mix of detached and semi-detached properties of both single and two storey nature, all of which are built along relatively continuous build lines that front the highway. It is noted that whilst the build pattern of the surroundings is relatively uniform (consisting of dwellings built along the public highway) a similar dwelling, known as Hunters End is set back off the highway, to the rear of the surrounding properties. The plot sizes of the surrounding properties vary, with properties to the north consisting of large elongated rear gardens, and properties to the south consisting of shallower curtilages.
- 6.9 The proposed dwellings would each measure to a total floor area of approximately 72sqm, and would be positioned centrally within a curtilage of approximately 140sqm. Whilst noted that the proposed layout of the site would contrast against the surrounding build pattern of dwellings, the pattern of development is not considered to be so characteristic that would warrant a refusal on these grounds. It is therefore considered that the proposed layout of the dwellings would not result in harm to the character of the site and surroundings.
- 6.10 The application site and surroundings slope on an incline from south to north, with the proposed height of the dwellings seeking to transition between the single storey dwellings to the south and the adjacent properties to the north which sit on higher ground. This transition is considered an appropriate and informed approach that would limit physical and visual impact and reflect the character and pattern of development of the wider street scene. In addition, the plot size of each dwelling is considered to provide a sufficient amount of amenity space that would reasonably reflect the built surroundings and pattern of development. Therefore, the position of the dwellings would retain a level of openness between the surrounding properties, with the form and appearance of the dwellings considered to provide visual relief and interest.
- 6.11 The street scene is characterised by a mixed vernacular and material palette, with no discernible or distinguishable character within it. The proposed dwellings would be finished in facing brick and horizontal cladding, with plain clay tiles to the roof. The proposed finish and appearance of the dwellings is considered to be of a high quality, with the overall design and appearance considered to improve the visual aesthetics of the site, and complement the character of the surroundings.
- 6.12 The design and form of the proposed dwellings has been amended in response to the earlier appeal decision to remove the box-like appendage between the two pitched gables, and this has been replaced with a hipped addition that would sit between the gables. This addition, which would slope into the roof-scape, is considered to sit more comfortably within the context of the dwelling, in a form that is considered to be more reflective of the characteristic vernacular of the proposed dwellings and surrounding properties.

- 6.13 The application site forms an existing backland site, set back from the public highway. In its current layout the site does not relate to the surrounding pattern of development, and is not visible from the street scene. The introduction of semi-detached dwellings is therefore not considered to detract from the overall character and build pattern of the surroundings. Given the nature and form of the built surroundings, the proposed plot size and layout of the dwellings are considered to be reflective of similar development within the area, with the proposal considered to maintain the characteristics of the surrounding build pattern, in accordance with policies 32 and 33 of the Horsham District Planning Framework (2015).

#### **Amenities of the occupiers of adjoining properties**

- 6.12 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties. The Horsham District Design Guidance on House Extensions states that rear window to rear window distances should be no less than 21m, with blank gable to rear elevation distance at a minimum of 10.5m.
- 6.13 The application site lies centrally, surrounded by residential properties to the north, south, east and west. Given the natural topography, the dwellings to the south are set below the site, with the dwellings to the north positioned on higher ground. A number of the objections received raise concern with the scale of the development and the impact the proposed dwellings would have on the amenities of neighbouring properties surrounding the site. In particular, given the natural topography of the site in relation to the surroundings, the objections are concerned that the proposed development would lead to unacceptable overlooking, loss of privacy, and loss of natural light.
- 6.14 The previous application under reference DC/17/0411 was refused at South Committee on 25 April 2017, and later dismissed at appeal. Within the Inspector's report, doubts were raised over the effect of the development on the living conditions of neighbouring residential occupiers through the likely increase in noise and disturbance from vehicles. However, no objections were raised on the grounds of the impact the proposal would have through overlooking and loss of privacy to neighbouring properties.
- 6.15 The applicant has sought to address the issues of noise and disturbance with the installation of a 1.8m high acoustic fence along the south, east and west boundaries. Whilst the additional vehicular movements resulting from the increase number of dwellings would result in the possibility of noise disturbance, given the recognised and established residential character of the locality, and the associated vehicular movements and noise resulting from this, it is not considered that the additional dwellings would result in material harm to the amenities and sensitivities of the neighbouring properties in this regard, with the acoustic fencing (which is secured by condition) sufficient to mitigate potential harm.
- 6.16 It is considered that while the proposed development would increase the number and height of dwellings on the site, consideration has been given to limit the impact upon the surrounding neighbouring properties.
- 6.17 The proposed dwellings would be positioned centrally within the site, with the rear elevations positioned approximately 23m from those of the neighbouring properties to the west, and the flank side elevations positioned approximately 20m from the neighbouring properties to the north and south. The natural topography would result in the ridge height of the proposed dwellings being approximately level with the eaves height of the neighbouring properties to the north, with the first floor windows positioned in line with the ridge height of the neighbouring properties to the south and west.
- 6.18 The proposed dwellings would be positioned in excess of the 21m and 10.5m respectively recommended within the Horsham District Design Guidance Leaflet on House Extensions. As such, the dwellings are considered to be sited at an appropriate distance to reduce

potential overlooking and loss of privacy. In addition, it is considered that the windows of the proposed dwellings have been positioned and oriented to address potential overlooking, with the size of the openings considered reasonable to allow a sufficient amount of natural light whilst also limiting potential outlook.

- 6.19 Although the additional dwellings, extending over two storeys (with rooms in roof) would result in an increased perception of overlooking, given the differing ground levels and the size of the gardens to the adjacent dwellings, it is considered that the angle of degree would provide limited views into the neighbouring gardens. In addition, whilst soft landscaping such as hedging cannot be relied upon to make development acceptable, the mature screening along the southern and western boundaries would go some way to reduce the perception of overlooking to the adjacent properties. In order to ensure that this mitigation is continued, it is considered reasonable to impose a landscaping condition to maintain the screening along the western and southern boundaries.
- 6.20 A landscape condition is recommended to mitigate the impact along the western boundary and it is considered that the impact upon the neighbouring properties through overshadowing, loss of light and privacy would be limited. As such, it is not considered that material harm would be caused by the development, in accordance with Policy 33 of the Horsham District Planning Framework.

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

- 6.21 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.22 The proposed development would provide a total of 9 x parking spaces (2 per dwelling with 1 x visitor space). The spaces would each measure 2.4m x 4.8m, and would be positioned at 90 degrees from the access, with 3 of the spaces positioned to the north of the site. The existing access to the site would be retained in its current form, with no alterations proposed.
- 6.23 The proposed parking is considered suitable for vehicles, with adequate allocation provided within the development. Whilst a number of objections have been received raising concerns with the anticipated level and frequency of traffic, WSCC Highways consider that the D-class nature of the road, as well as its allocation as a no-through road, restricts the anticipated frequency of movements. It is also acknowledged that the existing access is sufficient in its current form, and whilst additional trips would be generated by the additional dwellings/vehicles, this is not considered to be so great as to cause harm to the function of the highway network.
- 6.24 The proposal is therefore considered to provide safe and adequate access and parking, suitable for all users, in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

#### **Conclusion**

- 6.25 The previous application was dismissed at appeal on the grounds of the design and appearance of the proposed dwellings (in particular the box-like appendage to the roof), with concerns raised in respect of possible noise disturbance caused by vehicle movements. The Inspector did not object to the principle of 4 no. dwellings on the site, or the general scale and mass of these dwellings. Whilst objections were raised to the design of the dwellings, the applicant has addressed this through the use of a hipped roof between the gables. In addition, the installation of an acoustic fence along the boundaries has sought to mitigate potential noise and disturbance concerns.
- 6.26 The proposed dwellings are considered to be of a scale, design and form that would be sympathetic to the character and distinctiveness of the site and wider landscape, whilst of a

siting and orientation that would not materially harm the amenities of neighbouring properties. In addition, the proposal is considered to provide sufficient parking and turning space on site, and would not result in 'severe' harm to the function of the public highway network. As such, the proposal is considered to accord with policies 3, 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

## 7. RECOMMENDATIONS

7.1 To approve the application 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, except for demolition of the existing building, 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).

4 **Pre-Commencement Condition:** No development, except for demolition of the existing building, shall commence until precise details of the existing and proposed finished floor levels of the development in relation to nearby datum points 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 (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).

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 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).

- 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:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number 1656.PL01B received on 02.01.2018. These facilities shall thereafter be retained for use at all times.

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

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 1656.PL01B received on 02.01.2018. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 10 **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 1656.PL01B received 02.01.2018 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).

- 11 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted details of the acoustic fencing, as indicated on plan 1656.PL01B received 02.01.2018, shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the agreed details 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).

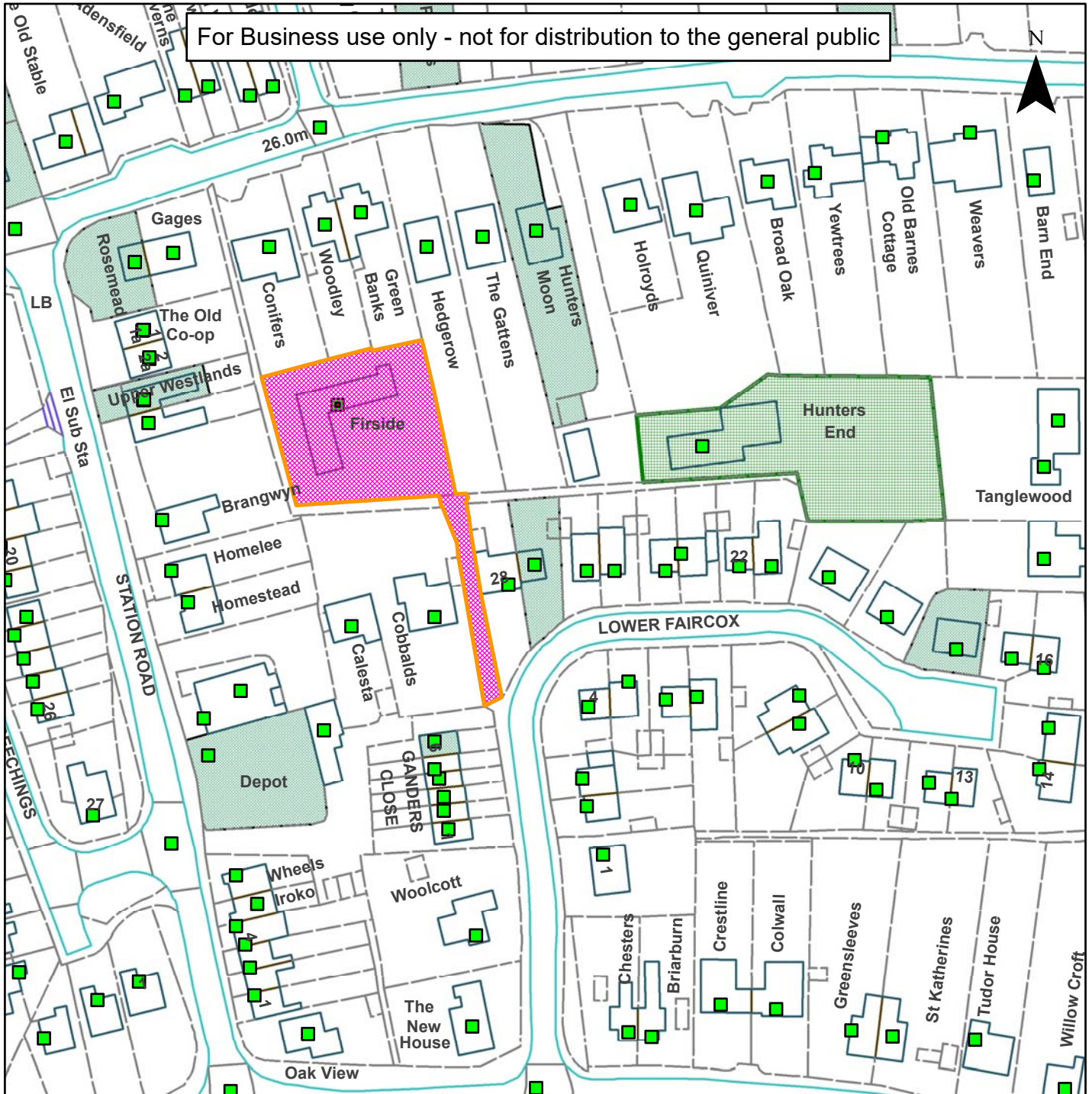
Background Papers: DC/17/2887





Not Set

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
SA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

## **PLANNING REPORT COMMITTEE**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20 March 2018

**DEVELOPMENT:** Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Full application)

**SITE:** Lloyds Bank TSB Limited 37 High Street Steyning West Sussex BN44 3ZA

**WARD:** Steyning

**APPLICATION:** DC/17/2625

**APPLICANT:** **Name:** Mr Cameron Robertson-Aitken **Address:** c/o agent

**REASON FOR INCLUSION ON THE AGENDA:** At the request of Cllr Willett

**RECOMMENDATION:** To approve planning permission subject to conditions

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

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the conversion of the building to provide 1 no. retail unit on the ground floor, with 4 no. flats. The proposal would involve internal works to reconfigure the layout to provide a smaller ground floor commercial/retail unit and store rooms, with the provision of 4 no. flats to the ground and first floor. Two single storey rear extensions are proposed to the building to provide living accommodation for the 2 no. flats proposed to the ground floor.
- 1.2 The proposed internal works would primarily retain the historic plan form, with the removal of later partitions to the ground floor, and the blocking-up of certain openings to facilitate the subdivision of units. The proposed internal alterations would create a small retail unit with kitchenette w.c, and store rooms to the ground floor at the front of the building, and the provision of a 2 no. 2-bed flats on the ground floor; with the provision of a 3-bed flat and 2-bed flat on the first floor.
- 1.3 The proposed retail unit would be accessed from the existing entrance which fronts the High Street, with the removal of the existing partitions to provide an open floor plan within the unit. The proposal would result in a retail unit measuring approximately 118sqm. Flat 1 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 74sqm; Flat 2 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 80sqm; Flat 3 would provide 2 no. bedrooms and measure to a floor area of

approximately 114sqm; with Flat 4 providing 3 no. bedrooms, and measuring to a total floor area of approximately 108sqm.

- 1.4 The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials.
- 1.5 The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.
- 1.6 The 2 no. ground floor flats would each include a rear courtyard that would measure 17sqm and 13sqm respectively. A communal garden area would be provided to the south-west of the building, measuring to a total coverage of approximately 40sqm, which would be positioned between the rear yard of the neighbouring property to the south, and the rear yard area of the application site (subject of an application for the erection of 2 no. dwellings under reference DC/16/2620).

#### DESCRIPTION OF THE SITE

- 1.7 The application site consists of a Grade II Listed Building which lies within the built-up area and Primary Shopping Area of Steyning, and sits within the designated Conservation Area of Steyning. The site is surrounded by a mix of retail, commercial, and residential properties, many of which consist of Grade II Listed Buildings.
- 1.8 The site's current lawful use is for a bank (A2) use on the ground floor, with a single 4-bed flat to the first floor. The business unit is accessed from the central door to the front of the building, with separate access provided to the first floor flat through an entrance door off-set to the side of the frontage.
- 1.9 The neighbouring properties sit along the frontage of High Street to the west of the application site, with ancillary buildings positioned directly to the north of the site. A converted barn to the north-west of the site is used as an independent residential dwelling.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development  
 Policy 10 - Rural Economic Development  
 Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres  
 Policy 13 - Town Centre Uses  
 Policy 15 - Strategic Policy: Housing Provision  
 Policy 16 - Strategic Policy: Meeting Local Housing Needs  
 Policy 32 - Strategic Policy: The Quality of New Development  
 Policy 33 - Development Principles  
 Policy 34 - Cultural and Heritage Assets  
 Policy 41 - Parking

Supplementary Planning Guidance:

2.4

N/A

RELEVANT NEIGHBOURHOOD PLAN

2.5

Following the de-cluster of the SWAB group, Steyning Parish Council at Full Council Meeting (20/11) approved to move forward with a new neighbourhood plan and agreed Terms of Reference. The Parish Council are now recruiting steering group members to assist with the development of the Neighbourhood Plan.

2.6

PLANNING HISTORY AND RELEVANT APPLICATIONS

There is an extensive planning history for the site, relating to alterations to the building, none of which is directly relevant to this application.

DC/17/1626

Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Listed Building Consent)

Accompanying LBC application, also included on this Agenda

**3.**

**OUTCOME OF CONSULTATIONS**

3.1

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

INTERNAL CONSULTATIONS

3.2

**HDC Conservation:** Regrettably the historic use of the ground floor of the building as a bank has ceased, and the building including the single floors (which comprised a single flat) has fallen into redundant use. Due to the extensive past alteration of the building, which included various phases of extensions and alterations of the plan form, the building does not easily lend itself to re-use in its current form. With this in mind, the current proposal for a retail unit and residential flats is considered acceptable in principle.

3.3

**HDC Environmental Health:** Comment in relation to presence of adjoining commercial uses and potential for contamination.

OUTSIDE AGENCIES

3.4

**WSCC Highways:** No Objection. Whilst on-street car parking is limited in the immediate vicinity there are comprehensive parking restrictions prohibiting vehicles from parking in places that would be detrimental to highway safety. Do not consider that highway safety would be detrimentally affected through the proposed nil car parking provision.

3.5

**Southern Water:** No Objection

## PUBLIC CONSULTATIONS

3.6 **Steyping Parish Council:** Objection on the following grounds:

- Overdevelopment of the site
- Inadequate parking and access
- Loss of trees and vegetation

3.7 A single letter of objection was received which held concern over the publicity of the application.

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

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

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

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

## 6. PLANNING ASSESSMENTS

6.1 The application seeks full planning permission for the conversion of the building to provide 1 no. retail unit on the ground floor, with 4 no. flats to the upper floors.

### Principle of Development

6.2 Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy. In addition, Policy 12 supports the vitality and diversity of existing retail centres, promoting development that encourages suitable activities and uses within them

6.3 The site lies within the built-up area of Steyping, which is categorised as a "Small Town and Larger Village" within the settlement hierarchy. These are settlements with a good range of services and facilities, with reasonable rail and bus services. In addition, Steyping village centre is categorised as a "Secondary Centre" under Policy 12 of the HDPF, where activities and a diversity of uses are encouraged and promoted.

6.4 The proposal seeks to convert the existing bank (A2) to a small retail (A1) use to the ground floor frontage, with the conversion of the rear ground floor section and upper level of the building to create 4 no. flats.

6.5 Whilst the proposal would result in the loss of an A2 premises, Policies 12 and 13 of the HDPF promote a mix of uses within Town and Village Centres, where development that complements the vitality and viability of the centre is supported. The proposed A1 retail use would diversify the retail offering within the Primary Shopping Area, and introduce an active frontage within the designated Primary Shopping Frontage.

- 6.6 The proposed development would therefore support the Steyning Local Centre and the principle of residential development is considered acceptable, subject to all other material considerations.

### **Design and Appearance**

- 6.7 Policies 32, 33 and 34 of the Horsham District Planning Framework states that development should be of a scale, massing and appearance that is of a high standard of design and layout, which relates sympathetically to the built surroundings, landscape, and open spaces of the surroundings. Proposals should complement locally distinctive characters and heritage of the District, and should contribute to a sense of place in the buildings themselves and in the way they integrate within their surroundings and historic landscape to which they sit. Development should reinforce the special character of the historic environment through appropriate siting, scale, form and design, and should preserve and ensure clear legibility of locally distinctive vernacular.
- 6.8 The proposed accommodation would include 2 no. extensions to the rear of the building, which would provide additional accommodation for the 2 no. flats to the ground floor. The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials. The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.
- 6.9 The proposed works, including the proposed rear extensions, are considered to be of a scale, form and mass that would sit comfortably within the context of the Grade II Listed Building and the designated Conservation Area of which it forms a part. The proposed extensions are considered to relate sympathetically to the character and distinctiveness of the Listed Building, and are considered to be relatively minor additions that would not harm the character or appearance of the existing building. As such, the proposed alterations and extensions are considered to accord with Policies 32, 33, and 34 of the Horsham District Planning Framework (2015).

### **Heritage Impacts**

- 6.10 Policy 34 of the Horsham District Planning Framework states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.11 It is acknowledged that the site itself already consists of a relatively complex layout; however, the historic plan forms reads as cellular rooms and divisions, with predominantly square rooms accessed through regular sized hallways. The proposal seeks to primarily use the existing room divisions, with limited internal alterations. Whilst noted that the proposal would introduce additional subdivisions, these would generally reflect the cellular layout of the existing rooms. The impact of the internal alterations are considered further under the accompanying listed building consent application, ref: DC/17/2626.

### **Impact on residential amenity**

- 6.12 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.13 The proposed development would subdivide the existing building into 1 no. retail unit and 4 no. flats across the ground and first floor. The proposal would involve no new openings, with 2 no. single storey extensions proposed to the rear of the dwellings.
- 6.14 The site and surroundings are characterised by their mixed use, with most of the properties within the vicinity consisting of A1 and A2 uses on the ground floor and residential properties above. To the north-west and south-west of the site there are a number of residential properties, including a converted barn now in residential use.
- 6.15 The proposed development would result in an intensification in use of the existing building, with the subdivision of the building creating a net increase of 3 no. flats within the building. Whilst this increased level of activity could result in an increase in noise disturbance and general activity, given the location of the site within the village centre, it is not considered that this would result in substantial harm to the amenities of neighbouring properties. In addition, it is recognised that mixed retail and residential uses already exist within the vicinity, and as such the nature of the proposal, would not be expected to result in poor living conditions for future occupants. As such, the proposal is not considered to result in severe harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Highways Impacts**

- 6.16 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
- 6.17 The proposed development would result in a net increase of 3 no. residential flats, with a retail unit proposed to the ground floor. The application site is located within the village centre, with the proposed development providing no allocated off-street parking.
- 6.18 The application site is located within a sustainable village centre location, close to a number of bus stops and other public transport offerings; with unrestricted parking available along the High Street and surrounding streets. Given the location and context of the site, it is considered that there is a suitable, alternative travel options beyond the use of the private car. It is also noted that there are a number of other examples of similar development with no parking provision within the locality. The presence of existing parking restrictions in the locality would prevent any harm to highway safety and there is no evidence to suggest additional demand for on-street parking in surrounding streets would result in an adverse impact on the highway network.
- 6.19 The Highway Authority has not objected to the proposal and the sustainable location of the site, coupled with the availability of unrestricted on-road parking in the locality is considered sufficient so that no harm to the function of the highway network would result from the development. As such there is no conflict with the HDPF which would warrant refusal of the application.

### **Conclusion**

- 6.20 The proposed development is considered acceptable in principle, and is considered to retain the special character and significance of the Listed Building and the designated Conservation Area. The proposal would not result in harm to the amenities or sensitivities of neighbouring properties, and is considered to accord with Policies 12, 32, 33, 34, and 41 of the Horsham District Planning Framework (2015).



## 6.21 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**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	381.77	194	187.77
All Other Development	112.79	112.79	0
		<b>Total Gain</b>	<b>187.77</b>
		<b>Total Demolition</b>	<b>0</b>

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

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

## 7. RECOMMENDATIONS

7.1 To approve planning permission 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-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).

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(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).

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

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

- 6 **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).

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number 2.01A received 22.11.2017. These facilities shall thereafter be retained for use at all times.

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

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.01A received 22.11.2017. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

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

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

- 10 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 or Orders amending or revoking and re-enacting the same, no retail unit (A1) hereby permitted shall change to A2, A3, D2 or residential (C3) unless planning permission is granted by the Local Planning Authority pursuant to an application.

Reason: To protect the vitality and viability of the Neighbourhood Centre and the character and appearance of the area in accordance with Policies 12 and 32 of the Horsham District Planning Framework 2015

- 11 **Regulatory Condition:** No deliveries shall be undertaken from the premises hereby approved outside the following times:-

08:00 hours and 19:00 hours on Mondays to Fridays inclusive,  
09:00 hours and 18:00 hours on Saturdays,  
and not on Sundays and Bank and Public Holidays.

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

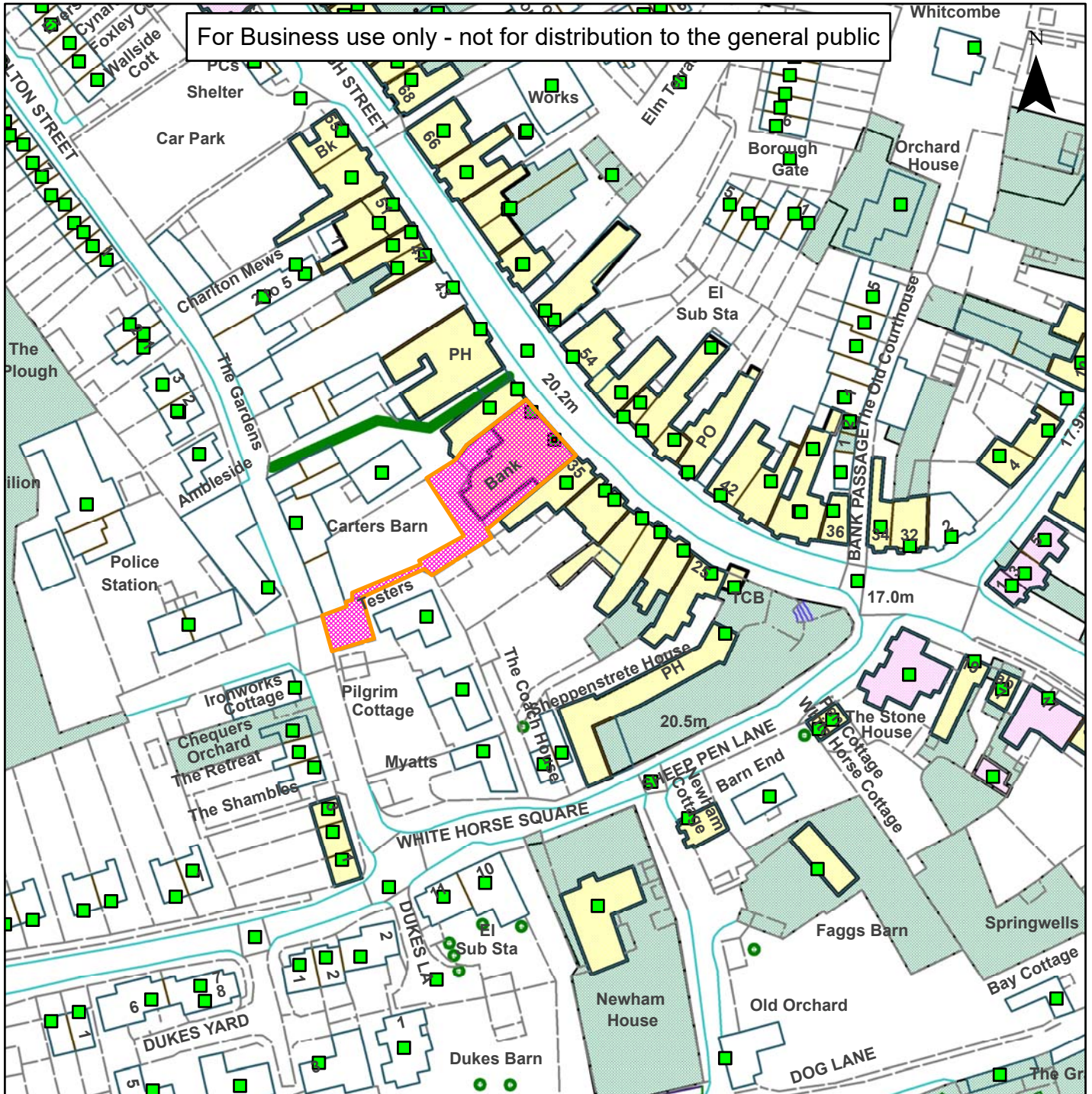
Background Papers: DC/17/2625  
DC/17/2626

This page is intentionally left blank



Not Set

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
SA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

## **PLANNING REPORT COMMITTEE**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20<sup>th</sup> March 2018

**DEVELOPMENT:** Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Listed Building Consent)

**SITE:** Lloyds Bank TSB Limited 37 High Street Steyning West Sussex BN44 3ZA

**WARD:** Steyning

**APPLICATION:** DC/17/2626

**APPLICANT:** **Name:** Mr Cameron Robertson-Aitken **Address:** c/o agent

**REASON FOR INCLUSION ON THE AGENDA:** At the request of Cllr Willett, and as the application accompanies DC/17/2625

**RECOMMENDATION:** To approve listed building consent subject to conditions

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

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks Listed Building Consent for the conversion of the existing building into 1 no. retail unit on the ground floor, with 4 no. flats to the upper floors. The proposal would involve largely internal works to reconfigure the layout to provide a smaller ground floor commercial/retail unit and store rooms, with the provision of 4 no. flats to the ground and first floor. Two single storey rear extensions are proposed to the building to provide living accommodation for the 2 no. flats proposed to the ground floor.
- 1.2 The proposed internal works would primarily retain the historic plan form, with the removal of later partitions to the ground floor, and the blocking-up of certain openings to facilitate the subdivision of units. The proposed internal alterations would create a small retail unit with kitchenette w.c, and store rooms to the ground floor at the front of the building, and the provision of a 2 no. 2-bed flats on the ground floor; with the provision of a 3-bed flat and 2-bed flat on the first floor.
- 1.3 The proposed retail unit would be accessed from the existing entrance which fronts the High Street, with the removal of the existing partitions to provide an open floor plan within the unit. The proposal would result in a retail unit measuring approximately 118sqm. Flat 1 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 74sqm; Flat 2 would provide 2 no. bedrooms, and would measure to a total floor area of

approximately 80sqm; Flat 3 would provide 2 no. bedrooms and measure to a floor area of approximately 114sqm; with Flat 4 providing 3 no. bedrooms, and measuring to a total floor area of approximately 108sqm.

- 1.4 The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials.
- 1.5 The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.

#### DESCRIPTION OF THE SITE

- 1.6 The application site consists of a Grade II Listed Building which lies within the built-up area and Primary Shopping Area of Steyning, and sits within the designated Conservation Area of Steyning. The site is surrounded by a mix of retail, commercial, and residential properties, many of which consist of Grade II Listed Buildings.
- 1.7 The site's current lawful use is for a bank (A2) use on the ground floor, with a single 4-bed flat to the first floor. The business unit is accessed from the central door to the front of the building, with separate access provided to the first floor flat through an entrance door off-set to the side of the frontage.
- 1.8 The neighbouring properties sit along the frontage of High Street to the west of the application site, with ancillary buildings positioned directly to the north of the site. A converted barn to the north-west of the site is used as an independent residential dwelling.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 34 - Cultural and Heritage Assets

#### Supplementary Planning Guidance:

- 2.4 N/A

#### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Following the de-cluster of the SWAB group, Steyning Parish Council at Full Council Meeting (20/11) approved to move forward with a new neighbourhood plan and agreed Terms of



Reference. The Parish Council are now recruiting steering group members to assist with the development of the Neighbourhood Plan.

## 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

There is an extensive planning history for the site, relating to alterations to the building, none of which is directly relevant to this application.

DC/17/1625	Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Full application)	Accompanying planning application, also included on this Agenda
------------	---	---

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

3.2 **HDC Conservation:** No Objection

### OUTSIDE AGENCIES

### PUBLIC CONSULTATIONS

3.3 **Steining Parish Council:** Objection on the grounds of overdevelopment

3.4 Two letters of objection were received, and these can be summarised as follows:

- Location of bike sheds and impact on neighbouring amenity
- Loss of light to neighbouring ground floor windows
- Fixture of structures to shared boundary wall
- Publicity procedure

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

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

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

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

## 6. PLANNING ASSESSMENTS

6.1 The application seeks Listed Building Consent for the conversion of the existing building into 1 no. retail unit on the ground floor, with 4 no. flats to the upper floors. The proposal would involve largely internal works to reconfigure the layout to provide a smaller ground floor commercial/retail unit and store rooms, with the provision of 4 no. flats to the ground and first

floor. Two single storey rear extensions are proposed to the building to provide living accommodation for the 2 no. flats proposed to the ground floor.

- 6.2 Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.3 It is acknowledged that the site itself already consists of a relatively complex layout; however, the historic plan forms reads as cellular rooms and divisions, with predominantly square rooms accessed through regular sized hallways. The proposal seeks to primarily use the existing room divisions, with limited internal alterations. Whilst noted that the proposal would introduce additional subdivisions, these would generally reflect the cellular layout of the existing rooms.
- 6.4 The proposed works, including the proposed rear extensions, are considered to be of a scale, form and mass that would sit comfortably within the context of the Grade II Listed Building and the designated Conservation Area of which it forms a part. The proposed extensions are considered to relate sympathetically to the character and distinctiveness of the Listed Building, and are considered to be relatively minor additions that would not harm the character or appearance of the existing building.
- 6.5 Whilst the proposed subdivisions would further intensify and compartmentalise the existing building, the nature and proportion of these rooms are not considered to detract from the historic plan form of the Grade II Listed Building. The proposal is therefore considered to result in less than substantial harm, with the proposal considered to contribute to the sustainable and continued use of the heritage asset. As such, the proposal is considered, on balance, to preserve the sustainable and continued use of the Grade II Listed Building, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

## **Conclusion**

- 6.6 The proposed development is considered to relate sympathetically to the special character and appearance of the Listed Building, and is considered to reflect the locally distinctive vernacular of the building, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

## **7. RECOMMENDATIONS**

- 7.1 To approve listed building consent subject to the following conditions:

1 **Approved Plans Condition**

- 2 **Standard Time Condition:** The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3 **Pre-Commencement Condition:** Notwithstanding previously submitted drawings, no development shall commence until the detailed design, including materials and finishes, of the following items have been submitted to and approved in writing by the Local Planning Authority:

- a. All new services, including pipework, for the bathrooms and kitchens

- b. All new extraction and boiler flues and vents
- c. All new internal doors (including door furniture)
- d. Fire protection upgrades and sound insulation
- e. All new windows (including reveals, cill and head treatment) for all new glazing, including windows and folding doors
- f. Parapet and flat roof details to new extension
- g. New external steps and retaining walls to rear

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: As these matters are fundamental to ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black, and retained as such thereafter.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The rooflight(s) hereby approved shall be metal framed, painted black, and fitted flush with the adjoining roof surface, shall not project above the plane of the roof and retained as such thereafter.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** All new and disturbed surfaces shall be made good at the time of works using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with policy 34 of the Horsham District Planning Framework (2015).

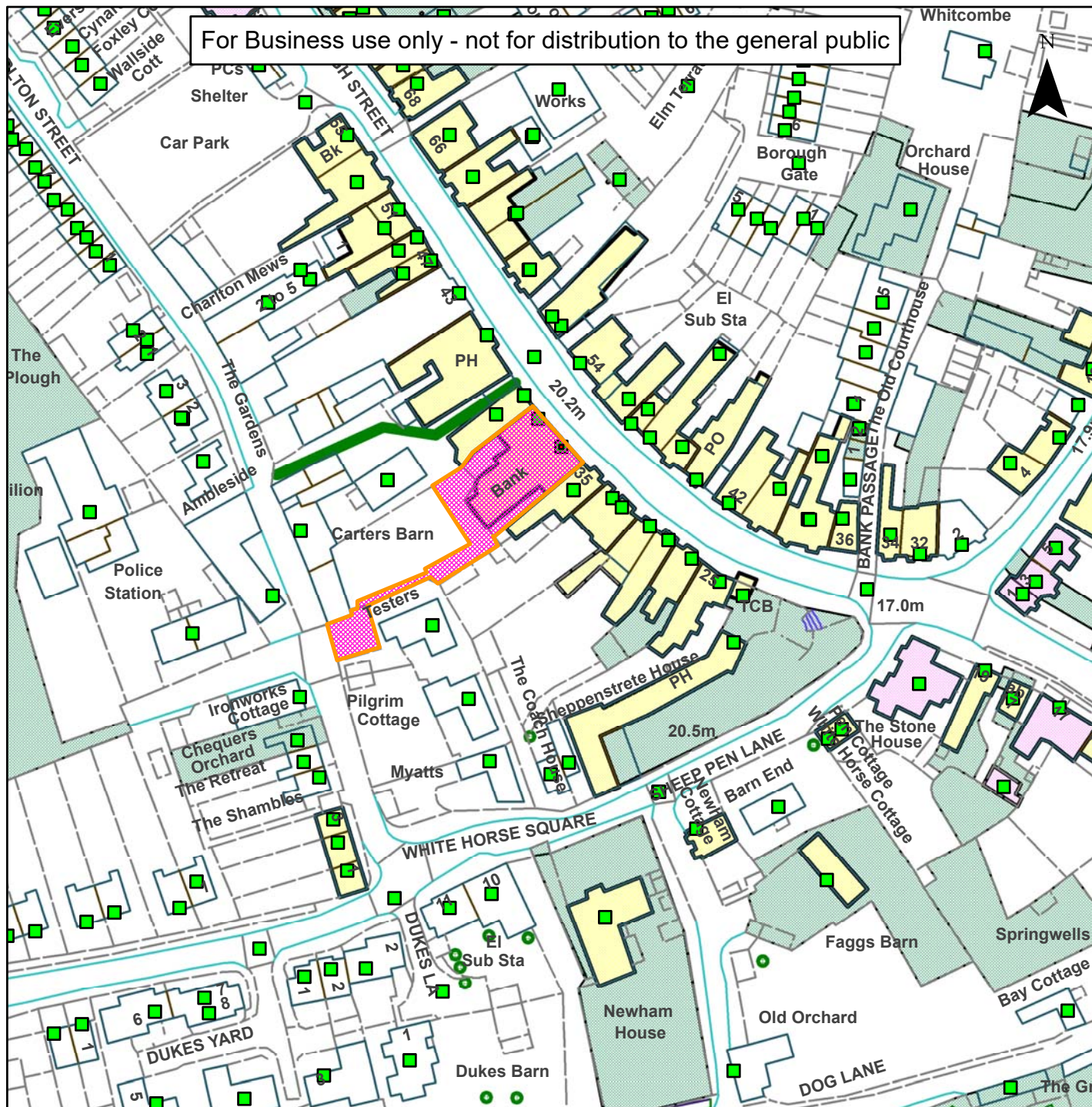
Background Papers: DC/17/2626  
DC/17/1625

This page is intentionally left blank



Not Set

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
MSA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

**PLANNING COMMITTEE  
REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 20 March 2018

**DEVELOPMENT:** Proposed erection of 2 no. 3-bedroom dwellings and conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works, drainage works, car parking, refuse storage and cycle storage (Full Application)

**SITE:** Land To The Rear of 37 High Street Steyning West Sussex BN44 3ZA

**WARD:** Steyning

**APPLICATION:** DC/17/2620

**APPLICANT:** **Name:** Mr Cameron Robertson-Aitken **Address:** c/o agent

**REASON FOR INCLUSION ON THE AGENDA:** At the request of Cllr Willett

**RECOMMENDATION:** To approve planning permission subject to conditions

**1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the conversion of the existing barn to the south-west of the site to a 1-bed dwelling and the erection of 2 no. dwellings within the rear yard.
- 1.2 The existing barn is positioned to the south-west of the site, and lies directly adjacent to Charlton Street. The proposal would involve internal and external alterations to facilitate the change of use to a 1-bed dwelling, which would have a total floor area of 75.2sqm. The proposal would include the internal subdivision of the ground floor to incorporate a kitchen and bathroom, and an internal staircase installed to provide a bedroom on a mezzanine level. The proposal would incorporate 2 no. rooflights to the eastern roof slope, with the addition of new doors to the south and west elevations.
- 1.3 The 2 no. dwellings proposed to the rear yard would be positioned adjacent to the northern boundary, and would measure to a length of 16.9m and a depth of 7m. Each dwelling would measure to a total floor area of approximately 116sqm, and would extend over two storeys. The proposed dwellings would incorporate a flat roof measuring to a total height of 5.4m, with a mixed material palette consisting of timber cladding, facing brick, and render. The proposal would incorporate a projecting feature along the frontage, with full height glazing to the south, east and west elevations, with high level windows provided to the northern

elevation. Each dwelling would include kitchen, living/dining room, utility room, and w.c to the ground floor, with 3 no. bedrooms (one with ensuite) and bathroom to the first floor.

- 1.4 The 2 no. mews dwellings would each benefit from separate amenity space positioned to the north-east and south-west of the plots. This amenity space would measure between 30sqm for Plot 1 and 55sqm for Plot 2, and would be bound by a brick wall/fence separating it from the parking area.

#### DESCRIPTION OF THE SITE

- 1.5 The application site consists of the rear yard of the frontage building known as 34 High Street, which is designated as a Grade II Listed Building.
- 1.6 The site lies within the built-up area and Primary Shopping Area of Steyning, and sits within the designated Conservation Area of Steyning. The site is surrounded by a mix of retail, commercial, and residential properties, many of which consist of Grade II Listed Buildings.
- 1.7 The rear yard consists of amenity space, with the curtilage listed barn positioned to the west of the site, fronting Charlton Street. This building is of timber frame and flint construction, and is currently in use for sporadic storage purposes.
- 1.8 The application site is accessed from an existing vehicle crossover, with an area of hardstanding separating Charlton Street from the amenity area. The site is bound by a mix of fencing and flint wall, with an entrance gate fronting Charlton Street.
- 1.9 The neighbouring properties sit along the frontage of High Street to the west of the application site, with ancillary buildings positioned directly to the north of the site. A converted barn to the north-west of the site is used as an independent residential dwelling.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

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

#### 2.2 National Planning Policy Framework

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 41 - Parking

#### Supplementary Planning Guidance:

- 2.4 N/A

#### RELEVANT NEIGHBOURHOOD PLAN



2.5 Following the de-cluster of the SWAB group, Steyning Parish Council at Full Council Meeting (20/11) approved to move forward with a new neighbourhood plan and agreed Terms of Reference. The Parish Council are now recruiting steering group members to assist with the development of the Neighbourhood Plan.

## 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/15/1304	Careful demolition and rebuilding of rear yard flint wall  (Affects the setting of a Listed Building)	Application Permitted on 22.10.2015
DC/16/2702	Conversion of existing barn to form 1 No. residential unit and re-development of the rear of the site to create 3 No. three-storey town houses (Full Planning)	Withdrawn Application on 23.01.2017
DC/17/2621	Conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works (Listed Building Consent)	Accompanying LBC application, also included on this Agenda

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

3.2 **HDC Conservation:** The principle of development and the proposed internal works is acceptable, however consideration must be given to the use of glazing on the south and west elevations to ensure that the barn retains its utilitarian character. It appears that attempts have been made to address these concerns through the introduction of doors to the former cart opening. Glazing should be set back to include deep reveals to retain the special character of the curtilage listed structure.

3.3 **HDC Environmental Health:** No Objection

### OUTSIDE AGENCIES

3.4 **WSCC Highways:** The principle of the scheme is acceptable, and the reduced scale of the development would result in a reduced parking demand. Whilst the restrictions on site in regards to the internal access route are noted, the reduced scheme will diminish the quantity of vehicle movements and a highways ground to resist the proposal could not be substantiated.

3.5 **Southern Water:** No Objection

### PUBLIC CONSULTATIONS

3.6 **Steyning Parish Council:** Objection on the grounds of overdevelopment and parking issues

- 3.7 A single letter of representation was received which held concern over the publicity procedures for the application.

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

- 6.1 The application seeks full planning permission for the change of use of the barn to the south-west of the site, and the erection of 2 no. 'mews-style' dwellings within the rear yard.

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

- 6.2 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages that have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.3 The application site is located within the built-up area of Steyning which is characterised as a "Small Town and Village" under Policy 3 of the HDPF. There is a presumption in favour of sustainable development within the built-up area, and as such, the proposal is considered acceptable in principle, subject to all other material considerations.

##### **Design and Appearance:**

- 6.4 Policies 25, 32, 33 and 34 of the Horsham District Planning Framework states that development should be of a scale, massing and appearance that is of a high standard of design and layout, which relates sympathetically to the built surroundings, landscape, and open spaces of the surroundings. Proposals should complement locally distinctive characters and heritage of the District, and should contribute to a sense of place in the buildings themselves and in the way they integrate within their surroundings and historic landscape to which they sit. Development should reinforce the special character of the historic environment through appropriate siting, scale, form and design, and should preserve and ensure clear legibility of locally distinctive vernacular.
- 6.5 The proposed conversion of the existing barn would result in a number of external alterations, including the installation of 2 no. rooflights to the eastern roof slope, with the provision on full height glazed doors to south and west elevations. The proposed external alterations are considered to be of a scale, appearance and form that would respect the distinctive character of the curtilage listed structure, and the historic townscape of which it forms a part. As such, the proposed alterations and additions are considered to relate sympathetically to the special character of the designated Conservation Area, in accordance with Policies 25, 32, 33, and 34 of the Horsham District Planning Framework (2015).
- 6.6 The 2 no. dwellings proposed to the rear yard would be positioned adjacent to the northern boundary, and would measure to a length of 16.9m and a depth of 7m. The proposed

dwelling would incorporate a flat roof measuring to a total height of 5.4m, with a mixed material palette consisting of timber cladding, facing brick, and render. The proposal would incorporate a projecting feature along the frontage, with full height glazing to the south, east and west elevations, with high level windows provided to the northern elevation.

- 6.7 The proposal would consist of a mews-style development which would incorporate a projecting element and varied material palette to provide visual relief along the frontage. Following amendments to the scheme, the proposal now incorporates a contemporary twist on an historic mews form, with the use of a diverse material palette considered to provide visual relief and interest. The proposed dwellings would be of a scale, mass, and form that would reflect the historic, utilitarian character of its setting, and would relate to the build pattern of the surroundings. As such, the proposal is considered to sit appropriately within the historic environment of which it forms a part, and is considered to reflect the townscape character of the designated Conservation Area. The proposed development is therefore considered to accord with Policies 25, 32, 33, and 34 of the Horsham District Planning Framework (2015).

#### **Heritage Impacts:**

- 6.8 Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.9 The site consists of a burgage plot (long and narrow) whereby the hierarchy within the site reads as the principal building fronting the High Street, with open space immediately behind, and a subservient ancillary barn situated to the rear of the plot fronting the service lane. This setting directs that development should have a sense of hierarchy, with any development to the rear of a subservient nature to the frontage building adjacent to Steyning High Street.
- 6.10 The proposed dwellings within the rear yard area would be subservient in scale and height to the frontage dwelling, and would extend to an overall height below the existing barn to the rear. The proposal would reflect a contemporary twist on an historic mews development, with the scale, form and appearance considered to draw from features within the historic environment. The proposed dwellings are therefore considered to conserve and enhance the special character of the designated Conservation Area, making a positive contribution to the character and distinctiveness of the area. As such, the proposal is considered to accord with Policy 34 of the Horsham District Planning Framework (2015).
- 6.11 The proposed external alterations to facilitate the conversion of the existing barn are considered to retain the special character and significance of the curtilage listed structure, in a manner that would reflect the historic character of the designated Conservation Area. The proposed alterations and additions are therefore considered to relate sympathetically to the special character and significance of the curtilage listed structure and historic townscape of which it forms a part, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

#### **Impact on neighbouring amenity:**

- 6.12 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.13 The proposed 2 no. dwellings would be positioned directly adjacent to the northern boundary, within approximately 0.4m of the shared boundary. The proposed dwellings would be positioned parallel to an existing utilitarian building to the north which is used in connection

with the Funeral Home that operates on the neighbouring site. The dwellings would also be positioned to the rear of the frontage building, subject of a pending application for the conversion to 4 no. flats and 1 no. retail unit (reference DC/17/1625 which is also included on this Committee Agenda).

- 6.14 Whilst the dwellings would be positioned in close proximity to the northern boundary, it is considered that the proposal has been designed at a scale, mass, and bulk to limit impact upon the neighbouring properties. The number of openings have been restricted, and it is considered that the size and siting of these openings have been considered to address potential overlooking. Whilst the introduction of a built form in this location would result in an increased perception of overlooking, given the nature of the built-up area, and the close relationship between properties within the locality, it is not considered that the proposal would result in substantial harm to the amenities or sensitivities of neighbouring properties. As such, the proposal is considered to accord with Policy 33 of the Horsham District Planning Framework (2015).
- 6.15 The 2 no. proposed mews dwellings would benefit for private amenity space to the north-east and south-west of the dwellings. The 1-bed dwelling within the converted barn to the south-west would not incorporate any private amenity space, however it is acknowledged that the Steyning Recreation Ground is located approximately 60m to the west of the proposed 1-bed dwelling. Given the town centre location, and the proximity of the site to public amenity space, it is considered that on balance there would be adequate access to open green space for the occupier of this property. As such, it is not considered that a reason for refusal could be substantiated on these grounds.

#### **Highways Impacts:**

- 6.16 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
- 6.17 The proposed development would utilise an existing vehicle crossover from the unclassified Charlton Street, with a total of three parking spaces proposed. On street parking occurs without restriction on this section of Charlton Street, although it is noted that this area is subject of noticeable narrowing of the carriageway due to this parking.
- 6.18 Following consultation with WSCC Highways, it is considered that whilst the proposal would result in a shortfall of two parking spaces on the site it is not considered that a highway safety reason could be substantiated as a result of this shortfall. Furthermore, whilst no formal tracking plan has been submitted to illustrate vehicle access on to the site, WSCC Highways did not raise an objection on these grounds.
- 6.19 Given the town centre location of the proposed development, and the unrestricted on-road parking provision, it is considered on balance that the proposed development would provide an appropriate level of parking. Therefore, the proposal is considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

#### **Conclusion**

- 6.20 The proposed dwellings are considered to be of a scale, design and form that would be sympathetic to the character and distinctiveness of the site and wider landscape, whilst of a siting and orientation that would not materially harm the amenities of neighbouring properties. In addition, the proposal is considered to provide sufficient parking and turning space on site, and would not result in 'severe' harm to the function of the public highway network. As such, the proposal is considered to accord with policies 3, 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

## 6.21 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**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	300.68	50.4	250.28
	<b>Total Gain</b>		<b>250.28</b>
	<b>Total Demolition</b>		<b>0</b>

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

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

## 7. RECOMMENDATIONS

7.1 Approve the application 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-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).

4 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site 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.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by

any contamination to all receptors that may be affected, including those off site.

- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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

- 5 **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).

- 6 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling or use in accordance with drawing number 2.00A received 06.02.2018. These facilities shall thereafter be retained for use at all times.

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

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.00A received 06.02.2018. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No

dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 9 **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 2.00A received 06.02.2018 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).

- 10 **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).

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

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

- 12 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

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

- 13 **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 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

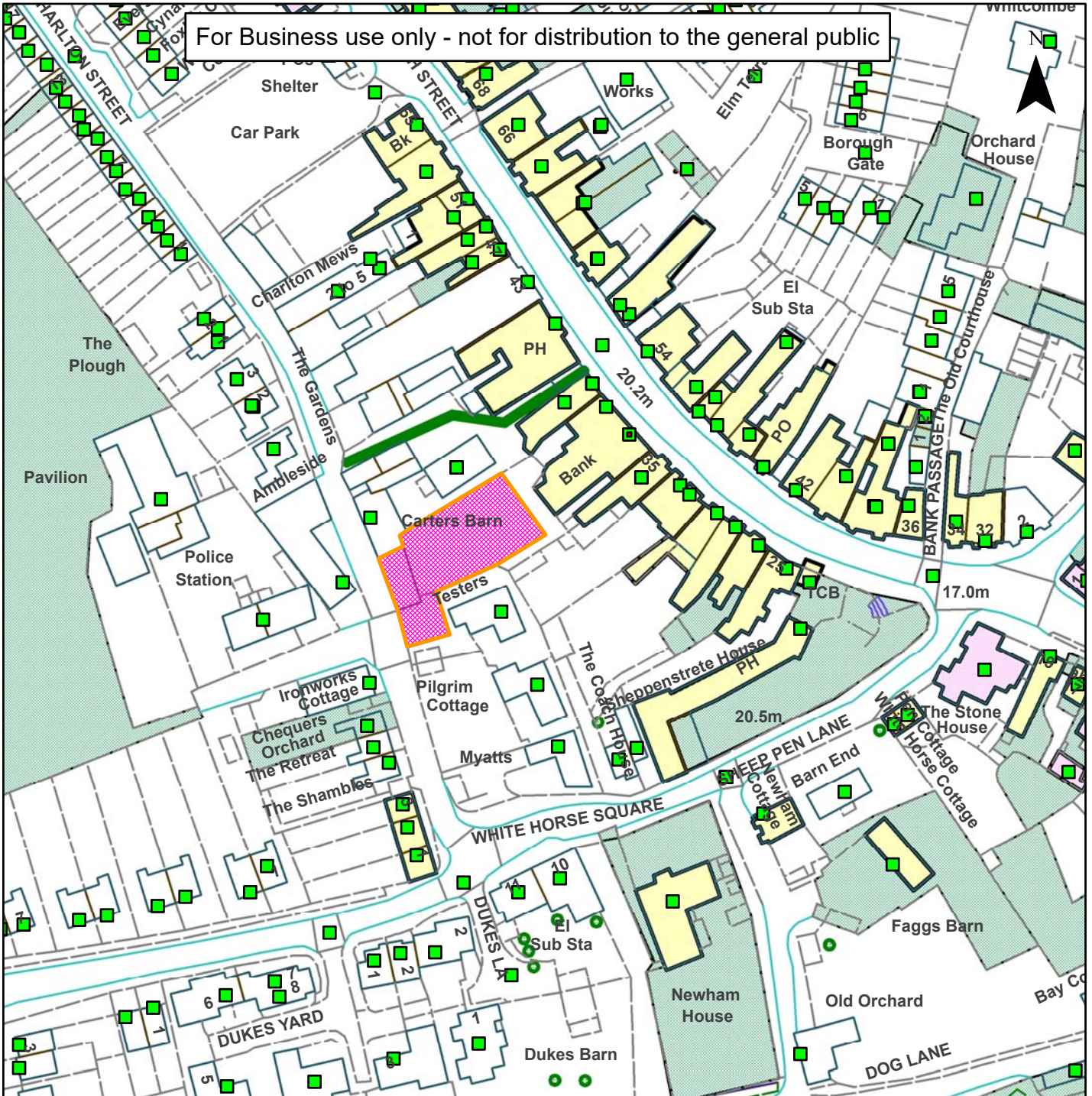
Background Papers: DC/17/2620  
DC/17/2621





Not Set

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
SA Number	100023865

This page is intentionally left blank



**Horsham  
District  
Council**

**PLANNING COMMITTEE  
REPORT**

**TO:** Planning Committee South  
**BY:** Head of Development  
**DATE:** 20 March 2018  
**DEVELOPMENT:** Conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works (Listed Building Consent)  
**SITE:** Land To The Rear of Lloyds Bank TSB Limited 37 High Street Steyning West Sussex BN44 3ZA  
**WARD:** Steyning  
**APPLICATION:** DC/17/2621  
**APPLICANT:** **Name:** Mr Cameron Robertson-Aitken **Address:** c/o agent

**REASON FOR INCLUSION ON THE AGENDA:** At the request of Cllr Willett, and as the application accompanies DC/17/2620

**RECOMMENDATION:** To approve listed building consent

**1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.1 The application seeks Listed Building Consent for internal and external alterations to the curtilage barn that fronts Charlton Street, to facilitate the conversion to a 1-bed dwelling.
- 1.2 The existing barn is positioned to the south-west of the site, and lies directly adjacent to Charlton Street. The proposal would involve internal and external alterations to facilitate the change of use to a 1-bed dwelling, which would have a total floor area of 75.2sqm. The proposal would include the internal subdivision of the ground floor to incorporate a kitchen and bathroom, and an internal staircase installed to provide a bedroom on a mezzanine level. The proposal would incorporate 2 no. rooflights to the eastern roof slope, with the addition of new doors to the south and west elevations.

**DESCRIPTION OF THE SITE**

- 1.3 The application site consists of the rear yard of the frontage building known as 34 High Street, which is designated as a Grade II Listed Building.
- 1.4 The site lies within the built-up area and Primary Shopping Area of Steyning, and sits within the designated Conservation Area of Steyning. The site is surrounded by a mix of retail, commercial, and residential properties, many of which consist of Grade II Listed Buildings.

- 1.5 The rear yard consists of amenity space, with the curtilage listed barn positioned to the west of the site, fronting Charlton Street. This building is of timber frame and flint construction, and is currently in use for sporadic storage purposes.
- 1.6 The application site is accessed from an existing vehicle crossover, with an area of hardstanding separating Charlton Street from the amenity area. The site is bound by a mix of fencing and flint wall, with an entrance gate fronting Charlton Street.
- 1.7 The neighbouring properties sit along the frontage of High Street to the west of the application site, with ancillary buildings positioned directly to the north of the site. A converted barn to the north-west of the site is used as an independent residential dwelling.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 34 - Cultural and Heritage Assets

### Supplementary Planning Guidance:

- 2.4 N/A

### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Following the de-cluster of the SWAB group, Steyning Parish Council at Full Council Meeting (20/11) approved to move forward with a new neighbourhood plan and agreed Terms of Reference. The Parish Council are now recruiting steering group members to assist with the development of the Neighbourhood Plan.

- 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2703	Conversion of existing barn to form 1 No. residential unit and re-development of the rear of the site to create 3 No. three-storey town houses (Listed Building Consent)	Withdrawn Application on 23.01.2017
DC/17/2620	Proposed erection of 2 no. 3-bedroom dwellings and conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works, drainage works, car parking, refuse storage and cycle storage (Full Application)	Accompanying planning application, also included on this Agenda

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

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Conservation:** The principle of development and the proposed internal works to the curtilage listed barn is acceptable. The mews style of development has reduced the extent of the built form, in a manner that reflects the historic evolution of the site, and its setting within the designated Conservation Area. Consideration must be given to the use of glazing on the south and west elevations of the curtilage listed barn to ensure that the barn retains its utilitarian character. It appears that attempts have been made to address these concerns through the introduction of doors to the former cart opening. Glazing should be set back to include deep reveals to retain the special character of the curtilage listed structure.

#### OUTSIDE AGENCIES

- 3.3 **Archaeology:** No Objection

#### PUBLIC CONSULTATIONS

- 3.4 **Steyning Parish Council:** Objection on the following grounds:
- Overdevelopment of the site
  - Loss of trees and vegetation
  - Inadequate parking arrangement
- 3.5 Three letters of objection were received from two households, and these can be summarised as follows:
- Publicity of application
  - Archaeological interest of the site
  - Overdevelopment of the site
  - Loss of trees

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

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

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

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

### **6. PLANNING ASSESSMENTS**

- 6.1 The application seeks Listed Building Consent for internal and external alterations to the curtilage barn that fronts Charlton Street, to facilitate the conversion to a 1-bed dwelling.

#### **Special character and distinctiveness of the Listed Building and its setting:**

- 6.2 Policy 34 states that work to Listed Buildings should reinforce and make a positive contribution to the special character of the historic environment through appropriate siting, scale, form and design; including the use of traditional materials and techniques.
- 6.3 The proposed conversion of the existing barn would result in a number of external alterations, including the installation of 2 no. rooflights to the eastern roof slope, with the provision on full height glazed doors to south and west elevations. The proposed external alterations are considered to be of a scale, appearance and form that would respect the distinctive character of the curtilage listed structure, and the historic townscape of which it forms a part.
- 6.4 The proposed external alterations to facilitate the conversion of the existing barn would therefore retain the special character and significance of the curtilage listed structure, in a manner that would reflect the historic character of the designated Conservation Area. As such, the proposed alterations and additions are considered to relate sympathetically to the special character and significance of the curtilage listed structure and historic townscape of which it forms a part, in accordance with Policy 34 of the Horsham District Planning Framework (2015).
- 6.5 The proposal would retain the historic fabric of the barn, with the addition of partitions and insulation internally to facilitate the conversion. The applicant has outlined the proposed methodology of works, which is considered to utilise materials and building techniques that would preserve and ensure the clear legibility of the historic significance. As such, the proposal is considered to accord with Policy 34 of the Horsham District Planning Framework (2015).

### **Conclusion**

- 6.6 The proposed development is considered to relate sympathetically to the special character and appearance of the Listed Building, and is considered to reflect the locally distinctive vernacular of the building, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

## **7. RECOMMENDATIONS**

- 7.1 To approve listed building consent subject to the following conditions:

1 **Approved Plans Condition**

- 2 **Standard Time Condition:** The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3 **Pre-Commencement Condition:** Notwithstanding previously submitted drawings, no development shall commence until the detailed design, including materials and finishes, of the following items have been submitted to and approved in writing by the Local Planning Authority:

- a. All new services, including pipework, for the bathroom and kitchen
- b. All new extraction and boiler flues and vents
- c. All new external doors (including door furniture)
- d. All new windows (including reveals, cill and head treatment)

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: As this matter is fundamental to ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The works undertaken shall strictly accord with the methodology and specification as outlined on the approved plan reference 2.04 received 22.11.2017. These works shall thereafter be retained.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted black, and retained as such thereafter.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The rooflight(s) hereby approved shall be metal framed, painted black, and fitted flush with the adjoining roof surface, shall not project above the plane of the roof and retained as such thereafter.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 7 **Regulatory Condition:** All new and disturbed surfaces shall be made good at the time of works using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with policy 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/17/2621  
DC/17/2620

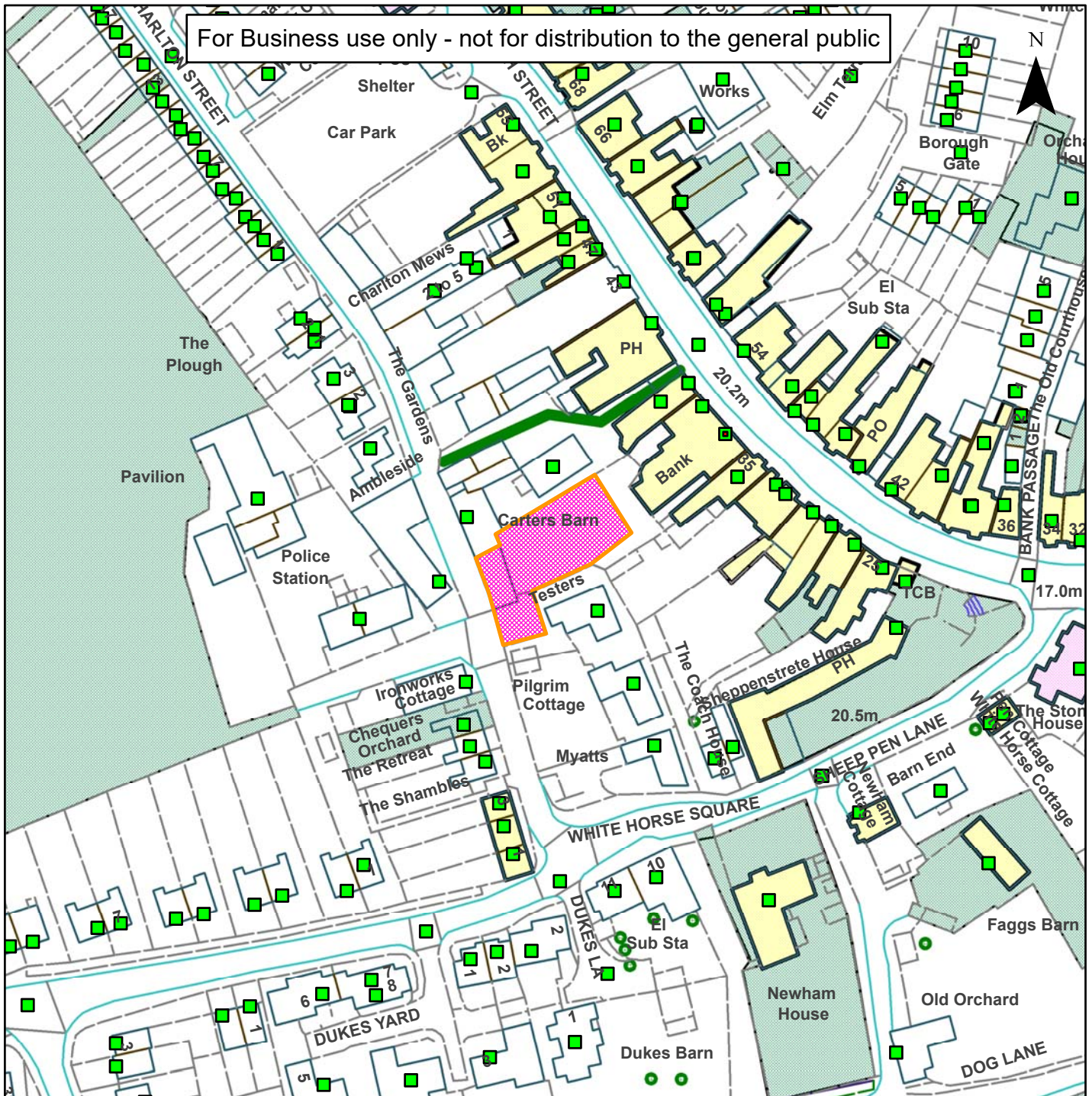
This page is intentionally left blank





Not Set

For Business use only - not for distribution to the general public



Scale: 1:1,250

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	08/03/2018
SA Number	100023865

This page is intentionally left blank