



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

Planning Committee (North)

Tuesday, 8th January, 2019 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

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

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 14
<p>To approve as correct the minutes of the meeting held on 4 December 2018 (<i>Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.</i>)</p>	
3. Declarations of Members' Interests	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. Announcements	
<p>To receive any announcements from the Chairman of the Committee or the Chief Executive</p>	

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

5. **Appeals** 15 - 16

Applications for determination by Committee:

6. **DC/18/1268 - Christs Hospital School, The Avenue, Christs Hospital** 17 - 54

Ward: Southwater

Applicant: Mr Francis Pulvermacher, Christs Hospital School

7. **DC/18/1883 - Micklepage, Nuthurst Street, Nuthurst** 55 - 64

Ward: Nuthurst

Applicant: Greenplan Designer Homes

8. **DC/18/2076 - Micklepage, Nuthurst Street, Nuthurst** 65 - 74

Ward: Nuthurst

Applicant: Greenplan Designer Homes

9. **DC/18/2028 - 2 Foxfield Cottages, Southwater** 75 - 84

Ward: Southwater

Applicant: Mr Tony Fan

10. **Urgent Business**

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

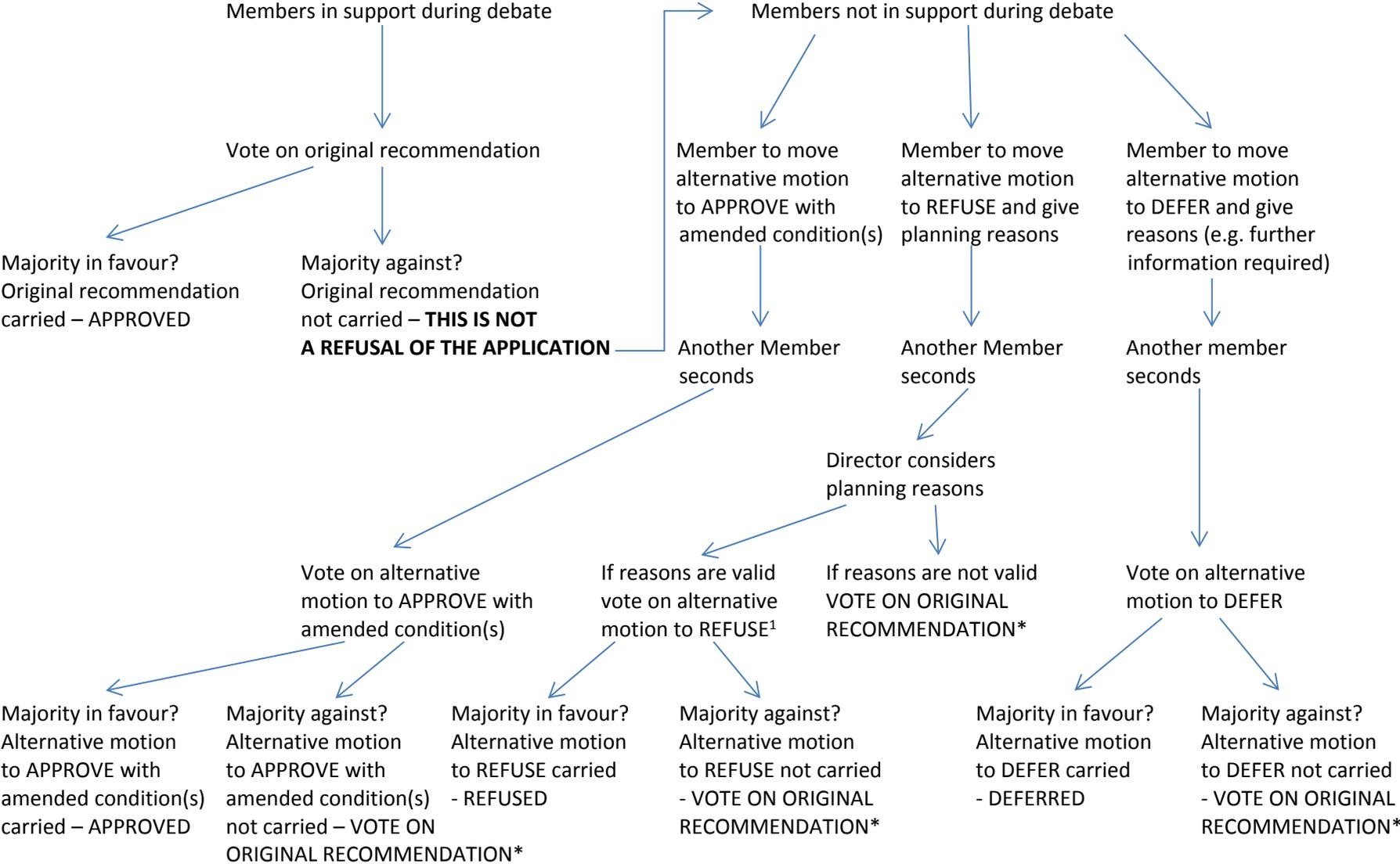
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (North)
4 DECEMBER 2018

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

Apologies: Councillors: Roy Cornell, Matthew French, Billy Greening and Godfrey Newman

PCN/59 **MINUTES**

The minutes of the meeting of the Committee held on 6 November were approved as a correct record and signed by the Chairman.

PCN/60 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/18/1746 – Councillor Christian Mitchell declared a personal and prejudicial interest. He withdrew from the meeting and took no part in the determination of this item.

DC/18/22121 – Councillor Stuart Ritchie declared a personal interest because he knew one of the members of the public speaking on this item.

DC/18/2212 – Councillor Claire Vickers declared a prejudicial interest because she was a member of Southwater Parish Council, which was the applicant. She withdrew from the meeting and took no part in the determination of this item.

PCN/61 **ANNOUNCEMENTS**

There were no announcements.

PCN/62 **APPEALS**

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

PCN/63 **DC/18/1849 - LITTLE HOMEFIELD, BRIGHTON ROAD, MANNINGS HEATH**

The Head of Development reported that this application sought permission for the demolition of some outbuildings and the erection of six semi-detached 3-bedroom dwellings with associated parking and private amenity space. Access from Brighton Road would use a recently approved access connected with the development opposite the Dun Horse (DC/16/1753), and extend along the

western boundary of the site. Twelve parking spaces for the six dwellings were proposed.

The application site was located west of Brighton Road within the built-up area of Mannings Heath, west of the main settlement area in a semi-rural locality. It was adjacent to the strategically allocated site for eight dwellings opposite the Dun Horse. A public footpath ran along the western boundary.

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

The Parish Council objected to the application, with a further 69 objections received. One member of the public spoke in objection to the application, and a representative of the Parish Council also spoke in objection to it. The applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; trees and landscaping; heritage impacts; the impact on the amenity of neighbouring properties; highways and parking; ecology; and affordable housing contribution.

Members expressed concerns that, whilst the site was within the Built-up area boundary, it was not allocated within the Nuthurst Neighbourhood Plan and the loss of amenity space through the development of this backland area would cause unacceptable harm to the amenity of residents fronting Brighton Road. Members also considered the development to be too urban in character for this semi-rural site and detrimental to the character of the area.

RESOLVED

That planning application DC/18/1849 be refused for the following reasons:

- 01 The proposed development would result in the overdevelopment of this backland site, which would not respect or reflect the pattern of development in the vicinity, to the detriment of the character of the landscape and visual amenities of the site and wider area. The proposal is therefore contrary to policies 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (2015) and Policy 10 of the Nuthurst Parish Neighbourhood Plan.
- 02 The proposed development, by reason of the siting and orientation of the proposed dwellings, would result in a harmful impact on the amenity of the occupiers of the properties fronting Brighton Road. The proposal is therefore contrary to policies 32 and 33 of the Horsham District Planning Framework (2015) and Policy 10 of the Nuthurst Parish Neighbourhood Plan.

PCN/64 **DC/18/1599 - LAND WEST OF NORTHGATE, CHRISTS HOSPITAL**

The Head of Development reported that this application sought permission for the erection of two detached 3-bedroom dwellings with private amenity space, access from King Edward Road and two parking spaces for each dwelling. The dwellings would be set back from Christs Hospital Road in a similar way to Northgate. A footpath serving both dwellings and the street was proposed.

The application site was located within the built-up area of Christs Hospital to the north of Christs Hospital Road, south-east of Station Road and east of King Edward Road. It was an open space of grassland with some trees in an area of linear residential development along the public highway.

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

The Parish Council raised no objection to the application. Seven objections from four households had been received. The Local Members had requested that the application be determined by the Committee. The applicant's agent spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; landscaping and trees; heritage impacts; and highways and parking.

Members considered the scale, design, and appearance of the proposal and its impact on the character of the locality and the amenity of nearby residents. Members concluded that the proposal would result in overdevelopment of the site and have a detrimental impact on the streetscene and character of the area.

RESOLVED

That planning application DC/18/1599 be refused for the following reasons:

The proposed development would result in the overdevelopment of the site, which would not respect or reflect the pattern of development in the vicinity, to the detriment of the character of the landscape and visual amenities of the site and wider streetscene. The proposal is therefore contrary to policies 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (2015).

PCN/65 **DC/18/1746 - MELITA, 19 RICHMOND ROAD, HORSHAM**

The Head of Development reported that this application sought permission for the erection of an open front porch, single storey rear extension and loft conversion, with two dormer windows and a roof light on the south east side,

and one dormer window and roof light on northwest side. The side extension would measure 2.4 metres by 6.8 metres. A one metre wide covered balcony with set-back windows and doors to the rear was also proposed.

The application site was located within a conservation area in the built-up area of Horsham and comprised a two storey detached dwelling with integrated double garage that was built in the 1980s. The surrounding dwellings were predominantly Victorian and Edwardian.

The consultation response from the Council's Conservation Officer, as contained within the report, was considered by the Committee.

The Neighbourhood Council objected to the application. Twelve objections had been received, including an objection from the Wimblehurst Road Residents Association. One letter of support had also been received. One member of the public spoke in objection to the application, and one member of the public spoke in support of it. The applicant and the applicant's agent both spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its impact on the character of the dwelling and visual amenities of the area; and the amenities of adjacent occupiers.

Members considered the design and scale in the context of the surrounding conservation area. Members concluded that the proposal would not have a detrimental impact on neighbouring amenity or the overall character of the area.

RESOLVED

That planning application DC/18/1746 be granted subject to the conditions as reported.

PCN/66 **DC/18/0794 - GLEN ARUN, 9 ATHELSTAN WAY, HORSHAM**

The Head of Development reported that this application sought permission for an extension to a care home. The demolition of a single storey extension to the south, and the erection of a single storey and first floor extension to the east and two storey extensions to the south and west of the building were proposed. The proposed extensions would accommodate an additional 20 bedrooms. The proposal had been amended to lessen the impact on the adjacent Grade II Listed Building to the east and to avoid overlooking. Off-street parking spaces would be increased from ten to 18 spaces.

The application site was located within the built-up area of Horsham on the southern edge of the town and was a 1960s brick building that had been extended in the 80s. It was accessed from Athelstan Way, which joined the A281 to the east. It was within a residential estate with open farm land to the south west.

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

The Neighbourhood Council raised no objection but raised a number of concerns as set out in the report. Twelve objections had been received, including one since publication of the report which raised no new concerns.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its scale, design and appearance; impact on Half Timbers, the nearby Listed Building; neighbouring amenity; highways; impact on trees; and ecology.

Members concluded that the public benefits of expanding the facility outweighed their concerns regarding access and parking, and outweighed the limited impact on the Listed Building.

RESOLVED

That planning application DC/18/0794 be granted subject to the conditions as reported.

PCN/67 **DC/18/2212 - EASTEDS BARN, EASTEDS LANE, SOUTHWATER**

The Head of Development reported that this application sought permission for the erection of an entrance porch and the addition of a number of windows and changes to the existing ones. There would also be an internal reconfiguration to include the creation of a first floor.

The building was restricted to non-residential use under permission DC/11/2502 for a single storey extension. The proposal would enable the proposed change of use of the building to a children's nursery.

The application site was located within the built-up area of Southwater in a residential area with a playground and large open space south of the site. It was a single storey barn like structure. Vehicular access was from Easteds Lane to the west, there was pedestrian access from Nutham Lane to the east. There was a 22-space carpark next to the building.

An addendum to the report had been circulated to Members advising of the consultation response from the Highway Authority, which raised no objection and recommended a condition to secure a travel plan statement. An additional condition to secure a Travel Plan was therefore recommended. The addendum also advised of the Council's Environmental Health comments which included the recommendation that the applicant enter into a voluntary agreement with the local authority to provide the equivalent of a Noise Management Plan.

Southwater Parish Council was the applicant. Thirteen objections from 11 households had been received. Since publication of the report a further four objections had been received, details of which and the officer response were included in the addendum. Three members of the public spoke in objection to the application. A representative of the Parish Council, which was the applicant, spoke in support of the proposal.

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

Members concluded that proposal would not have a detrimental impact on the building or the surrounding streetscene and the proposed change of use would not significantly change the building's impact on neighbouring amenity.

In the light of concerns raised regarding noise disturbance, as set out in the addendum, it was agreed that an Informative be sent to the applicant advising them to liaise with the Council's Environmental Health team to agree measures which would reduce the potential for any disturbance to adjoining residents.

RESOLVED

That planning application DC/18/2212 be granted subject to the conditions as reported, with the following additional pre-occupation condition to secure an approved Travel Plan Statement:

The first floor of the building shall not be brought into use until such time as a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. The Travel Plan shall thereafter be implemented in accordance with the approved details.

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

PCN/68 **DC/18/1742 - 3 CHALICE WALK, HIGH STREET, RUSPER**

The Head of Development reported that this application sought permission for the erection of a single storey side extension, which would replace a lean-to on the north side of the house. The proposal would be three metres wider than the current lean-to and be approximately 1.2 metres higher with a gable end rather than the current mono-pitch roof.

The application site was located within the built-up area of Rusper within a conservation area. It was south of St Mary Magdalene's Church, with the churchyard to the west. It was one of a semi-detached pair within a courtyard development of 3-bedroom dwellings. Access was from the High Street via an undercroft.

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

The Parish Council objected to the application. There had been four objections from one household. One member of the public spoke in objection to the application and a representative of the Parish Council also spoke in objection to it.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character of the dwelling and the impact of the proposal on visual amenities of the area; and the amenities of neighbouring occupiers.

Members discussed the scale of the proposal and were concerned that it would have a detrimental impact on the neighbouring property through loss of light because of the height of the extension. The ridge height of the extension was also considered out of keeping with the existing development and likely to have a detrimental impact on the setting of the neighbouring Grade I Listed church.

RESOLVED

That planning application DC/18/1742 be deferred to allow discussions with the Applicant in respect of a reduction in the height of the proposed extension, in consultation with the Chairman and the Vice-Chairman, who was also the Local Member.

PCN/69 **DC/17/2123 - EVOLUTION FITNESS, GLADSTONE ROAD, HORSHAM**

The Head of Development reported that this application sought permission for the removal of Condition 6 to permission DC/07/0272 for the change of use from a retail warehouse to fitness centre. The condition restricted the use of the 'back room' to a changing room and in connection with the instructions of weight-loss program only. This back room no longer existed owing to the removal of an internal partition.

The application followed complaints that there had been a breach of planning consent. The removal of Condition 6 would regularise this breach.

The Committee had considered the removal of Condition 6 in January 2018 and resolved that its removal would be delegated to the Development Manager subject to a satisfactory Noise Management Plan (Minute No. PCN/79 (09.01.18) refers.) The Noise Management Plan had been completed and Members had requested that the proposal be determined by the Committee.

The application site was located within the built-up area of Horsham on the northern side of Gladstone Road, and was a small narrow building between residential properties.

Members were referred to the previous report which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

A public representation, on behalf of a number of neighbours, from an independent Acoustic Consultant had been received in October raising some concerns. Three members of the public spoke in objection to the application.

Members considered the case details and officer's conclusions and noted details of the Noise Management Plan and acoustic survey. Members noted neighbouring residents' continuing concerns regarding noise and vibration and concluded that a more robust Noise Management Plan should be secured.

RESOLVED

That planning application DC/17/2123 be deferred, in consultation with the Chairman, Vice Chairman and Local Members, to allow a meeting between Officers, including Environmental Health Officers, and the Applicant in respect of the submitted Noise Management Plan and noise/vibration issues at the site, with a view to the submission of a more robust Noise Management Plan.

The meeting closed at 8.14 pm having commenced at 5.30 pm

CHAIRMAN



Planning Committee North

Date: 8th January 2019

Report on Appeals: 22/11/2018 – 26/12/2018

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:-

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/18/1128	Ivy Cottage, The Haven, Billingshurst	20.12.2018	Refuse	N/A
DC/18/1130	Ivy Cottage, The Haven, Billingshurst	20.12.2018	Refuse	N/A

2. Live Appeals

The following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/18/1389	9 Thistle Way, Southwater	Fast Track	19-Dec-18	Refuse	N/A
DC/17/1704	41 Pondtail Road, Horsham	Written Reps	28-Nov-18	Permit	Refuse
DC/17/2695	Waterside, Five Oaks Road Slinfold	Written Reps	29-Nov-18	Refuse	N/A
DC/17/2853	Waterland Chalet, Guildford Road, Slinfold	Written Reps	29-Nov-18	Refuse	N/A
DC/18/0120	Morelands Barn, Naldretts Lane, Rudgwick	Written Reps	29-Nov-18	Refuse	N/A
DC/18/0780	Land North West of Garden Corner, Blackhouse Road, Colgate	Written Reps	29-Nov-18	Refuse	N/A
DC/18/0793	Forest House Cottage Winterpit Lane, Mannings Heath	Written Reps	29-Nov-18	Refuse	N/A
DC/17/2294	Dun Horse Inn, Brighton Road, Mannings Heath	Written Reps	05-Dec-18	Refuse	N/A
DC/17/2605	Windacres Farm, Church Street, Rudgwick	Written Reps	05-Dec-18	Refuse	Refuse
DC/18/1563	Windacres Farm, Church Street, Rudgwick	Written Reps	05-Dec-18	Refuse (Non-Determination)	Refuse (Non-Determination)
DC/17/2636	20 Abbots Leigh, Southwater	Written Reps	05-Dec-18	Permit	Refuse
DC/17/2377	Swallow Ridge, Lynwick Street, Rudgwick	Written Reps	06-Dec-18	Refuse	N/A
DC/18/0569	J G Fields, Faygate Lane, Rusper	Written Reps	06-Dec-18	Refuse	N/A
DC/18/0590	Baynards Motor Company Rowhook Hill Farm, Bognor Road Broadbridge Heath	Written Reps	06-Dec-18	Refuse	N/A

3. Appeal Decisions

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
EN/17/0062	Millers Mead, Nuthurst Street, Nuthurst	Written Representation	Appeal Dismissed	N/A	N/A
DC/17/2534	Land Rear of Millers Mead, Nuthurst Street, Nuthurst	Written Representation	Appeal Dismissed	Refuse	N/A
DC/18/0971	14 Pondtail Road, Horsham	Fast Track	Appeal Dismissed	Refuse	N/A
DC/17/2731	Mill Hill House, Guildford Road, Rudgwick	Written Representation	Appeal Dismissed	Refuse	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 08 January 2019

DEVELOPMENT:

Proposed two storey extension to the existing sports centre to provide a new swimming pool, spa facilities, two class studios and a fitness suite. Construction of a new all-weather running track with ancillary athletic facilities and an outdoor exercise area. Construction of a 3G artificial grass pitch. Use of land to the east of Infirmary Drive to relocate spoil and create an unlit running trail. Creation of car parking for 272 cars, and a new permanent access to Christ Hospital Road. Closure of the existing Infirmary Drive access, and conversion of the existing Infirmary Drive to form a sprint track. Erection of associated equipment store, fencing and lighting.

SITE: Christs Hospital School The Avenue Christs Hospital Horsham West Sussex RH13 0LJ

WARD: Southwater

APPLICATION: DC/18/1268

APPLICANT: **Name:** Mr Francis Pulvermacher **Address:** Christs Hospital School The Avenue Christs Hospital Horsham West Sussex RH13 0LJ

REASON FOR INCLUSION ON THE AGENDA: 1. More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

2. By request of the Local Members

RECOMMENDATION: To approve planning permission, subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for various additional sports and recreation facilities, additional car parking and landscaping to be located in the vicinity of the existing Bluecoats Sports Centre in conjunction with Christ's Hospital school. In summary, the application proposes the following:

- 2-storey extension to the Bluecoats Sports Centre, containing a new four lane teaching and leisure pool with viewing gallery, associated spa facilities and changing rooms; 2x new class studios; a fitness suite, new WC's, and enlarged café;
- Six lane all weather running track with ancillary athletics facilities;
- Athletics equipment store;
- Outdoor exercise area ('Adventure Trail') with 16 'activity stations' and unlit 2.5km running trail;
- Downgrading and closure of part of the existing Infirmary Drive to sprint track;
- 3G artificial grass pitch for rugby and football;
- Use of land to the east to relocate spoil, and create an unlit running trail.
- Associated car parking for 272 cars (236 formal spaces and 36 overflow);
- New permanent access road from Christ Hospital Road;
- Associated landscaping, SuDS, planting, fencing and lighting/flood lighting.

- 1.3 The extension to the sport centre would be located to the west of the existing building, over part of the existing car park. The extension would create around 4,000m² of additional floorspace over 2 floors, and would have flat roofs of various heights ranging from 8.7m to 11.5m. The extension would consist of a mix of external materials including limestone wall cladding, dark grey and red brick cladding, dark grey curtain wall cladding, fascia's, canopies and soffits; blue aluminium window panels, sand coloured render, glass balustrade, and dark grey window and door frames. A new curved timber-clad feature is proposed at the front elevation to screen an outdoor plant and storage area, and to be used to mount new sport centre signage. The existing main entrance would be relocated to relate to the new parking area to the north, and an area of hardstanding is proposed around the perimeter of the sports centre extension to enable pedestrian access from various locations.
- 1.4 The proposed all-weather running track with ancillary athletics facilities would be located on land to the north of the existing Bluecoats Sports Centre. The track would be a full-sized six-lane, 400m facility, with 100m sprint lanes fronting a stepped seating area for spectators. Due to level changes, the track would be set into the ground by approximately 1.5m at the southern end, which requires retaining walls, ramps and banked grass mounds (also to be used for spectator seating). Ancillary athletics facilities would include a long/triple jump track, pole vault track, and areas for high jump and shotput. The grassed centre of the track would provide areas for other field events such as discus, hammer and javelin; as well as doubling-up as a rugby training pitch in the winter season. 10 sets of 16m high floodlighting columns are proposed around the athletics track, and 1.2m black mesh fencing would circulate the perimeter of the track.
- 1.5 The proposed athletics equipment store would be located to the north of the track, and would be fronted by a 3.5m wide area of hardstanding which links the store to the school's main entrance road (Main Drive) to provide vehicular access. The store would be a single storey sloping roof structure, measuring 22.3m in length, and 4.6m maximum height. It would contain 4 sets of double doors on the main elevation for access and storage of athletic and sports equipment, and 4 small high-level window openings at the rear elevation. The end elevations would each contain additional door openings. The building would be clad with horizontal red cedar wood cladding, with aluminium louvres, fascias, soffits and door rails; and the roof would be single ply membrane. In total, the store would provide 157m² of storage.
- 1.6 The outdoor 'Adventure Trail' area would be located to the north east of the track and would be unlit. The area would consist of 19 exercise stations linked by a porous polymeric track. The stations would provide various climbing and jumping challenges to test strength, balance, fitness and agility. As part of the Adventure Trail area, a portion of the current Infirmary Drive access road is proposed to be downgraded, and converted to a 100m

inclined sprint track, which would involve the closure of the existing Infirmary Drive access onto Christ's Hospital Road. In addition, a 2.5km cross-country running trail is proposed around the site (also unlit).

- 1.7 The proposed 3G artificial grass pitch would be used for football and rugby. This pitch would formalise an existing grass pitch in the same location (to the west of the proposed athletics track and main entrance drive). The 3G pitch would be fully fenced with 3m perimeter fencing, and would include spectator seating and 8no. floodlighting columns. An area of hardstanding would surround the southern end of the pitch to enable pedestrian access.
- 1.8 In order to avoid the need to transport excavated material to landfill, the land to the east of the main site (the 'Eastern Fields') is proposed to be used as a site to accommodate around 24,000m³ of excess spoil excavated from the proposed development. The spoil is proposed to raise the land by an average of 0.5m, across the 4.5Ha site. The topsoil of the spoil mounds will re-seeded with grass. This part of the site will also contain a section of the 2.5km unlit cross-country running trail.
- 1.9 The car parking on site is proposed to be reconfigured, due to the extension to the sports centre which would result in the loss of the 114 existing spaces. Two new car parking areas are proposed to the north and east of the sports centre containing a total of 236 parking bays. An addition 36 spaces are also proposed in a separate (unmarked) overflow area. The new car parking area will be served by a new access road linked directly from Christ's Hospital Road thereby separating vehicular access arrangements for users of the sports facilities and the school. The new access road is a formalisation of the already permitted temporary access road permitted under DC/17/2635.
- 1.10 A full scheme of soft landscaping and planting is proposed. To facilitate the development, 44 trees across the site are proposed for removal, including 5x Grade A (high quality), 22x Grade B (moderate quality), 9x Grade C (low quality), and 8x U Grade trees. It is proposed that 100 additional tree whips and 5x extra heavy standard English Oak trees are planted to mitigate the loss of existing trees on site. Three ponds are proposed close to the northern perimeter of the site (within the Adventure Trail area) to act as attenuation for surface run-off, forming part of the site's overall sustainable drainage system. Underground water storage is also proposed beneath the permeable paved car park areas.

DESCRIPTION OF THE SITE

- 1.11 Christ's Hospital School is located approximately 3km to the south-west of Horsham, and approximately 1.5km to the south-west of the small settlement of Tower Hill. The settlement of Christ's Hospital largely comprises the school campus, and a small cluster of housing to the north and west (adjacent to the railway line). The housing cluster is contained within a defined built-up area boundary (BUAB), but the school campus lies outside this boundary, therefore classified as located within the countryside. The specific application site is within the school campus, but is not within the BUAB. Access to Christ's Hospital from the east is gained from the B2237 (Worthing Road, Horsham) via Tower Hill / Christ's Hospital Road; from the south via the Bax Castle and Two Mile Ash Road; or from Itchingfield to the west via Christ's Hospital Road. Access can also be gained from Christ's Hospital train station which is located approximately 700m to the north-west of the school campus.
- 1.12 Christ's Hospital School is an independent day and boarding school originally founded in London in 1552. The school moved to its current location in 1902. The school's founding charter established it as a charitable school meaning that bursaries are awarded to most students to enable pupils from all backgrounds to attend and receive a private education.
- 1.13 The Bluecoats Sports Centre opened in its current location in 1990, and has been operated by the Bluecoats Sports charity since 2002. The current centre is used by both the school

and members of the public, and has a 25-metre pool, a fitness suite, squash courts and a sports hall. Existing outdoor sports facilities include 15no. tennis courts, 24no. grass football and rugby pitches, 10no. cricket squares (to the south of the main campus), and 2no. all-weather pitches. A 400m grassed athletics track is marked out in the summer season on an area to the north-west of the sports centre. The existing facilities are used both by the school and local clubs and organizations. Bluecoats Sports has a fluctuating external membership, which averages at about 3,000 people.

- 1.14 The application site is located on grounds to the north of the existing school campus and Bluecoats Sports Centre. The site largely consists of managed grassland (which is artificially flat as a result from the laying of spoil from previous development), with some of the land used for informally marked sports pitches (athletics, cricket and rounders) in the summer months. The application site contains a number of mature trees, particularly lining the Main Drive, and within the proposed location for the new athletics track. The 'Eastern Fields' are defined by open and gently undulating grassland, interspersed with occasional mature trees, and divided by The Avenue which is heavily tree lined. A small portion (approximately 0.2Hh) of Ancient Woodland is located within the Eastern Fields, directly to the south of Christ's Hospital Road. The northern boundary of the site is defined by Christ's Hospital Road, beyond which is woodland which largely restricts views and awareness of the A24 dual carriageway further to the north.
- 1.15 The Christ's Hospital School complex contains two groups of Grade II* Listed Buildings. The first group of buildings were listed in 1959, and include the main quadrangle, the chapel, the Big School, the water tower and dining hall as well as the main boarding houses which extend as wings. The water tower is partially visible from the application site but the other buildings mentioned are screened to a large extent by the sports centre, existing trees and landscaping, and other buildings fronting the school. The second group of buildings were listed in 2000, comprise the arts centre and music school which date from 1972-4. These buildings are located to the south of the main school campus and are not visible from the application site.
- 1.16 To the north of the application site is a Grade II listed former barn building, now converted to 2no. residential units as part of wider re-development plans in the mid-2000's. This building can be seen from Main Drive, but views from the application site are largely obscured by the presence of mature trees. To the north-east of the application site is a Grade II listed residential building known as The Old Lodge, which was listed in 1980, and is visible from the Eastern Fields. Another Grade II listed residential building known as Field End Cottage (also listed in 1980) is located approximately 350m to the east of the main application site, and fronts the Eastern Fields.
- 1.16 Aside from a number of residential houses and flats located on the school campus occupied by staff and students; there are several other residential properties in the vicinity of the application site. Approximately 100m to the north-west of the site is Bluecoat Ponds and Barnes Wallis Avenue which comprise of around 142 residential properties. Of these properties, numbers 41-52 Bluecoats Ponds are in closest proximity (approx. 40m) to the application site. Properties in King Edward Close are located further from the application site to the east, and several other properties on Two Mile Ash Road are located within sight of the Eastern Fields.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

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

National Planning Policy Framework (2018)

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 43 - Community Facilities, Leisure and Recreation

2.4 SUPPLEMENTARY PLANNING GUIDANCE

- Planning Obligations and Affordable Housing SPD (2017)
- Community Infrastructure Levy (CIL) Charging Schedule (2017)

2.5 RELEVANT NEIGHBOURHOOD PLAN

In May 2015 Southwater Parish Council were designated as a Neighbourhood Development Plan Area. Amendments to the Parish boundaries required a re-designation of the NP area which was approved in May 2016. In October 2018, the Parish Council published a Regulation-14 draft plan for a 6-week period of consultation which ended on 16th November 2018. The consultation documents included the draft plan (including site allocations), policies maps, draft SEA, site assessment report, and a landscape capacity study. Despite the publication of the Regulation-14 draft neighbourhood plan, limited weight can currently be given to the Neighbourhood Planning process in Southwater at present.

2.6 PARISH DESIGN STATEMENT

- Southwater Parish Design Statement (2011)

2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/0789	New all-weather pitch to replace existing with associated fencing and floodlights	Application Permitted on 05.07.2016
DC/17/1216	Proposed demolition of existing catering building and erection of replacement catering building, including office, classrooms, associated soft and hard landscaping and new sub-station area. (Full planning)	Application Permitted on 04.09.2017
DC/17/2635	Erection of temporary road for construction traffic for the duration of the development of previously permitted catering facilities (DC/17/1216).	Application Permitted on 29.01.2018

3. OUTCOME OF CONSULTATIONS

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

3.1 INTERNAL CONSULTATIONS

HDC Landscape Architect: Comment (Conditions Suggested if minded to approve)

[Summary] *'The applicant is seeking to extend the sports centre facilities to provide further leisure activities within the Christ's Hospital grounds which is supported in principle. The new 3G pitch and associated floodlighting and fencing, is proposed in the same location as existing pitch, albeit of a bigger size. This sits in cluster with other existing sports courts and is screened to some degree by the existing buildings and tree belts. As such individually, the pitch is not considered to significantly change the character of the area or result in adverse harm and therefore is supported. The adventure trail area is considered to change the character of the area as result of the loss of openness, however, given its more subdued nature the harm arising is considered to be of an acceptable level. The proposal of the outdoor facilities such as the athletic track with associated flood lighting and fencing and the car parking area will result in long term irreversible adverse harm to the landscape character of the area and in the loss of the rural setting of the school. Although the need for this kind of facility in the district is appreciated and on balance may outweigh the assessed harm, the harm identified must be given full weight'*. Suggested conditions include securing details of proposed finishes and colours of hard surfacing across the site, treatments and design of other ancillary features, and site management details.

HDC Conservation Officer: Comment (Conditions Suggested)

[Summary] *'The proposal will not conceal principal elevations preventing an understanding or appreciation of the special interest of the listed building. Some harm to the setting of the listed building will result through the development of existing parkland. The additional floodlights will be an incongruous feature in this landscape context but these are an expected structure in a school grounds. Some concession is acceptable as the site was intended as a school. Despite these dilutions of the setting, I am content the school will remain recognisable in a rural setting. The concerns regarding the removal of Infirmary Drive have been alleviated by the retention of this as a pedestrian route and the retention of the tree belts either side. The proposed equipment store will be experienced on its own and will not be intervisible with the historic buildings. I am satisfied this building will not harm the setting of the listed buildings. I make no objection to the application'*. Suggested conditions are in relation to the proposed athletics equipment store, and include: (1) submission of samples and specifications of external materials, and (2) submission of drawings at a scale of 1:5 describing roof details.

HDC Environmental Health: Comment (Conditions Suggested)

[Summary] The floodlighting assessment and contour plots are acceptable, but as most of the trees providing screening are deciduous, a further lighting assessment is suggested to be submitted when the scheme is operational. Following further clarification by the applicant, the outcomes of the noise assessment are accepted. Proposed mitigation measures for noise (including rubber washers on fencing, and restrictions on hours of use) are considered acceptable. No public address system should be permitted, and other CEMP conditions for the construction process are suggested.

HDC Drainage Engineer: No Objection (Conditions Suggested)

[Summary] *'No overall objection to the proposed drainage strategy, subject to the following conditions: (1) PC09 Drainage Strategy (Foul and Surface Water), and (2) submission of an overland / exceedance surface water flow route diagram for the whole development site area'*.

HDC Strategic Planning: No Objection

[Summary] *'The proposals will provide local people with improved access to a wide range of sports and fitness activities, and therefore accords with Policy 43 of the HDPPF. Christ's Hospital railway station is nearby meaning private car usage is not essential. The site is*

served by bus between Storrington and Horsham, and accessible from the Downs Link cycle path, therefore the proposal accords with Policy 40.3 and 40.5 of the HDPF. The proposal includes improved cycle and car parking facilities, therefore the proposal would accord with Policy 41.2 of the HDPF'.

HDC Economic Development: No Objection

[Summary] 'Priority 5 in the Economic Strategy details the need to 'promote the district offer' by providing excellent leisure spaces for residents and business tourists. Improvements to existing established leisure sites is always welcomed and will continue to strengthen the district's offer in the sports and leisure sectors. Economic Development supports this application'.

HDC Leisure Department: No Objection

[Summary] 'The application is strongly supported from a strategic leisure perspective. It will help with the deficit in swimming provision in the district, providing a balance between public and membership based opportunities for residents. Additionally, with the decommissioning of the athletics track at BBHLC scheduled for some time in the next few years, the all-weather running track/athletics facility allows for the relocation and continuity of outdoor athletics within the district'.

HDC Tree Officer: No Objection

[Summary] 'I register NO OBJECTION to this application. The site has a good stock of young and semi-mature trees. No ancient or veteran trees were found, save for one oak specimen in very poor health and structural condition. No specimen of particularly unusual botanical or historical interest was found; nor have any rare species been identified. It is intended to remove 47 of trees (and tree groups). The key losses include the line of 7 x specimen trees, including 4 x oaks of merit (category 'A' trees). It is always regrettable to lose trees of maturity, though in this case I am not of the view that the specimens in question are of any particularly high level of interest. The younger trees are more readily replaceable, and while the older trees are not, it is noted that both are in less than optimal health and structural condition. In terms of amenity value in the landscape, they are not prominent and though of high amenity value from within the site, from beyond, in the public domain, they are not. In overall terms, I am not of the view that there are any trees on the site of such exceptional importance as to justify refusal of the development proposals put forward. The replacement planting scheme appears robust and commensurate to the number of trees being lost'.

3.2 OUTSIDE AGENCIES

Southwater Parish Council: Objection

[Summary] 'Strong objection on the following grounds; Highway Concerns in terms of the additional traffic which would be detrimental to this area, with a poor road network in and out, what is a rural area. Traffic Plan does not adequately reflect the application. The Parish Council will wish to speak on this matter at Planning North Committee'.

Ecology Consultant: No Objection (Conditions Suggested)

[Summary] 'The existing survey information confirms that there is potential for bats and great crested newts to be impacted by the proposed works. However, acceptable avoidance and mitigation measures have been provided in Section 6 of the Ecological Report. The applicant's ecologist has confirmed that their recommendations for avoidance and mitigation measures to minimise lighting effects on bats have been incorporated into the submitted lighting scheme. Impact on the Ancient Woodland from spoil infill at the Eastern Fields (with particular regard to drainage) has been addressed in section 6.1.4 of the Ecological Report. The loss of some areas of mixed woodland and the impact this has on habitats (including avoidance, mitigation and enhancement measures proposed) has been discussed in section 5.3.5 of the Ecological Report, and is considered to be acceptable. The proposed ecological enhancements have been outlined in section 6.10.1

of the ecology Report, and these enhancements are welcomed. Planting recommendations for the shallow pond areas have been described in section 6.10.1 of the Ecology Report, and are acceptable'. Conditions suggested include: (1) submission of a brief, non-technical Ecological Mitigation and Enhancement Strategy, and (2) development to be in accordance with the submitted lighting scheme.

WSCC Highways: No Objection (Conditions Suggested)

Initial Comments (18 July 2018) - Objection

Objection to the application based on a lack of information submitted, including: (1) insufficient highways and transport information (including omissions and inconsistencies within the TA) to demonstrate that the proposed development will not be prejudicial to the satisfactory functioning of the highway; (2) lack of a Green Travel Plan to demonstrate that the proposed development represents a sustainable form of development.

Subsequent Comments (18 September 2018) - Objection

A Supplementary Transport Technical Note was submitted which sought to address the authority's previous concerns. WSCC continued to object in light of various issues including: inconsistencies with floor area measurements and membership figures, failure to use TRICS sense-testing, lack of evidence about future expected membership, no account of added attractiveness of the new facilities, no account of other committed development on local road network, failure to use traffic growth factors (TEMPRO), lack of Road Safety Audit and Green Travel Plan.

Subsequent Comments (31 October 2018) – No Objection (subject to conditions)

[Summary] 'A revised version of the Transport Statement (TS), a Road Safety Audit and also a Green Travel Plan have been received. These documents add detail to the previous submissions and respond to the highway authority's concerns about the transport impacts of the proposal. The Travel Plan requires further work, although the details can be the subject of a condition. While the TS takes a less conventional approach to transport impacts, the quantum of information now available is sufficient for the authority to assess those impacts. We therefore withdraw our objection to the planning application'. Suggested conditions include: (1) implementing new access and closure of existing access prior to first use, (2) implementing all parking and turning prior to first use, (3) submission of a CEMP prior to commencement of development, and (4) submission of a full Travel Plan before first use.

Subsequent Note (18 December 2018)

In response to concerns raised regarding highway safety at the Tower Hill / Two Mile Ash / Christ's Hospital Road junction, a safety review note was produced by WSCC. All signs including white lining to define the junction, carriageway warning centre-lines, "slow" markings and standard warning signs are in place and appropriate to the layout of the junction. Part of the road surface outside East Lodge has been hatched to guide traffic. A standard "give way" sign is missing at the exit from CHR – there may be an issue with potential visibility of the signs from the west. However the road markings at this location are clear.

Approach visibility is visually appropriate for a road user approaching the junction from the north. The East Lodge building obstructs visibility towards south from CHR and to an extent from Tower Hill when viewing approaching traffic. East Lodge appears from historical maps to have been in place since the School opened in 1902. TMA appears to have been a public road since at least the last quarter of the nineteenth century and its route is constrained by boundaries and topography. There is therefore limited opportunity for realignment of the road and the junction.

The visibility to the South does not comply with Design Manual for Roads & Bridges Standards at 40mph approach speeds. It is much closer to compliance to the North. It could be argued that visibility is consistent with guidance in Manual for Streets although this would need further assessment and measurement. There are no recorded road traffic collisions resulting in injury at or near the junction over the past five years.

Summary: The junction has been in place for over 100 years and is constrained by buildings and boundaries. However the junction is actively managed for modern traffic conditions and has no road traffic collision record.

Sport England: No Objection (Conditions Suggested)

[Summary] 'Subject to conditions, this proposal should meet Exception 5 of our playing fields policy as it is providing sports facilities of sufficient benefit to the community so as to outweigh the loss of playing fields. Sport England does not wish to raise an objection to this application, subject to the following conditions: (1) submission of detailed design and layout of new facilities, and (2) submission of a Community Use Agreement'.

WSCC Flood Risk Management: No Objection (Conditions Suggested)

[Summary] 'Mapping shows that the majority of the proposed site is at low risk from surface water flooding although the location of the proposed extension is shown to be at high risk. The majority of the proposed development is shown to be at moderate risk from ground water flooding. There are no records of historic flooding within the confines of the proposed site. Mapping shows ordinary watercourses near the site. Works affecting the flow of an ordinary watercourse will require ordinary watercourse consent. The FRA and Drainage Strategy propose that sustainable drainage techniques (permeable paving and ponds) would be used to control the surface water run-off from this development with a restricted outfall to the watercourse. This method would, in principle, meet the requirements of the NPPF and associated guidance documents'. Condition suggested include: (1) submission of detailed surface water drainage designs and calculations for the site, and (2) submission of details of the maintenance and management of the SUDs system.

Southern Water: No Objection (Conditions and Informatives Suggested)

[Summary] 'Southern Water can provide foul sewage disposal for the proposed development, but require a formal application to connect to the public sewer. SW identify that there is an increased risk of flooding unless network reinforcement is provided by Southern Water. As such, SW request a phasing condition to be added to ensure network reinforcement works align with occupation of the development. The planning application makes reference to drainage using SUDS. The applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities in perpetuity. The application contains a proposal for a swimming pool, which would need to be discharged to the public foul sewer. The details of this would have to be agreed with SW, and the applicant is advised to discuss the matter further with SW's Trade Effluent Inspectors'. A conditions is suggested to secure details of foul and surface water sewerage disposal.

WSCC Rights of Way: No Objection

[Summary] 'I note that no PROW are affected by the proposed development and I have no further comment to make'.

3.3 PUBLIC CONSULTATIONS

A total of 220 representations have been received in connection with this application. 60 representations object to the proposed development; 152 representations support the proposed facilities; and 8 representations neither object nor support the proposed development.

The following summarises the main reasons for objection:

- Dangerous increase in traffic
- Narrow, rural roads are unable to cope with extra traffic
- Overdevelopment
- Adverse impact on rural setting and character
- Light and noise disturbances
- No pavements
- Impact on wildlife
- Impact on privacy
- An excuse for not replacing BBH track
- Impact on historic setting of CH school

The following summarises the main reasons for support:

- Sport and recreation is at the heart of a happy and healthy lifestyle
- Social, cultural and economic benefits.
- Positive enhancements for health and wellbeing
- Improvements to indoor facilities (pool/gym etc)
- Local clubs and schools will benefit from the new facilities
- Provision of better and more accessible opportunities for the local community to look after their mental and physical health
- Suitable replacement for loss of the BBH facility
- Will increase opportunities for Membership and access to classes
- Much needed facilities for the school and local community

3.4 MEMBER COMMENTS

Cllrs Vickers and Chidlow have requested this application be decided at Planning Committee.

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

The main considerations of this assessment are:

- The Principle of the Development
- Assessment of Need and Benefit
- Landscape Impact
- Design/Layout/Specification of Proposed Facilities
- Heritage Impact
- Highways Impact
- Amenity Impact

- Drainage
- Ecological Impact
- Planning Balance

The Principle of the Development

- 6.1 The site is located outside of the Christ Hospital built up area boundary (BUAB), and does not form an allocation for development within Horsham's adopted development plan (comprising the Horsham District Planning Framework (HDPF) or a 'Made' Neighbourhood Development Plan). As a result, the site is considered to be located within the countryside where development is more tightly controlled. Policy 26 of the HDPF (Countryside Protection) states that outside BUAB's, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Policy 26 requires that any development proposal must be 'essential' to its countryside location, and must meet at least one of 4 criteria including providing for quiet informal recreation use, or enabling the sustainable development of rural areas. Policy 26 also requires that any development must be of a scale appropriate to its countryside character and location, and must not lead to a significant increase in the overall level of activity in the countryside.
- 6.2 In addition to Policy 26 which seeks to protect the District's valuable countryside character; the provisions of HDPF Policy 43 (Community Facilities, Leisure and Recreation) are also relevant to this application. Policy 43 supports the provision of new or improved community facilities particularly where they meet an identified need. Whilst as a whole Policy 43 prioritises new facilities in locations that accord with the HDPF Development Hierarchy; 43(2) specifically supports the development of new facilities located outside built-up area boundaries where this is the only practicable option and where a suitable site, well-related to an existing settlement exists. HDPF Policy 43 accords with the aspirations of Chapter 8 of the National Planning Policy Framework (NPPF, 2018) which promotes healthy lifestyles through the provision of sports facilities (para 91c), as well as requiring Local Planning Authorities to give great weight to the need to expand or alter schools (para 94a).
- 6.3 It is not generally considered that the proposed development strongly accords with any of the 4 criteria required by Policy 26. However, the site is located within the existing school grounds, immediately adjacent the existing school sports facilities and linked Bluecoats Sports Centre. By virtue of the proximity of the school close to the built-up area of Christ's Hospital which is immediately to the north and west, it is considered that the exceptions test within Policy 43 are partially met. Given these particular circumstances, and having regard to the aspirations of HDPF Policy 43 and NPPF Chapter 8 to promote healthy lifestyles by expanding sporting provision, it is considered that the principle of providing additional sporting facilities on this site is acceptable, subject to an appropriate assessment of need and full consideration of the impacts of the proposals on heritage, landscape, ecology, the surrounding highway network, and neighbouring amenity; as set out in the following paragraphs.

Assessment of Need and Benefit

- 6.4 In the first instance, when considering the extent to which there is a 'need' for the leisure facilities proposed to meet the requirement of Policy 43; it is important to identify where the need arises from, who it seeks to benefit, and whether this is considered to justify the scale and nature of the proposed development in a countryside location.
- 6.5 The proposal has been driven by the desire of the school (as an independent, private organisation) to make improvements to their existing leisure offer in order to develop the physical health and wellbeing of their pupils. The link between the school and Bluecoats Sports Centre (which is a private Members club, operating as a charity since 2002) means that the proposed leisure improvements would benefit both the school pupils and the club Members. In addition, according to the planning submission, the proposed external

facilities including the 3G pitch and athletics track would also be available for 'community use' and 'club hire' indicating that there would be a wider public benefit to the overall scheme beyond just pupils of the school and members of the Bluecoats Sports Centre.

- 6.6 In general terms the NPPF is supportive of proposals that improve and add to existing stock of sporting and leisure facilities, as well as supporting the principle of expanding or altering schools to meet the needs of existing and new communities, and to widen the choice in education (para 94). Paragraph 96 of the NPPF notes the importance of enabling access to a network of high quality sporting facilities in order to benefit the health and wellbeing of communities.
- 6.7 In accordance with paragraph 97 of the NPPF, Sport England (SE) has a statutory responsibility to ensure that development does not lead to the loss of any land used as playing fields, and if it does will only be acceptable if it falls within one of five exceptions categories. In the case of this proposal, part of the development is proposed to be on land currently used as informally marked out grass playing pitches, therefore consultation with SE is a statutory requirement. Having reviewed the proposals, SE have confirmed that (subject to conditions), the proposal meets 'Exception 5' of the SE Playing Fields Policy as it is considered to provide '*sports facilities of sufficient benefit to the community so as to outweigh the loss of playing fields*'.
- 6.8 Whilst it is clear that there is overarching support from government (via the NPPF and SE policy) for sport and leisure developments such as this; as the facilities are intended to be used by school pupils, club Members and the wider community, it is important to understand if a wider community need for these facilities exists, and if so, the extent to which these facilities would address that need. If a wider need is considered to be addressed by this proposal, this will help to justify the countryside location of the development in the planning balance.
- 6.9 Both HDPF Policy 43 and NPPF para 96 support the provision of new recreation and leisure facilities where they meet an identified need. The Council's most recent studies into the District's need for replacement and additional recreation facilities are the 2014 Sport, Open Space and Recreation Assessment (SOSRA), which was prepared in support of the HDPF; and the Sport and Physical Activity Strategy (the 'Sport Strategy') which is a 5-year development strategy published in 2016. The 2014 SOSRA undertook analysis of all existing facilities within the Horsham District, and identified any deficiencies in provision. Paragraph 5.55 of the SOSRA lists the needs and opportunities for additional or improved leisure facilities within the District, which at the time, included up to five 3G pitches, an outdoor athletics track, and a four-court indoor tennis facility. Swimming pool provision and fitness facilities were also explored but it was concluded that no further provision was required at present. Since the publication of this document, no additional 3G pitches or athletics tracks have been provided within the District, therefore none of the needs identified in the 2014 assessment have yet been met.
- 6.10 The SOSRA discusses the condition of the existing Broadbridge Heath (BBH) Sports Centre site, describing both the indoor centre and outdoor athletics track as 'showing its age'. The document describes the Council's intention to redevelop the site, including the demolition and rebuild of the sports centre, and the closure and relocation of the existing outdoor athletics track to Tanbridge House School. Since the publication of the 2014 SOSRA, the BBH sports centre has been closed, and a new leisure centre (The Bridge) adjacent to the old site was opened in October 2018. In order to enable the continued provision of athletics in the District, the 2016 Sport Strategy confirms the Council's intention to re-locate the BBH athletics track by 2021, but does not commit to a location.
- 6.11 At present, the existing outdoor athletics track at Broadbridge Heath remains in use, and it is understood that options for an alternative site to re-provide the track continue to be explored. Whilst there has already been agreement by Full Council to decommission and

re-provide the BBH athletics track as part of the wider plans to redevelop the BBH sports centre site, no formal plans for its closure or replacement have been confirmed. The athletics track proposed as part of this planning application is therefore being assessed on its own merits, with the view that in the short term at least, the BBH facility remains in situ (i.e. this application is not being considered on the basis that the proposed track is to be a replacement facility for the BBH track).

- 6.12 Notwithstanding the above, whilst the proposed facilities are primarily being provided for the use of the school and Members of Bluecoats Sports Centre, there is proposed to be a fairly significant public benefit attached to the scheme in the form of community and club use of the outdoor facilities, and the invitation to more members of the public to become Members of the sports club. Despite this provision of additional facilities, it is acknowledged that the location of the facilities and link with the school and Bluecoats Sports Centre (a private members club) casts questions over the true accessibility of these facilities to the wider public. In assessing the public benefit of the proposed development, it is therefore important to understand how much access the general public will have of the new facilities.
- 6.13 The applicant has provided a draft Community Use Agreement in support of the planning application to show the intent for this facility to be used for both the school and the wider public. Whilst precise management details cannot be known at present, a CUA would describe the principle arrangements and timetabling for community use of the sporting facilities for local sports clubs, organisations and casual users. If as part of future plans to re-locate the existing athletics track, the Council determined that Christ's Hospital was an appropriate site for the relocation of this facility; then any CUA would need to reflect the needs of the District and its community, and would be re-drafted as such. As well as providing a level of certainty to the Council and local community that the proposed facilities will be available for wider use, the requirement for a CUA and the details contained within it have been requested by Sport England as a condition of their 'no objection', and as such, its submission will be secured by condition.
- 6.14 Also submitted by the applicant, are draft timetables demonstrating the use of the new athletics track and 3G pitch. These draft timetables show that within term time, club and community use of the athletics track is scheduled from around 5pm to 10pm (Monday-Friday), and all day at weekends. Outside term-time, the school would not require use of the facilities, so club and community use would be available all day, every day. In term-time, the 3G pitch would offer club and community use from around 6pm-10pm (Monday-Sunday) and outside term-time, continuous use would also be available all day, every day.
- 6.15 Whilst the precise details of the overall management and timetabling of the new facilities have not been finalised at this stage, it is considered that the indicative scheduling shown in the draft timetables submitted demonstrate an appropriate split between use by the school (generally midweek, during the day) and club/community use (generally in the evenings and at weekends). Club and community use will also be available outside of term-time when school pupils do not require use.
- 6.16 The Council's Leisure services team have reviewed the draft timetables and are satisfied that they could show an appropriate split between school, club and community use. It is therefore considered that the proposed arrangements would enable the facilities to be used to their maximum potential thereby making this a viable and sustainable proposition, resulting in a good level of public benefit. The completion of a Community Use Agreement would also provide certainty that clubs and community groups would have full and fair use of the new facilities.
- 6.17 In summary, given the identified District-wide need for additional athletics and 3G pitch facilities outlined within the 2014 SOSRA, it is considered that subject to a completed Community Use Agreement and agreed timetabling, the 6-lane 400m / 8-lane 100m sprint athletics track, and 3G rugby/football pitch proposed as part of this development would

provide for new high quality sports facilities that would help meet the District's identified leisure needs. As a result, whilst the development is proposed to be located in a countryside location where it is not strictly considered to be 'essential'; the community leisure deficiencies it seeks to provide for, coupled with its location contained within the grounds of an already established school and other sporting facilities, leads to the conclusion by Officers that the proposal accords with HDPF Policy 43(2), and that the location proposed for this development is appropriate.

Landscape Impact

- 6.18 As referred to previously, as the application site is outside the defined BUAB, the site is classed as being located within the countryside where the provisions of HDPF Policy 26 apply. In addition, HDPF Policy 25 is also relevant, which seeks to protect the natural environment and landscape character of the District.
- 6.19 The Council's Landscape Architect (LA) and has raised overall concern with the proposal with regard to its conflict with policies 25 and 26. With regard to policy 26, the LA considers that the development proposals partly conflict with this policy as they would cumulatively lead to an increased overall level of activity in the countryside and result in the urbanisation of the area causing harm to its landscape character. The LA acknowledges that whilst policy 25 seeks to protect the rural nature of undeveloped areas, the provisions of the policy also allow for some flexibility where development is considered to be necessary to ensure the continued sustainable development of rural areas (including for development such as leisure facilities). In this regard, it is considered that as the development would meet an identified leisure need and as a result of the improved and additional facilities will result in a high level of public benefit; the application of some flexibility is reasonable when assessing the level of landscape harm that would arise.
- 6.20 Notwithstanding concerns raised by the LA with regard to the overall impact of the proposed development on the countryside character; with regard to each of the specific development proposals, in landscape terms, the LA is supportive in principle of the extension to the sports centre and the new 3G pitch as it is considered these elements have been positioned and designed appropriately to avoid significant harm to the character of the area. The adventure trail to the north of the application site (which would consist of additional planting, occasional structures and laying of pathways) is considered by the LA to change the character of the area due to the loss of the openness provided by the existing undeveloped land. However, the LA acknowledges that given the more subdued and naturalistic nature of this part of the proposal (which would be unlit), the harm arising is considered to be of an acceptable level.
- 6.21 The area proposed for the placement of spoil at the Eastern Fields will raise the land by approximately 500mm across the site which is not considered to have a significantly noticeable visual impact. The LA has confirmed that, as revised, the proposed contours submitted for this area are acceptable with regard to landscape character and visual amenity. The Drainage Engineer has also reviewed these contours and has confirmed that the drainage strategy accords with the changes in land levels in this location.
- 6.22 The proposed athletics track (with associated floodlighting) and the car parking area is however, considered by the LA to be more harmful to the landscape character of the area, as well as to the historic rural setting of the school. This is largely due the loss of large parts of grassland, wildflower meadow, tree clusters and belts, a change in topography and large increase of activity in the countryside, contrary to Policy 26. The LA notes that although the need for this kind of facility in the District is appreciated (and on balance may outweigh the assessed harm), the harm must be given full weight in the overall decision.
- 6.23 Officers acknowledge that the combination of existing and proposed development in this countryside area (including the existing sports courts, proposed 3G pitch and athletic track

with floodlighting and fencing, adventure trail, parking and extension to the sports centre) will result in an urbanising effect along Christ's Hospital road and is likely to dominate the appearance of the school from the road. However, taking into account the comments from the Council's specialist Landscape Architect, in conjunction with an understanding of the site context and need arising for additional sporting facilities for the school and within the District; it is considered that whilst the proposed development will result in a change to the landscape character in this area, the land affected is acknowledged as being relatively well contained within the wider context of the school grounds and existing sporting facilities. As a result, the level of landscape harm identified across the site is considered on balance to be acceptable.

- 6.24 In order to ensure that the scheme is developed to the highest quality possible, the LA has also suggested that the applicant submits a number of details relating to soft and hard landscaping. These details include finishes and colours of hard surfacing across the site, treatments and design of other ancillary features, and site management details – all of which are considered to be acceptable to secure by way of condition.
- 6.25 With regard to trees, the application site contains several examples of high-quality, mature trees within and adjacent to the site, particularly along roadsides and at the site boundaries. It should be noted that none of the trees on site are protected by Tree Preservation orders, nor is the site located within a Conservation Area where the removal of trees is controlled to some extent.
- 6.26 An Arboricultural survey submitted in support of the application identified a total of 44 trees for removal in order to facilitate the development. These trees include 5x 'Grade A' trees (high quality/valued), 22x 'Grade B' (moderate quality), 9x 'Grade C' (low quality) and a further 8x 'U Grade' (trees for removal). It is noted that an attractive belt of trees is proposed for removal to facilitate the athletics track which is considered to be harmful to the landscape character and sense of place when viewed from within the site. Whilst the removal of these trees is disappointing, it is appreciated that it is required to enable the development to be constructed, and mitigation in the form of an additional tree planting scheme is proposed elsewhere within the site. The proposed tree planting includes around 100 tree whips and 5x extra heavy standard English Oak trees.
- 6.27 The Council's Tree Officer has confirmed that whilst the loss of mature trees is regrettable, the specimens in question are not of any particularly high level of interest, and some of the older trees earmarked for removal are in poor health and structural condition. The Tree Officer is of the opinion that there are no trees on the site of such exceptional importance as to justify refusal of the development proposals put forward, and notes that the replacement planting scheme appears robust and commensurate to the number of trees being lost. As such, there is no technical objection raised to the proposed tree removal. The LA was initially concerned that too little replacement tree planting was proposed, but after discussion with the applicant, revised tree planting plans have been submitted which include more trees, and is now considered by Officers to create a pleasant environment that appropriately mitigates for the loss of existing trees on site.

Design/Layout/Specification of Proposed Facilities

- 6.28 Notwithstanding the principle concerns of the Landscape Architect as set out in the previous section, as well as the nature and scale of the development in this countryside location; the proposed layout is considered by Officers to be well designed within the existing context of the site and with respect to constraints including existing vegetation, roads, historic buildings and topography. The 3G pitch has been appropriately located adjacent to two existing synthetic pitches which contains the impact of these larger pitches to one location. The athletics track is positioned and orientated to keep it as close as possible to the sports centre and car park, and set on a lower ground level, thereby reducing the impact it would have on the countryside, historic setting and neighbouring

amenity; as well as the urbanising influence when viewed from Christ's Hospital Road. The adventure trail (which would be unlit and more naturalistic in design and appearance) is located to the northern periphery of the site, which is considered to respect the more rural character of Christ's Hospital Road and woodland beyond. Overall, Officers consider that the overall layout of the application site has been well considered.

- 6.29 The extension to the existing Bluecoats Sports Centre has been designed to make best use of the available land, whilst respecting the architecture of the existing building and the historic setting to the south. The extension, whilst somewhat different in appearance to the existing building, retains a similar overall height (11.5m maximum) and continues to vary roof heights to offer some articulation and interest to the building when viewed as a whole. The external appearance incorporates extensive glazing which gives a modern impression and quality to the building, and enables the interior to benefit from natural sunlight and views out towards the proposed athletics track. For a contemporary appearance, the dominant facing material is proposed to be a dark grey wall cladding; but in order to tie-in with the existing red brick and blue fascia building, and to better relate to the more functional appearance of the existing leisure centre, a light red brick cladding with elements of blue aluminium panelling have been incorporated. In summary, it is considered that the scale and appearance of the sport centre extension is appropriate within its rural and historic setting, and is therefore acceptable.
- 6.30 The proposed car park provides a sufficient number of marked parking spaces (236), and has been designed to include an island of shrub and tree planting in the centre which softens the appearance of the car park when viewed immediately from the entrance/exit of the sports centre. Other tree planting at the end of parking rows and along the external boundaries of the car park will help to screen the parking from the approach road, and separates it from the running track and spectator seating to the north-west. A condition has been suggested to secure the details of hard surfacing within the car park, as well as a condition to ensure the proposed parking is marked out and ready for use prior to the first use of any of the facilities permitted as part of this application. 'Grasscrete' is proposed to be laid over the overflow parking area to enable cars to easily access this section, whilst retaining a natural external appearance.
- 6.31 The 3rd Generation (3G) synthetic pitch is full sized, and the applicant states that it conforms to the dimensions and specifications set by the Rugby Football Union and World Rugby. This includes the size of the principal playing area, run-offs, spectator areas and fencing systems. In addition, other requirements have been design into the proposed 3G pitch including additional goal recesses for cross-play use (i.e. rugby and football), equipment storage areas, as well as pedestrian and maintenance gated access. As a statutory consultee, Sport England (SE) have been consulted on this application, and whilst they raise no overall objection the proposed scheme; with regard to the 3G pitch, they have identified several uncertainties with the detailed design of the pitch that they wish to be clarified by way of condition (including fence heights, run-off distances, line marking etc). As a result, SE require that as a condition of their 'no objection', full details of the proposed 3G pitch facility are to submitted and approved by the Local Planning Authority (in consultation with SE) prior to the commencement of development. This condition is included within this recommendation.
- 6.32 The applicant states that the athletics track will be constructed in accordance with UK Athletics / International Athletic Federation guidance. The multi-functional nature of the facility means that a range of sports can be accommodated, and built to governing body dimensions. The 8-lane sprint track / 6-lane running track will be surfaced with a porous polymeric finish which is common for tracks in the United Kingdom where large amounts of rainfall require drainage directly into purpose built basins. In this case, drainage will partly be directed to three SUDs ponds located to the east of the track within the adventure trail area.

- 6.33 The Council's Drainage Engineer has confirmed that the proposed drainage strategy for the site is acceptable. Initially, SE expressed several design concerns with the proposed track (including track orientation, distance to toilets, lack of covered areas, lack of run-offs, lack of hardstanding, incorrect safety margins etc). However, upon the submission of revised plans and supporting information by the applicant, SE have since confirmed that they raise no overall objection to the track specification, subject to the submission of final detailed design for the athletic facilities by condition.
- 6.34 In addition to the above, SE also require a Community Use Agreement (CUA) to be submitted and approved by condition. The agreement is required to be prepared in consultation with SE and should include details of pricing policy, hours of use, access by non-school users, management responsibilities, and a mechanism for review. The applicant has already submitted a draft timetable of use for each of the pitches and athletics track, and a template for a CUA, however in order to accord with SE requirements (and as a condition of the removal of their initial objection) the applicant must have an approved CUA document prior to the commencement of any development. This condition is included within this recommendation.
- 6.35 A storage shed for athletics equipment is located in close proximity to the track and within easy access to the main entrance road. The store has been designed to accommodate equipment associated with the athletics track, and as such, includes access doors to the front and side elevations. The dimensions of the store conform to Sport England guidance. The sloping roof (with a maximum height of 4.6m) raises the building to the rear which would give the impression of a smaller building from the front elevation. The building has no especial design merit, but on the whole, is relatively well obscured by trees to its north and south, and is proposed to be clad with red cedar boarding which helps to blend the building into its rural and natural surrounds. Overall, the store, whilst relatively large in footprint (156m²), is considered to have been designed to an acceptable standard. The Council's Conservation Officer has made comment with regard to the proposed store, and its position within the setting of a Grade II* listed building. The Conservation Officer considers that the building reflects twenty first century design, and as it will be experienced on its own it will not be inter-visible with the historic buildings to the south. As such, the Conservation Officer is satisfied the store would not harm the setting of the listed buildings.
- 6.36 The proposed 'adventure trail' area has been designed to integrate into the overall sport landscape by connecting the athletics track to a more naturalised area of pathways and outdoor physical activity stations. This design is based on similar facilities seen in Denmark known as 'exploritoriums' which seek to integrate traditional athletics with a more contemporary and unique type of physical movement training for both adults and children. This would be the first known example of such a facility in the UK. The pathways are proposed to be laid with the same porous polymeric finish as the main athletics track, and they would lead to a number of obstacles and activity stations which are designed to challenge agility and balance etc. The activity stations are proposed to be built into the existing topography, and would use natural materials such as stone and timber. The detailed design of the activity stations has not been provided so a condition has been recommended to secure these details. The area includes the former Infirmary Drive access, which is proposed to be closed off and converted to a sprint track. Both the Landscape Architect and Conservation Officer are supportive of this proposal as it retains the historic location of the road, as well as the existing features such as the tree lined avenue.
- 6.37 The adventure trail area has been designed to respect the surrounding landscape by retaining a large amount of existing trees (including most of the well-established avenue trees) and supplementing this with additional tree and shrub planting (including approximately 60x new trees). Three SUDs ponds have been included in this location which has the dual benefit of providing appropriate drainage for the site (as confirmed by the Council's Drainage Engineer), and adding to the natural design of this more sensitive part of the site. The ponds and vegetation also allow for ecological enhancements by enabling

biodiversity and habitats to thrive in wetland and woodland environments. The unlit and largely green nature of this area will help to retain a rural character along Christ's Hospital Road, which in turn will help to screen the more formalised development beyond. Subject to a condition to secure the details of each activity station, the proposed activity area is considered to link well to the proposed athletics track and will provide a unique additional training facility which will not significantly harm the rural and historic setting of the site.

- 6.38 The final element proposed, is a 2.5km running trail which largely circulates the perimeter of the site, leading into the Eastern Fields. This would be for recreational jogging, and is proposed to be surfaced with a bound gravel material with timber edges. This trail will complement the formal running track and adventure trail area by offering a more informal opportunity to run in a more natural setting. The route would be unlit, and therefore raises little concern with regard to visual or amenity impact.

Heritage Impact

- 6.39 The Council recognises that the historic environment is an irreplaceable resource which should be conserved for its own sake for the benefit of future generations. Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.
- 6.40 Paragraph 196 of the NPPF state that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*'. This paragraph is key when determining whether the changes proposed within the setting of any listed building would be acceptable. Given the Grade 2* listing of the school, both the built structure and its setting are considered to be an irreplaceable heritage asset that under s.66 of the Act, Chapter 16 of the NPPF and Policy 34 of the HDPF is required to be preserved and sustained. Where appropriate, changes to heritage assets and their settings may be considered to be acceptable provided that the changes proposed preserve and/or enhance the special character of the asset through appropriate siting, scale, form and design; including the use of appropriate materials and design in order to positively enhance the building and its setting to ensure its long term survival.
- 6.41 Given the significance of the Grade 2* listed school, and the proximity of the application site to the main school building, the Council's Heritage Officer has undertaken a site visit, and has thoroughly assessed the supporting documentation including the Heritage Statement undertaken by Beacon Planning.
- 6.42 The Conservation Officer has not raised an objection to the scheme, but has identified that the proposed development will result in some level of harm to the setting of the listed building due to the development of what currently appears as managed parkland, and the proposed floodlighting which is considered to be an incongruous feature within the landscape context. However, it is acknowledged by the Conservation Officer that it is not unusual for these features to be present within the grounds of large schools, and some concession is acceptable as the site was always intended as a school. Officers are therefore satisfied that despite the dilution of the current setting, the school will remain recognisable in a rural setting.

- 6.43 Although glimpses of the existing school buildings are possible from the northern boundary of the application site (near Christ's Hospital Road) and from the sports centre, the only part of the historic school building that is readily visible from this area is the water tower. The proposed sports centre extension and additional athletics facilities will not conceal principal elevations, thereby preventing an understanding or appreciation of the special interest of the listed building, and are therefore acceptable. Previous concerns regarding the removal of Infirmary Drive have been alleviated by the retention of this as a pedestrian route and the retention of the tree belts either side. The proposed athletics equipment, whilst relatively modern in design, is likely to be experienced on its own and will not be intervisible with the historic buildings to the south; and therefore Officers are satisfied this building will not harm the setting of the listed buildings.
- 6.44 In summary, whilst fairly significant development within the setting of the grade 2* listed building is acknowledged, the impact this would have on the context and appreciation of the buildings is considered to be minimal impact resulting in 'less than substantial harm'. In accordance with paragraph 196 of the NPPF, the public benefit the proposed leisure facilities would bring to both the school pupils, staff and members of the public is considered to weigh in favour of the minor harm to the setting of the listed school buildings.

Highways Impact

- 6.45 Chapter 9 of the NPPF describes the government's aspirations for the promotion of sustainable transport, and details how transport and highways implications arising from development proposals should be considered in planning terms. Paragraphs 108 to 111 of the NPPF are particularly relevant when assessing the appropriateness of a proposal in highways terms. Paragraph 108 requires that appropriate opportunities to promote sustainable transport modes should be considered, and that safe and suitable access to the site can be achieved for all users. In addition, it requires that any significant impacts from the development on the transport network or on highway safety can be effectively mitigated. Paragraph 109 is of key importance when determining whether a proposed development is acceptable, and requires that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or, the residual cumulative impacts on the road network would be severe*' [emphasis added].
- 6.46 As a result of the improved range and quality of facilities, the proposed development will naturally lead to an increase in overall usage of the on-site facilities by both the school and members of the public. As a result of the extension and improvements to the sports centre, the aspiration of Bluecoats is that these improvements will attract additional members and would lead to a doubling in current membership numbers. Currently, membership numbers fluctuate throughout the year, but averages at around 3000. The additional outdoor facilities will encourage more intensive use of the site by enabling year-round use of the athletics track and 3G pitch, as well as being able to accommodate larger ad-hoc events and hosting of sporting competitions.
- 6.47 In support of the planning application, and in acknowledgement of the increase in movements to and from the site; a Transport Assessment (TA), Stage 1 Road Safety Audit (RSA) and a Draft Travel Plan (TP) have been submitted. These documents have been reviewed thoroughly by WSCC Highways, who confirm that no objection is raised to the proposed development on highways grounds, citing (in summary) that traffic generation would not be severe, and that there would be no significant highway safety or road capacity issues locally. It should be noted that the submitted documents are revisions to the originally submitted versions which WSCC Highways previously raised objections to (due to a number of inconsistencies and discrepancies, as well as some missing data required for proper analysis). The submission of revised documents add detail to the previous submissions and respond to the highway authority's previous concerns about the transport impacts of the proposal.

- 6.48 Whilst no overall objection has been raised by the highways authority, several shortcomings have been identified in their consultation response, which are considered suitable to be addressed by condition. These include a requirement to submit a full Travel Plan, submission of detailed design of the new access onto CH Road, submission of an Event Travel Management Plan, and submission of a Construction Management Plan.
- 6.49 Impact on travel demand arising from the expanded sports club has been assessed within the TA by using existing and additional gross floor area and March 2018 survey data (as verified by TRICS). In order to take account of the club's aspirations to double membership, as well as accounting for the added attractiveness of the new facilities; it is considered reasonable to double the existing trip rate data to produce the most accurate and reliable estimate of trip rates generated by the proposed expansion (assuming club membership doubles). WSCC are satisfied that the applicant's travel demand figures fall within the range identified from TRICS, and the estimates are therefore acceptable (i.e. during the busiest hour of 6-7pm, every minute, the proposed sports centre expansion will generate an additional 2.4 inbound vehicle movements from the east, 1.7 outbound movements to the east, 1 inbound movement from the west, and less than 1 outbound movement to the west).
- 6.50 Whilst these figures are considered to be acceptable, WSCC note that the TA does not break down the individual attraction of each element of the proposal, and that the use of the new outdoor facilities and the impact of smaller clubs relocating to the new facilities has not been presented fully. Despite this, it is accepted by WSCC that the method of doubling the club membership/ existing trip movements can reasonably be considered to represent all other elements of the proposal. Officers agree that this is a reasonable method of estimating future travel demand based on the outdoor facilities proposed, and the aspirations of the club.
- 6.51 The impact on junction capacity at the Tower Hill/Worthing Road (B2237) junction has also been assessed within the TA. This impact has been raised as a significant concern in representations from local residents. The applicant has used Department for Transport 'TEMPRO' modelling to estimate junction capacity using an assumed opening year of 2023, as well as the assumption that all new memberships have been sold in the opening year and that the new development is fully operational. To ensure the accuracy of future road capacity, TEMPRO modelling also takes a broad account of projected regional growth data associated with permitted and allocated developments in the Horsham District. The modelling for this junction in the 2028 scenario shows that the queue time over the peak hours (5-7pm) on the Tower Hill arm is just under 12 seconds greater than the existing scenario, and less than 2 seconds greater for the southbound arm of Worthing Road. Whilst WSCC acknowledge that there would be a measurable effect on traffic queues, they agree that this level of traffic is unlikely to result in a 'severe' impact on the road network, as per the requirements of the NPPF which states at paragraph 109 that '*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.
- 6.52 Collision data has also been presented in the TA, extracted from Sussex Safer Roads Partnership website, and indicates that in the previous 5 year period (2013-2018) there were 7 recorded collisions on roads affected by the proposal, with 4 of these on the junction of Tower Hill and Worthing Road (at the Boar's Head pub). The nature of these 4 incidences were that 2 resulted in 'slight' injury and 2 were classified as 'serious'. The TA concludes that the collision incidences in this location are not materially different to other junctions in the wider area, and that there are no intrinsic design faults with the junctions or local road network that are worsening highway safety in this area, nor are there any highway safety design issues that will be worsened by the proposed development. WSCC's Accident Investigation & Prevention Team acknowledge the recorded incidences but make no specific comment on the implications of the proposed development on road safety

- 6.53 In response to local concerns about highway safety at the junction of Tower Hill, Two Mile Ash and Christ's Hospital Road; WSCC Highways have undertaken a safety review and provided a note which states: *'the junction has been in place for over 100 years and is constrained by buildings and boundaries. However the junction is actively managed for modern traffic conditions and has no road traffic collision record'*. It is considered therefore that this junction performs satisfactorily from a road safety perspective, and whilst a standard 'give way' sign is acknowledged as missing, and visibility to the South does not fully comply with the Design Manual for Roads and Bridges; the Highways Authority do not consider that the additional traffic to and from the proposed development will materially increase the risk to road users at the junction. As such, no alterations to this junction are recommended as part of the proposed development, but WSCC have suggested that the developer may wish to investigate whether upgrades to this junction are required, and if so, to initiate the implementation of these improvements.
- 6.54 The proposal also includes permanent alterations to the site's existing access configuration. Currently, the Bluecoats Sports Club and parking area is accessed through the main school access road. A new access junction from Christ's Hospital road (further to the east of the main access road) is proposed, which makes permanent the temporary access road already permitted under DC/17/2635 (currently under construction). The existing gated access at Infirmary Drive would be closed and converted to highway verge. The proposed new access road would lead to the new main car park, and would be used for the sports centre and associated sporting facilities; leaving the existing access road for sole use of the main school.
- 6.55 WSCC Highways consider the new access junction onto Christ's Hospital Road to have adequate visibility, and are satisfied that any safety issues have been addressed by the submitted RSA and Designer's Response report. The proposed access road is considered to be beneficial to the scheme as it separates school traffic from sports centre traffic, and given that no technical concern is raised by the highways authority, is considered to be acceptable. Signage is not proposed as part of this application, therefore will require separate permissions at a later date.
- 6.56 The TA identifies that occasional ad-hoc extraordinary or special events are proposed to be held at this site such as larger cross-country races, or 'tough mudder style' events. As with most land, this site benefits from Permitted Development (PD) rights under Part 4 Class B of the General Permitted Development Order, which under the '28 day rule' allows use of the land for temporary events such as those proposed, so long as they do not amount to more than 28 days with a 12 month period. As a result, planning permission is not likely to be required for these extraordinary events, but if any permanent structures or engineering works are proposed which are not covered under Part 4 of the GDPO, this may require planning permission separately in order for the Council to assess their impact and acceptability.
- 6.57 The TA identifies that these events are likely to be held once or twice a year and would be staged at weekends, attracting potentially up to 2000 visitors and participants. It is acknowledged that large scale events like these are likely to have an impact on local amenity particularly with regard to traffic and the local road network, as well as potential noise disturbances during the course of the event. However, given the provisions with Part 4 of the GPDO which allow for these types of temporary events, the Council are unable to control their occurrences.
- 6.58 Consideration has been given as to whether it would be expedient to seek to remove the Permitted Development right to hold these types of events given these potential impacts, by way of a condition on any permission granted. Such a condition would be required to meet the conditions tests set out in paragraph 55 of the NPPF (of being necessary, reasonable, related in scale and kind to the proposal, and enforceable). In this instance the removal of the PD right could be argued as being necessary and reasonable on the basis that the new

facilities could be seen to better facilitate the holding of special events, thereby increasing the potential for harmful impacts. However, such a restriction could only lawfully apply to this application site (as defined by the red line on the submitted site location plan) and not the wider school grounds. This would significantly limit the effectiveness of the removal of this PD right, and raise questions of enforceability should special events otherwise permitted under Part 4 in the wider school grounds partially cross into this application site. Overall, having considered this matter in detail, given that the removal of rights pursuant Part 4 of the GPDO would only apply to the area of the site defined by the red line; it is considered that it would not be effective in preventing the wider site from hosting large-scale events on an ad-hoc, temporary basis. As a result, whilst it is acknowledged that local amenity may be temporarily impacted by the hosting of special events, the removal of the right to do this under PD is not considered to be appropriate.

- 6.59 The TA suggests that an Events Travel Management Plan could be secured by condition to enable the Council to control some of the highways implications of such gatherings and to minimise any disruption. The principle of an Events Travel Management Plan is accepted, but it is acknowledged that this will only be able to control events being held within the red line of the application site. Nevertheless, a condition has been suggested to require such a plan. Due to the permitted development rights associated with these types of special events, the highways authority have not commented on the highways implications of this as part of their assessment of this application.
- 6.60 Other smaller-scale events and gatherings are also anticipated at this site, organised by schools and local sports clubs. Triathlons, running races and other gatherings are already held at Christ's Hospital utilising their existing facilities, and are therefore not considered to be new trips on the local road network. The improved facilities are likely to increase the frequency of these smaller events, but as they are usually held at the weekend when the sports club has fewer members and the local roads are quieter, WSCC Highways has not raised specific concerns.
- 6.61 Parking provision for 236 formally laid spaces has been provided (including 8x disabled bays), with an addition 36 spaces in an overflow area laid with 'grasscrete'. The parking demand resulting from the expansion to the Bluecoats Sports Club indicates that an average of 195 spaces are required on a day-to-day basis. The provision is therefore considered to be appropriate, and the overflow area will accommodate fluctuations when the site hosts special events. WSCC have raise no concern with regard to parking provision on site.
- 6.62 In the highways authorities' initial consultation response, an objection was raised on the basis that a Travel Plan (TP) had not been submitted to demonstrate that the proposed development represents a sustainable form of development, as required by HDPF Policy 40. A draft TP was subsequently submitted, and has been reviewed by WSCC Highways. WSCC agree that there is limited scope for Club members to use public transport, but highlights that the site does have good access to a regular rail service, and that access from the Southwater direction is possible via the National Cycle Network (route 223). WSCC consider that there are more opportunities to encourage centre staff to coordinate travel, and that improvements to the existing rights of way may help to encourage access by foot or bicycle. In short, WSCC require the TP to be enhanced, and have requested that a full Travel Plan is secured by condition for submission and approval prior to the first use of any part of the development.
- 6.63 WSCC advise that the TP should be prepared in accordance with the WSCC Development Travel Plans Policy which includes a requirement for developments to achieve a 12-hour weekday vehicle trip rate that is 10% lower than predicted in the accompanying TA. In addition, WSCC suggest that an Events Management Plan should be included as an appendix to the TP, and that reference should be made in the TP about how members and staff will be incentivised to use non-car modes of transport or car shares. Importantly, it is

suggested that the TP should include a section covering remedial action(s) that would apply should the vehicle trip rate target not be achieved within 5 years (i.e. introducing pay and display parking etc).

- 6.64 Officers agree that a full TP should be submitted, but it should be noted that the purpose of the TP (as per NPPF paragraph 111) is not to seek to reduce anticipated traffic levels from an unacceptable level to an acceptable level; rather its purpose is to address local and national policy requirements to promote the use of more sustainable modes of transport within new developments. The judgement of the Council on whether the TP is acceptable will be based on the anticipated traffic movements set out in the TA which have been predicted on the basis of Bluecoats Sports Centre's aspiration to double its current Membership.
- 6.65 In summary, it is acknowledged that the proposed development will increase the usage of sporting and leisure facilities at Christ's Hospital School, and in turn, will result in more trips to and from the school – largely via car from the Tower Hill road. WSCC highways have thoroughly assessed all relevant supporting information submitted with this application, and whilst there are some shortcomings identified (including the requirement for a more detailed Travel Plan which can be secured by condition); no overall objection has been raised. WSCC accept that the estimated trip generation and traffic impact is unlikely to result in a 'severe' impact on the local road network, nor that there would be an unacceptable impact on highway safety; therefore in accordance with NPPF para 109, cannot recommend refusal on highways grounds. Officers agree with this conclusion, and subject to the conditions suggested, are of the view that the highways impact associated with the proposed development is acceptable.

Amenity Impact

- 6.66 The application site is located in relatively close proximity to a number of residential dwellings, both within the ownership and control of the school, and privately owned. The three dwellings located in closest proximity to the application site ('Porters', 'Cornerways', and 'Hollowcroft') are within the ownership of the school, but a number of dwellings approximately 100m to the north-west of the site (in Bluecoats Ponds) are under private ownership. Several representations made against this application expressed concern with regard to an increase in noise disturbances (from participation in sports, and larger events/competitions), and light disturbance from additional floodlighting connected to the athletic track and 3G pitch. It is considered that the main sources of noise resulting from the proposed development would be shouting by players/spectators, whistles from referees, and impact from balls hitting fencing etc. Additional floodlighting is proposed around the new 3G pitch and athletics pitch, as well as lower level lighting serving the car park, and bollard lighting in the vicinity of the sports centre.
- 6.67 In support of the application a Noise Statement was submitted which assesses the predicted noise levels likely to be generated by the new external sports facilities. This study concluded that there are three dwellings in close proximity to the application site that would be likely to experience noise levels in excess of the Sport England Guidance level of 50dBA; with 52 to 56dBA being anticipated. Whilst the anticipated noise levels for these dwellings is greater than levels suggested in guidance, it is acknowledged that these dwellings are in the ownership of the school who have full control over who occupies them. The dwellings in question are also in the vicinity of existing sports facilities, therefore it is considered that the additional facilities are not likely to result in a significant difference in noise disturbances already experienced at these dwellings. Dwellings in Bluecoats Ponds are anticipated to experience noise levels less than 48 dBA which is within the acceptable guidance.
- 6.68 In order to help reduce the sound of balls hitting perimeter fencing, the applicant has proposed the use of rubber washers fitted to the fencing panels. To further assist with the

reduction in noise disturbance, it is proposed that the use of the new pitches would adhere to the operating terms of existing pitches on site, and will cease use by 9pm. This arrangement is considered to be appropriate and reasonable with regard to the protection of neighbouring amenity, and timeframes would therefore be secured by condition.

- 6.69 The floodlighting proposed to serve the 3G pitch and athletics pitch would be LED lighting that is programmable and would have a 9pm switch off which the applicant is content to be control by condition. The lighting has been designed to directly focus on the sports pitches to minimise light spill and associated harm this may cause to residential amenity and biodiversity. The Council's Environmental Health team have reviewed the light contours submitted within the lighting assessments, and whilst they consider these to largely be acceptable, they note that much of the tree cover that would obscure the lighting appears to be deciduous, therefore potentially offering less screening in the winter months. As a result, a further lighting assessment is suggested to be submitted when the full lighting scheme is operational, in order to demonstrate the impact and acceptability of the installed lighting. It is considered that this can be secured by condition.
- 6.70 The Council's Environmental Health team have confirmed that the existing sports pitches and floodlighting on the site have not given rise to any complaints to the Council from neighbouring residents regarding noise or light intrusion, but acknowledge that the proposed development would result in an increase in facilities and additional floodlighting within the site. Notwithstanding this, the EH team have fully reviewed this proposal, and (subject to conditions) are content with the noise reduction methods proposed, as well as the wider impact of the proposed floodlighting. In addition to those mentioned, other conditions suggested by EH include provisions to control dust during construction, no burning of materials on site, no public address system to be permitted, waste to be removed by a licenced contractor, and time limitations for construction activity. Officers agree that these conditions are reasonable, and would require them to be detailed in a Construction Environment Management Plan (CEMP) to be submitted prior to the commencement of development.
- 6.71 In summary, whilst the proposed development will increase the level and frequency of activity on site, it is considered that there are no significant amenity issues that currently exist on site that would be exacerbated by the additional facilities. With the inclusion of conditions to control hours of use of the sports pitches and the use of floodlighting, it is considered that the identified amenity impact can satisfactorily be mitigated to acceptable levels.

Drainage

- 6.72 In support of the planning application, a Flood Risk Assessment (FRA) and Drainage Strategy Report has been submitted. Due to its inland location and elevation in relation to existing water courses that drain the area, the site is identified as being located within Flood Zone 1 meaning that it is at a very low risk from tidal or river flooding. The main risk of flooding on this site is therefore from surface water, which due to the increase in impermeable or less permeable surfaces (particularly at the sports centre and car park), will require suitable surface water management strategies to be implemented.
- 6.73 The findings of the FRA indicate that surface water drainage via ground infiltration is not feasible on this site, therefore connections to the local drainage network are required. Both the Council's Drainage Engineer and the WSCC Flood Risk Management Team have reviewed the proposed drainage strategy and have confirmed that no objection is raised. A condition securing the details and implementation of the foul and surface water drainage strategy has been suggested; and given the proposed SUDs system, it is considered appropriate to include a condition to confirm who will be responsible for its ongoing management and maintenance. Finished floor levels are also proposed to be secured by

condition, to show in particular that the area around the sports centre extension will be set a minimum of 250mm below the internal floor level.

- 6.74 The Drainage Engineer has confirmed that the area of the site proposed for the laying of spoil (the Eastern Fields) which results in a raising of the land by an average of 500mm, has appropriately been considered within the submitted FRA and Drainage Strategy; but recommends that an overland / exceedance surface water flow route diagram for the whole development site area is secured by condition prior to development commencing. Accordingly, a suitable condition is recommended.
- 6.75 Southern Water's consultation response explains that network reinforcement and improvement works are required to the existing public sewer network serving this site, and that an increased risk of flooding is likely unless these works are undertaken. As a result, whilst Southern Water raise no objection to the application in principle, it is requested that a condition is applied to ensure that occupation of the development is phased to align with the reinforcement works by Southern Water. It should be noted that under separate legislation, Southern Water has a statutory responsibility to provide appropriate infrastructure to enable new developments to connect to the public sewer system. As a result, to ensure the proposed development does not put undue pressure on the existing sewer network capacity, a condition is recommended to secure details of the foul and surface water disposal scheme to be approved by the Council, in consultation with Southern Water. In addition, an informative is also recommended to advise the applicant to discuss sewer capacity implications directly with Southern Water.

Ecology

- 6.76 In support of the application, a Preliminary Ecological Survey and Ecological Interim Report were initially submitted, as well as the subsequent submission of an Ecological Survey Assessment Report. The Ecological Interim Report (dated May 2018) confirmed that surveys were ongoing for great crested newts, bats and reptiles. Due to their status as protected species under European and UK law, the Ecologist advised that the results of these surveys would be required to fully inform the planning application. In early November, the surveys were completed, and submitted to the LPA. The Council's Ecologist reviewed the survey results and concluded that whilst suitable mitigation has been proposed in section 6 of the report, further information was still required with regard to ecology, including a biodiversity net gain calculation to demonstrate how the development would achieve a quantitative net gain for biodiversity.
- 6.77 The applicant subsequently instructed a biodiversity net gain calculation to be undertaken, which (in a letter dated 19 December 2018) concluded that the ecological enhancements proposed across the site will secure a net gain for biodiversity. The Council's Ecologist has reviewed the additional information submitted including the biodiversity calculation, and has confirmed that the information provides satisfactory responses to all previous queries raised, and that the ecological enhancements propose are welcomed. As such the Ecologist raises no objection to the proposed development with regard to ecology, subject to conditions to (1) ensure the development is in accordance with the submitted lighting scheme, and (2) to secure the submission of a non-technical Ecological Mitigation and Enhancement Strategy in order to ensure that the ecology and biodiversity of the area is safeguarded in accordance with Policy 31 of the HDPF.

Planning Balance and Summary

- 6.78 In order to establish whether development is acceptable in planning terms, the decision maker must be satisfied that the severity of any harm identified is outweighed by the benefits the development would bring. In order to protect the rural character of the District (and in according to HDPF Policy 26), development is usually only acceptable in countryside locations where it is considered to be 'essential'. The nature of the leisure and

sporting development proposed on this site is not strictly considered to be essential to its countryside location, and as a result, is considered to result in harm to the wider rural character and setting. In addition, due to the dilution of its setting resulting from the scale and nature of the development proposed, the development is considered to result in some level of harm to the context, setting and understanding of the Grade II* listed building. Subject to the submission of further details by condition, no harm is considered to arise with regard to highway capacity or safety, trees, ecology or drainage.

- 6.79 Whilst this development is not considered to be strictly essential to its countryside location, it is acknowledged that the site is clearly related to an existing school site which comprises existing sporting facilities and moderately high levels of movement and activity. The facilities proposed, therefore, relate well within the context of the existing site, and whilst not essential to their location (as per Policy 26), lend themselves well to spacious sites such as this, and are considered on balance to be appropriate in this location in accordance with HDPF Policy 43. The impact of the development on the setting of the Grade 2* listed building is acknowledged, but as the proposed development is linked to facilities that are readily associated with a school; the overall impact is considered to be minimal, thereby resulting in 'less than substantial harm'. In accordance with paragraph 196 of the NPPF, the public benefit the proposed leisure facilities would bring is considered to weigh in favour of the 'less than substantial harm' to the setting of the listed buildings, and is therefore acceptable. The harm identified with regard to neighbouring amenity particularly associated with noise and light intrusion can be satisfactorily mitigated through details to be secured by condition, and does not therefore warrant a reason to refuse the proposed development.
- 6.80 The wider impact on the local road network with regard to an increase in traffic movements and pressure on road capacity resulting from the predicted increase in users of the site, is a concern that has been the subject of several representations to the Council. The confirmation from WSCC Highways that the proposed development will not result in a 'severe' impact on the local road network and that there would be no unacceptable impact on road safety; enables Officers to conclude that no harm arises from a highways perspective, and that a refusal on highways grounds cannot be justified (in accordance with NPPF paragraph 109).
- 6.81 In respect of the semi-rural, countryside location; the urbanising influence of the development and the subsequent harm to the landscape character, historic setting and neighbouring amenity is acknowledged; but the benefits the facilities would bring to the school, club Members and the wider public as discussed in paragraphs 6.4 – 6.17 are considered to weigh heavily in favour of the proposed development.
- 6.82 Overall, having assessed the benefits that the scheme would bring to pupils of the school, current and future Members of the Bluecoats Sports Centre, and various local community groups, clubs and individuals; it is considered on balance, that the wider benefits gained from new facilities would outweigh the harm identified. The proposed development therefore, is considered to accord with the provisions of HDPF Policy 43, as well as the aspirations of the NPPF (Chapter 8) and Sport England policy which seeks to support the addition and renewal of sport and leisure facilities, in order to increase access to sporting opportunities and to promote the ongoing health and wellbeing of communities.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st 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
All Other Development	4023	0	4023
Total Gain			
Total Demolition			

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. RECOMMENDATION

To approve planning permission, subject to the following conditions and informatives.

1. Plans List

2. **{\b Regulatory (Time) Condition:}** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

Pre-Commencement Conditions

3. **{\b Pre-Commencement Condition:}** No development shall commence (including demolition pursuant to the permission granted, ground clearance or bringing equipment, machinery or materials onto the site) until a phasing plan for the implementation of the whole development site has been submitted to and approved by the Local Planning Authority in writing. The phasing plan shall identify the spatial sequencing of each element of the development hereby permitted. The development shall be carried out in accordance with the approved details.

{i Reason: To enable the Local Planning Authority to control the development and to comply with Section 91 of the Town and Country Planning Act 1990.}

4. **{\b Pre-Commencement Condition:}** No development shall commence (including demolition pursuant to the permission granted, ground clearance or bringing equipment, machinery or materials onto the site) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:
 - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
 - ii. Details of how local residents and facility users will be advised of site management contact details and responsibilities;
 - iii. Detailed site logistics arrangements (shown marked on a site plan) including; location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials;
 - iv. Details of topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice;
 - v. Details regarding parking for site operatives and visitors, deliveries, and storage;
 - vi. The method of access to and from the construction site;
 - vii. The arrangements for public consultation and liaison prior to and during the demolition and construction works (newsletters, fliers etc);

- viii. Details of any floodlighting used for the purpose of demolition and/or construction, including location, height, type and direction of light sources, hours of operation and intensity of illumination;
- ix. Locations and details for the provision of wheel washing facilities and dust suppression facilities;
- x. Confirmation that Construction activities should be limited to: 08:00 – 18:00 Mondays to Fridays, 08:00 – 13:00 Saturdays; and no working on Sundays, Bank or Public Holidays;
- xi. Confirmation that materials will not be burned on site;
- xii. Confirmation that a licensed waste removal contractor shall remove all clearance debris and construction waste from site.

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

{\i Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).}

5. **{\b Pre-Commencement Condition:}** No development shall commence (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site) until the recommendations within Section 6 of the Ecological Surveys and Assessment [CHR101.R001 V4] and the letter from Babec Ecological Consultants Ltd. [dated 18 December 2018]; have been used to inform a brief non-technical Ecological Mitigation and Enhancement Strategy (EMES) for use by site workers, which should be submitted to and agreed in writing by the Local Planning Authority. The document should include details of habitat protection for retained habitats, avoidance measures with regards to protected and notable species, as well as enhancement measures and ongoing management for biodiversity. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

{\i Reasons: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).}

6. **{\b Pre-Commencement Condition:}** No development shall commence (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), until the following preliminaries have been completed in the sequence set out below:
- All trees on the site shown for retention on approved Tree Protection Plan ref [D2487.REV2.0-A1.TCP REV 2.0], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
 - Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
 - Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

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

7. **{\b Pre-Commencement Condition:}** No development of the relevant external sports facilities (including the 3G pitch and athletics track) shall commence until details of the design and layout of that facility have been submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). The new facilities shall not be constructed other than in accordance with the approved details.

{\i Reason: To ensure the development is fit for purpose and sustainable and to accord with Policies 33 and 43 of the Horsham District Planning Framework (2015).}

8. **{\b Pre-Commencement Condition:}** No development shall commence (other than works of demolition or ground clearance) until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

{\i 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).}

9. **{\b Pre-Commencement Condition:}** No development of the sport centre extension shall commence (other than works of demolition or ground clearance) until a drainage strategy detailing the proposed means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.

{\i 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).}

10. **{\b Pre-Commencement Condition:}** No development shall commence (other than works of demolition or ground clearance) until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change and critical storm, will not exceed the run-off from the current site following the corresponding rainfall event. The development shall be carried out in accordance with the approved details.

{\i Reason: To ensure that the development is properly drained, and has been provided to an acceptable standard to the reduce risk of flooding, in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015).}

11. **{\b Pre-Commencement Condition:}** No development shall commence (other than works of demolition or ground clearance) until an overland / exceedance surface water flow route diagram for the whole development site area is submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.

{\i Reason: To ensure that the development is properly drained, and has been provided to an acceptable standard to the reduce risk of flooding, in accordance with Policies 35 and 38 of the Horsham District Planning Framework (2015).}

12. **{\b Pre-Commencement Condition:}** Prior to the commencement of the adventure trail area, full details and designs (including elevations, materials, finishes and underground fixings) of the proposed activity stations shall have been submitted to and approved by the Local Planning Authority in writing. The activity stations shall thereafter be constructed in accordance with the approved details.

{\i Reason: To ensure a satisfactory development that is sympathetic to the rural landscape character of the surroundings, and in the interests of visual amenity and biodiversity in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).}

13. **{\b Pre-Commencement Condition:}** Prior to the commencement of the new sub-station, full details of the sub-station (including elevations, floor plans and materials) shall have been submitted to and approved by the Local Planning Authority in writing. The sub-station shall thereafter be constructed in accordance with the approved details.

{\i Reason: To ensure a satisfactory development that is sympathetic to the landscape and historic character of the surroundings, and in the interests of visual amenity in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015).}

14. **{\b Pre-Commencement Condition:}** Prior to the commencement of the athletics equipment store, the following details relating to the equipment store building shall have been submitted to and approved in writing by the Local Planning Authority. The relevant works must not be executed other than in complete accordance with these approved details, and maintained as such thereafter:

- a) Samples or specifications of external materials and surface finishes;
- b) Drawing to a scale not smaller than 1:5 fully describing the roof details including sections through the eaves and verges.

{\i Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and 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).}

Pre-Commencement (Slab Level) Condition

15. **{\b Pre-Commencement (Slab Level) Condition:}** No development above ground floor slab level of the sports centre extension 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, 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.

{\i 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).}

Pre-Occupation Conditions

16. **{\b Pre-Occupation Condition:}** Prior to the first use of the 3G pitch, athletics track or sports centre extension (whichever is earliest) a Community Use Agreement prepared in consultation with Sport England shall have been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to all sports facilities hereby approved, and shall include details of hours of use, access by non-school users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

{i Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy 43 of the Horsham District Planning Framework (2015).}

17. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities (excluding the new car park or overflow car park) hereby permitted, an Event Travel Management Plan shall have been submitted to and approved by the Local Planning Authority in writing. The Event Travel Management Plan shall set out details in relation to the management of large, extraordinary events (defined as being held outside of ordinary timetabled use) using the facilities on site (excluding the new car park and overflow car park), to include but not limited to: stewarding, directional signage, traffic management, overflow parking arrangements and management. All such events must be carried out in accordance with the approved management plan.

{i Reason: To ensure adequate travel management and parking arrangements are in place for largescale events that would be facilitated by the improved sports facilities on the site, in accordance with Policy 40 of the Horsham District Planning Framework (2015).}

18. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

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

19. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities (including the new car park) hereby permitted, detailed design and layout of the new access onto Christ's Hospital Road shall have been submitted to and approved by the Local Planning Authority in writing. No facility shall be used until the approved access necessary to serve the site has been fully implemented. The approved access shall thereafter be retained as such.

Reason: To ensure adequate access is available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

20. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted, the existing gated access to Infirmary Drive (from Christ's Hospital Road) shall have been closed-off, and converted to highways verge. The closed-off access shall thereafter be retained as such.

{i Reason: In the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).}

21. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted, the parking, turning and access facilities necessary to serve the site shall be implemented in accordance with the approved details as shown on plan [(08) 004 A14] and shall be thereafter retained as such.

{i 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).}

22. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted, a scheme to improve signage at the junction of Two Mile Ash Road and Christ's Hospital Road shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highways Authority. The scheme shall include a general signage review and a review of the suitability of road markings around the junction; and shall set out recommendations for improvement. Prior to the first use of the any of the facilities hereby permitted, the recommended improvements shall thereafter be implemented and retained as such.

{\i Reason: In the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).}

23. **{\b Pre-Occupation Condition:}** Prior to the first use of the sports centre extension and athletics track hereby permitted, details of the gabion wall infills shall have been submitted to and approved in writing by the Local Planning Authority. The gabion walls shall thereafter be constructed in accordance with the approved details.

{\i Reason: To ensure a satisfactory development that is sympathetic to the landscape 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).}

24. **{\b Pre-Occupation Condition:}** Prior to the first use of the car park hereby permitted, details and colours of the block paving for the car park shall have been submitted to and approved in writing by the Local Planning Authority. The car park paving shall thereafter be constructed in accordance with the approved details.

{\i Reason: To ensure a satisfactory development that is sympathetic to the landscape 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).}

25. **{\b Pre-Occupation Condition:}** Prior to the completion of all works to re-profile the land at the Eastern Fields, details of the type of wildflower seed to be used across the site (including at the ponds and in the vicinity of the Eastern Fields) and the method by which the seed is sown, shall have been submitted to and approved in writing by the Local Planning Authority. The wildflower seed shall thereafter be applied in accordance with the approved details. Any area of seeding which, within a period of 5 years of application fails to germinate to maturity; shall be replaced in the next planting season with the seed type approved unless the Local Planning Authority gives written consent to any variation.

{\i Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the surroundings, and in the interests of visual amenity and biodiversity enhancement in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).}

26. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted, a written hard and soft landscape specification (National Building Specification compliant) shall have be submitted to and approved in writing by the Local Planning Authority. The written hard and soft landscape specification shall include details relating to tree pit and staking/underground guying details, ground preparation, cultivation and other operations associated with plant and grass establishment, and all hard surfacing and artefacts including: retaining walls, access gates seating, steps, lighting columns, bollards etc. The landscape areas and all new tree planting shall thereafter be implemented in accordance with the approved details. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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.

{\i Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).}

27. **{\b Pre-Occupation Condition:}** Prior to the first use of any of the facilities hereby permitted, a Landscape and SuDS Management and Maintenance 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 landscape areas and SuDS infrastructure (existing and proposed) 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.

{\i Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).}

Post-Occupation Conditions

28. **{\b Post-Occupation Condition:}** Within 3 months of the first use of the 3G pitch or athletics track hereby permitted, a detailed lighting assessment (showing, in particular, the impact of the artificial lighting in the winter months when trees offer less screening) shall have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light, and shall have been designed by a suitably qualified person. All recommended mitigation shall be carried out within 3 months of the date of approval of the lighting assessment, and the mitigation shall be retained as such thereafter.

{\i Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).}

Regulatory Conditions

29. **{\b Regulatory Condition:}** All works shall be executed in full accordance with the submitted Arboricultural Report (including Arboricultural Impact Assessment and Method Statement) reference [D2487.REV2.0~Bluecoats].

{\i Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).}

30. **{\b Regulatory Condition:}** All perimeter fencing erected in association with the 3G pitch shall be fitted with rubber washer inserts as per the specification shown on the Noise Testing Data Sheet reference [D00024-30], unless an alternative specification is first agreed by the Local Planning Authority in writing. The fencing shall thereafter be implemented in accordance with the approved details, and be retained and maintained as such thereafter.

{\i Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).}

31. **{\b Regulatory Condition:}** The external sports facilities (including pitched, athletics track and adventure trail) hereby approved shall not be used except between the hours of 08:00 hours – 21:00 hours Monday to Sunday.

{\i Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).}

32. **{\b Regulatory Condition:}** The floodlighting associated with the 3G pitch and athletics track hereby approved shall be switched off except as necessary between the hours of 08:00 hours – 21:00 hours Monday to Sunday.

{\i Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).}

33. **{\b Regulatory Condition:}** No public address system shall be used in association with any of the facilities hereby approved.

{\i Reason: To ensure the protection of the amenities of nearby residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).}

34. **{\b Regulatory Condition:}** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

{\i Reason: 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).}

35. **{\b Regulatory Condition:}** No external lighting or floodlighting shall be installed other than that shown on the approved plans. All such lighting shall be maintained in accordance with the approved details.

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

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

{\i Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).}

INFORMATIVES

Conditions to be Discharged

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

Southern Water

Please note that Southern Water require a formal application for connection to the public sewer and to the public water supply in order to service this development. Please contact Southern

Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk. Please also read the New Connections Services Charging Arrangements documents which are available to read via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

Southern Water

The applicant is advised to contact Southern Water to discuss the timings of the committed network reinforcement works (to be undertaken by Southern Water); and how these improvement works will coordinate appropriately with the projected completion and first use of the facilities hereby permitted. This will help to ensure that adequate waste water network capacity is available to adequately drain the development.

Southern Water

The application contains a proposal for a swimming pool for commercial/public use. If the pool produces filter backwash water this would need to be discharged to the public foul sewer. The rate and times of discharge of this water to the sewer, and of the contents of the pool, if these need to be drained to the sewer, would have to be agreed with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors. Please see <https://www.southernwater.co.uk/trade-effluent> for further information.

Landscape Management and Maintenance Plan

A Landscape Management and Maintenance Plan is a site-specific strategy that demonstrates how the site will be managed and maintained in order to fulfil the original intentions of the applicant and guarantees that the scheme and the retained landscape and ecology structures are maintained and improved for the lifetime of the development. A guidance note to content and layout can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.

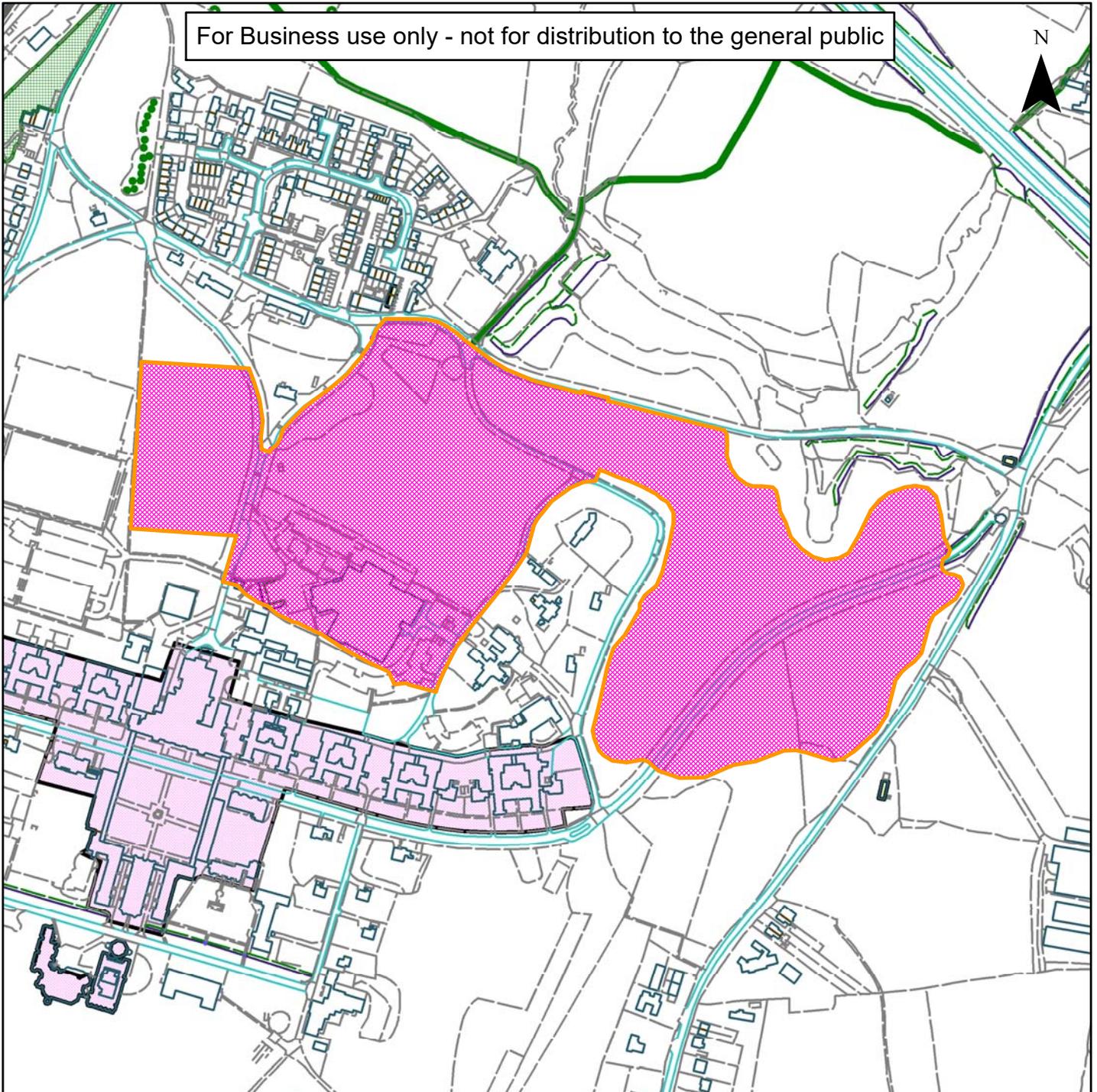
Background Papers:
DC/18/1268

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	27/12/2018
BSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 8 January 2019

DEVELOPMENT: Variation of Condition 1 to previously approved application DC/18/1046 (Minor-Material Amendment to DC/15/2493 to facilitate alterations to approved site layout and approved designs) to insert 1no. roof light to the western elevation of each plot

SITE: Micklepage Nuthurst Street Nuthurst West Sussex

WARD: Nuthurst

APPLICATION: DC/18/1883

APPLICANT: **Name:** Green Plan Designer Homes **Address:** C/O Agent

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

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks permission for amendments to the roof form of the three dwellings approved under planning permissions DC/15/2493 and DC/18/1046. The amendment would allow the insertion of a rooflight to the western elevation of each plot above the front garages.

DESCRIPTION OF THE SITE

1.3 The application site comprises a former paddock within the countryside outside of any defined settlement. The site lies to the east of Nuthurst Street and to the south of an existing private access which serves adjoining development to the north and east.

1.4 The application site consists of 3 no. largely completed dwellings. The site has been partially landscaped, with boundary hedging retained to the eastern boundary, and closeboarded fencing erected along the southern and eastern boundaries.

1.5 The immediate surrounding area is characterised by linear residential development along Nuthurst Street, with the wider surrounding area predominantly rural in character.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

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

2.4 Nuthurst Parish Neighbourhood Plan 2015-2031

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

2.5 Parish Design Statement

Nuthurst Parish Statement (2017)

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/2076	Variation of Condition 1 to previously approved Application: DC/18/1046 (Variation of Condition 1 of previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.) Relating to minor material amendments to the roof design.	Under Consideration
DC/18/1046	Variation of Condition 1 of previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.	Application Permitted on 09.08.2018
DC/17/2524	Variation of Condition 1 to previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.	Application Refused on 07.03.2018. This decision is currently subject of an appeal lodged with the Planning Inspectorate.
DC/15/2493	Erection of three two storey houses	Application Permitted on 10.06.2016

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Building Control:** No comment specific to this application. As part of a separate application on the site (ref: DC/18/2076) it was advised that a first floor room over the garage with no window / rooflight openings would not be considered a habitable room for the purposes of the building regulations. To be considered a habitable space it would require some means of ventilation (natural or mechanical) and suitable means of escape arrangements. The previous reference to DC/17/2524 showed a larger space with a roof window which would have the potential to be considered habitable.

OUTSIDE AGENCIES

- 3.3 None

PUBLIC CONSULTATIONS

- 3.4 **Nuthurst Parish Council:** Object:-

- The window would make the room above the garage a habitable bedroom resulting in 4-bedroom dwellings and a contravention of the Neighbourhood Plan;
- The window would be three times larger than that permitted in the original permission (ref: DC/15/2493), with the intention that the related room become a bedroom and not a store room as per the original permission.

- 3.5 31 representations have been received objecting to the proposal for the following reasons:-

- The provision of a rooflight would allow an additional bedroom to the dwellings, contrary to the neighbourhood plan and unsuitable for young families;
- The rooflight would be larger than the window in the originally approved store room;
- The proposal would result in incremental amendments to achieve the previously desired outcome;
- The developer has been allowed to build houses which are too large, in the wrong place and to the wrong specifications and no action has been taken to carry out the works approved under the last application.

- 3.6 1 representation was received supporting the proposal, as the development still covers the same footprint and height as the originally approved scheme.

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

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

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

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

6. PLANNING ASSESSMENTS

Background

- 6.1 The Nuthurst Housing Needs Survey Report (2014) indicated a clear preference that 2/3 bedroom housing should be pursued as part of the then emerging Neighbourhood Plan. This preference was reflected in the eventual allocation for the application site, with Policy 7 of the Nuthurst Parish Neighbourhood Plan (NPNP) stating that residential development will be permitted provided that:-
- i. the scheme comprises primarily 2 and 3 bedroom houses or bungalows;
 - ii. access is made to the scheme from the existing lane serving Micklepage Leigh with the access lane widened at the entrance to Nuthurst Street to allow two cars to pass; and
 - iii. the scheme layout and access ensure the entrances to the houses from the access lane bridge the drainage ditch at the side of the lane.
- 6.2 Planning permission for three two-storey dwellings on the site was subsequently approved in 2016 under reference DC/15/2493. This development was considered to reflect the above allocation, comprising three dwellings with 3-bedrooms annotated at first floor level and a further 'roof room' provided within the projecting roofspace over the ground floor garages. The supporting documents for this application advised that this roof space (over the garage) offered 'a multipurpose area, albeit with reduced headroom'. The supporting documents also advised that the ground floor layout provided a flexible space capable of either being an open plan layout or subdivided.
- 6.3 While this permission was commenced during the course of construction it emerged that development was not taking place in accordance with the approved plans. Accordingly, a minor material amendment application, ref: DC/17/2524, was submitted which encompassed a number of variations from the original permission:-
- Re-siting of the dwelling so that they sit along a continuous build line fronting the access track, rather than the staggered build line as previously approved. This also encompassed alteration of the orientation so that the dwellings now face north-west.
 - Alterations to the footprint of the dwellings, including a slight enlargement to the north-east and south-west elevations, and an alteration to the southern elevation to encompass a projection measuring to a width of 7.1m (in lieu of the approved sunroom and porch) and an overhang added to the front entrance on the northern elevation.
 - An increase to the roof height of the front projection, which extended to a height of 6.5m (an increase of approximately 1.4m), with the addition of a hipped roof dormers to the western roof slope to the front projection (later removed from the application), and the provision of hipped roof dormers to the northern (front) and southern (rear) elevations.
 - Internal alterations to the layout at both ground and first floor, with additional accommodation provided within the first floor.
- 6.4 This application was refused for the following reason:-

The layout and increased form and massing of the amendments, creating four bedroom houses, represents an overdevelopment of the site that is harmful to the character of the

area and fails to meet its housing needs, contrary to policies 7 & 10 of the Nuthurst Neighbourhood Plan and policies 33 and 42 of the Horsham District Planning Framework (2015).

- 6.5 This reason for refusal reflected concerns that the enlarged roof form created a 'roof room' at first floor level, served by rooflights, which would be reasonable capable of being used as a fourth bedroom, thereby contravening part (i) of Policy 7 of the Nuthurst Neighbourhood Plan, which (as outlined in paragraph 6.1) requires the development to primarily comprise 2 and 3 bedroom houses or bungalows. Evidence to support the intended use of the 'roof room' was supplied by the Parish Council in the form of marketing particulars which detailed the roof room as containing a fourth bedroom with ensuite bathroom, and the houses for sale as 5-bedroom dwellings.
- 6.6 A further application was then submitted under ref: DC/18/1046. This application sought to address the above reason for refusal by reducing the scale of the roofs over the front garages by altering their front hip form and removing the rooflight to the first floor front 'roof room'. This amendment reduced the massing and form of the dwellings, with the omission of the rooflight seeking to overcome concerns that the 'roof room' at first floor level could be used as a fourth bedroom. On the basis that the omission of the rooflight rendered the roof room unlikely to useable as a bedroom given its absence of natural light, outlook or ventilation, the application was approved at Planning Committee North on 7 August 2018.
- 6.7 This current application would retain the siting and external form of the previous approval (DC/18/1046), with the amendment seeking solely to insert a rooflight to the western roofslope of each plot to serve the 'roof room'. The key considerations raised by the proposal therefore relate to:-
- Whether the amendment would accord with the site allocation within the Nuthurst Neighbourhood Plan;
 - The impact of the amendment on the character and appearance of the dwellings and wider surroundings;
 - The impact on neighbouring amenity.

Principle

- 6.8 Planning permission DC/18/1046 was granted on the basis that the presence of a 'roof room' with no window openings (i.e. rooflights) would not be contrary to the site allocation within the NPNP, since the absence of natural light, outlook or ventilation would limit its use as primary accommodation and it would not therefore constitute a 4th bedroom. This reflected the supporting statements which accompanied this application, and which stated that, *'the proposal removes any ambiguity over the use of the room as it now cannot be classified as liveable space under Building Regulations due to both its size and lack of natural light. The space provided will allow some level of storage only. As such all three properties will have three bedrooms.'*
- 6.9 This current application seeks to insert a rooflight into the previously approved 'roof rooms' to each plot. The rooflight would provide natural light, ventilation and outlook which would change the way in which the room could be put to use, with representations raising concerns that the resulting room would be capable of use as a fourth bedroom, which would therefore be contrary to the NPNP. This concern reflects the reason for refusal of application ref: DC/17/2524 (as set out in paragraph 6.2), which was refused partly as the previously proposed rooflight would facilitate use of a 'roof room' as a fourth bedroom with the resulting development therefore failing to meet housing needs (as set out in the NPNP).
- 6.10 The original planning permission included accommodation within the roofspace above the garages, as set out in paragraph 6.2; this accommodation was within the pitched roof form which created a long and narrow room served by a modest window opening. The Committee

Report for application ref: DC/17/2524 considered that since the level of accommodation resulting from the proposed rooflight was similar to the original permission the level and nature of the accommodation had not materially changed, and as a result there was no conflict with relevant planning policies.

- 6.11 It is though apparent that the changes to the roof form permitted under DC/18/1046 incorporate a higher ridge than that approved under DC/15/2493, with the resulting roof form no longer contained within a pitched roof form and therefore benefiting from a consistent internal headroom and more conventional proportions. The allocation for the site reflected the Parish's Housing Needs Assessment which identified a clear preference from the community for 2 and 3 bedroom dwellings. While the Committee Report for DC/17/2524 is noted, the related reason for refusal is considered to be of significant weight in the determination of this application.
- 6.12 The proposal would create a room which, by reason of its proportions and provision of natural light, outlook and ventilation, would be capable of being used as a fourth bedroom. The nature of this room is materially different from that approved under the original planning permission for the site and the more recently approved minor material amendment application. It is not therefore considered that previous applications on the site have created a binding precedent for the consideration of future applications on the site, which accordingly fall to be considered on their own merits.
- 6.13 The creation of three 4-bed dwellings on the site would clearly not fulfil the intentions of the site allocation, as set out in the NPNP, and would run counter to the statements made as part of both the initial planning permission and the subsequently approved minor material amendment application. This is considered contrary to the NPNP and would fail to overcome the reason for refusal associated with DC/17/2524, which considered that four bedroom houses would fail to meet the housing needs of the Parish. The current submission does not demonstrate why four bedroom houses would meet the local housing needs, which for this site are established through the site allocation.

Character and appearance

- 6.14 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance. Policy 10 of the NPNP states that the scale, density, massing, height, landscape design, layout and materials of all development proposals will be required to reflect the architectural and historic character and scale of surrounding buildings.
- 6.15 The proposed rooflight would not alter the perceived scale or mass of the dwellings beyond that approved under DC/18/1046. The rooflights would be well contained within the roof form and as a result would not appear unduly prominent in views from the wider surroundings, with rooflights an expected and prevalent feature of established residential areas. The proposed insertion of a rooflight would not therefore be contrary to the above policies and no visual harm would result to the prevailing character or appearance of the site and wider surrounds.

Impact on neighbouring amenity

- 6.16 Policy 33 of the HDPF requires that development be designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land.
- 6.17 The proposed roof light would be positioned on the western elevation, set away from the surrounding residential dwellings. Given the context of the site and its relationship with the surrounding dwellings, it is not considered that the proposed roof light would result in harm

to the amenities or sensitivities of neighbouring properties, in accordance with the above policy.

Conclusion

- 6.18 The proposal to insert a rooflight to the western elevation of each plot does not address or overcome the harm identified in the refusal of application ref: DC/17/2524, as considered in paragraphs 6.8 through 6.13 of this report. The proposal would therefore create four bedroom houses on the site which would fail to meet the housing needs of the Parish and which would be contrary to Policy 7 of the Nuthurst Neighbourhood Plan (2015) and Policy 42 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 That planning permission be refused for the following reason:-

1. The proposal would create four bedroom houses on the site which would fail to meet the housing needs of the Parish and which would be contrary to Policy 7 of the Nuthurst Neighbourhood Plan (2015) and Policy 42 of the Horsham District Planning Framework (2015).

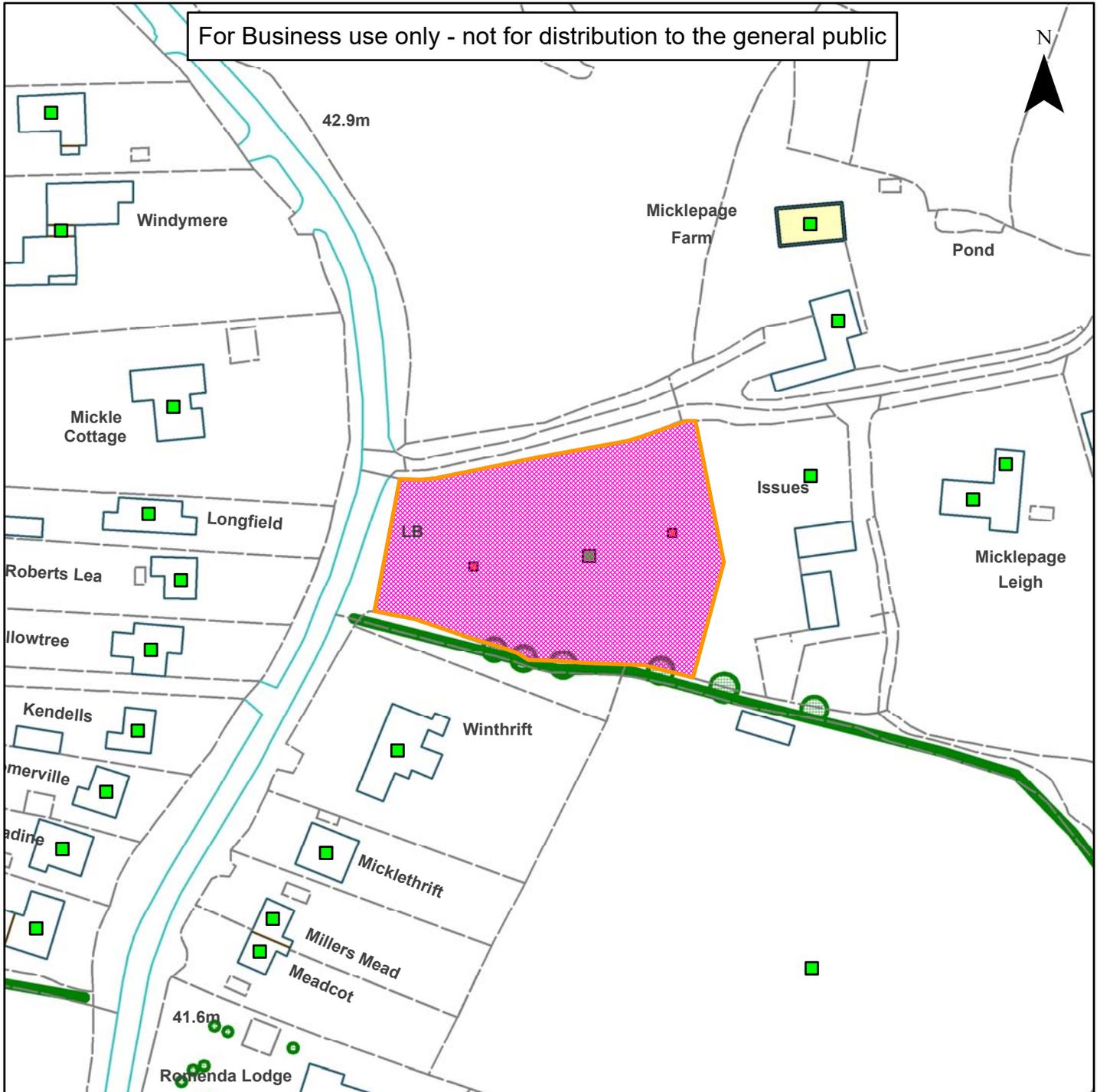
Background Papers: DC/18/2076
DC/18/1883
DC/18/1046
DC/17/2524
DC/15/2493

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Organisation	Horsham District Council
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Comments	Not Set
Date	27/12/2018
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 8 January 2019

DEVELOPMENT: Variation of Condition 1 to previously approved Application: DC/18/1046 (Variation of Condition 1 of previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.)
Relating to minor material amendments to the roof design.

SITE: Micklepage Nuthurst Street Nuthurst West Sussex

WARD: Nuthurst

APPLICATION: DC/18/2076

APPLICANT: **Name:** Greenplan Designer Homes **Address:** c/o Agent

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks permission for amendments to the roof form of the three dwellings approved under planning permissions DC/15/2493 and DC/18/1046. The amendment would alter the profile of the roof form over the garages to create a steeper pitch, from the previously approved 24 degrees to (the now proposed) 30 degrees. No further changes are proposed as part of the application.

DESCRIPTION OF THE SITE

1.3 The application site comprises a former paddock within the countryside outside of any defined settlement. The site lies to the east of Nuthurst Street and to the south of an existing private access which serves adjoining development to the north and east.

- 1.4 The application site consists of 3 no. largely completed dwellings. The site has been partially landscaped, with boundary hedging retained to the eastern boundary, and closeboarded fencing erected along the southern and eastern boundaries.
- 1.5 The immediate surrounding area is characterised by linear residential development along Nuthurst Street, with the wider surrounding area predominantly rural in character.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

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

- 2.4 **Nuthurst Parish Neighbourhood Plan 2015-2031**

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

- 2.5 **Parish Design Statement**

Nuthurst Parish Statement (2017)

- 2.6 **PLANNING HISTORY AND RELEVANT APPLICATIONS**

DC/18/1883	Variation of Condition 1 to previously approved application DC/18/1046 (Minor-Material Amendment to DC/15/2493 to facilitate alterations to approved site layout and approved designs) to insert 1no. roof light to the western elevation of each plot	Under Consideration
DC/18/1046	Variation of Condition 1 of previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate alterations to approved site layout and approved designs.	Application Permitted on 09.08.2018
DC/17/2524	Variation of Condition 1 to previously approved application DC/15/2493 (Erection of three two storey houses). Minor material amendments to facilitate	Application Refused on 07.03.2018. This decision is currently subject of an

	alterations to approved site layout and approved designs.	appeal lodged with the Planning Inspectorate.
DC/15/2493	Erection of three two storey houses	Application Permitted on 10.06.2016

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Building Control:** Comment. On the basis of the plans, the first floor store over the garage would not be considered a habitable room for the purposes of the building regulations. To be considered a habitable space it would require some means of ventilation (natural or mechanical) and suitable means of escape arrangements. The previous reference to DC/17/2524 showed a larger space with a roof window which would have the potential to be considered habitable.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No objection
The variation relates to the amendment of the roof profile for all three dwellings. These alterations would not affect highway safety or parking and turning areas. Therefore the LHA would not consider that the proposal for the variation of condition 1 would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

- 3.4 **Nuthurst Parish Council:** Object:-

- The proposal would lengthen the roof ridge, raising the height of the ceiling in the room, creating a floor area and ceiling height suitable for an en-suite bedroom (as shown in earlier marketing details for the dwellings);
- The increased form and massing creates a scheme almost identical to what has already been built on the site, in contravention of policy 10 of the NP;
- The current planning applications, DC/18/1883 and DC/18/2076, should be considered together, not as separate applications;
- If the two applications were approved there would be nothing to prevent further minor material amendment applications being submitted to further alter the roof of the dwellings.

- 3.5 17 representations were received objecting to the proposal for the following reasons:-

- The amendment would create a habitable bedroom of equal size of other bedrooms within the dwelling;
- The submission of sequential applications would revert to the development to the as built scheme;
- The scheme contravenes the Neighbourhood Plan;
- The application is retrospective.

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

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

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

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

6. PLANNING ASSESSMENTS

Background

- 6.1 Policy 7 of the Nuthurst Parish Neighbourhood Plan (NPNP) allocates the site for residential development provided:-

- i. the scheme comprises primarily 2 and 3 bedroom houses or bungalows;
- ii. access is made to the scheme from the existing lane serving Micklepage Leigh with the access lane widened at the entrance to Nuthurst Street to allow two cars to pass; and
- iii. the scheme layout and access ensure the entrances to the houses from the access lane bridge the drainage ditch at the side of the lane.

- 6.2 Planning permission for three two-storey dwellings on the site was subsequently approved under reference DC/15/2493. While this permission was commenced during the course of construction it emerged that development was not taking place in accordance with the approved plans. Accordingly, a minor material amendment application, ref: DC/17/2524, was submitted which encompassed a number of variations from the original permission:-

- Re-siting of the dwelling so that they sit along a continuous build line fronting the access track, rather than the staggered build line as previously approved. This also encompassed alteration of the orientation so that the dwellings now face north-west.
- Alterations to the footprint of the dwellings, including a slight enlargement to the north-east and south-west elevations, and an alteration to the southern elevation to encompass a projection measuring to a width of 7.1m (in lieu of the approved sunroom and porch) and an overhang added to the front entrance on the northern elevation.
- An increase to the roof height of the front projection, which extended to a height of 6.5m (an increase of approximately 1.4m), with the addition of a hipped roof dormers to the western roof slope, and the provision of hipped roof dormers to the northern and southern elevations.
- Internal alterations to the layout at both ground and first floor, with additional accommodation provided within the first floor.

- 6.3 This application was refused for the following reason:-

The layout and increased form and massing of the amendments, creating four bedroom houses, represents an overdevelopment of the site that is harmful to the character of the area and fails to meet its housing needs, contrary to policies 7 & 10 of the Nuthurst Neighbourhood Plan and policies 33 and 42 of the Horsham District Planning Framework (2015).

- 6.4 This reason for refusal reflected concerns that the enlarged roof form created a 'roof room' at first floor level, served by rooflights, which would be reasonable capable of being used as a fourth bedroom, thereby contravening part (i) of Policy 7 of the Nuthurst Neighbourhood Plan (as outlined in paragraph 6.1) which requires the development to primarily comprise 2 and 3 bedroom houses or bungalows.
- 6.5 A further application was then submitted under ref: DC/18/1046. This application sought to address the above reason for refusal by reducing the scale of the roofs over the front garages by altering their front hip form and removing the rooflight to the first floor front 'roof room'. This amendment reduced the massing and form of the dwellings, with the omission of a rooflight seeking to overcome concerns that the 'roof room' at first floor level could be used as a fourth bedroom. The application was approved at Planning Committee North on 7 August 2018.
- 6.6 This current application proposes an increase in the pitch of the front roofslope, from the 25 degrees as approved under DC/18/1046 to 30 degrees. This amendment would increase the length of the ridge to the front projection by approximately 1.65 metres. The key considerations raised by the proposal relate to:-
- Whether the amendment would accord with the site allocation within the Nuthurst Neighbourhood Plan;
 - The impact of the amendment on the character and appearance of the dwellings and wider surroundings;
 - The impact on neighbouring amenity.

Principle

- 6.7 Planning permission DC/18/1046 was granted on the basis that the presence of a 'roof room' with no window openings (i.e. rooflights) would not be contrary to the site allocation within the NPNP, since the absence of natural light, outlook or ventilation would limit its use as primary accommodation and it would not therefore constitute a 4th bedroom.
- 6.8 This current application does not propose any window openings to the 'roof room'. In addition, the increased pitch to the front roofslope, although increasing the length of the ridge, would retain the internal dimensions and proportions of the room approved under application ref: DC/18/1046. As a result, and taking into account the continued absence of natural light, outlook and ventilation, the current proposal is not considered to create a 4th bedroom on the site which is usable from a Building Regulations perspective, with the conclusions reached under DC/18/1046 of direct relevance to the current scheme. It is therefore considered that the amendments to the front roofslopes, and the increased pitch, would not create any conflict with the provisions of the NPNP or the HDPF.

Character and appearance

- 6.9 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance. Policy 10 of the NPNP states that the scale, density, massing, height, landscape design, layout and materials of all development proposals will be required to reflect the architectural and historic character and scale of surrounding buildings.
- 6.10 As part of the planning permission approved under ref: DC/18/1046 the dwellings incorporated a shallow roof pitch of approximately 25 degrees above the front garages. As part of this permission it was acknowledged that the shallow roof pitch did not relate to the principal roof of the dwellings or the local vernacular, albeit this differentiation in roof form was not considered to result in any harm to the visual amenities of the area. The amendment

to the front roof form would create a steeper pitch which would be more in keeping with the main dwelling and the wider surroundings. This would be supported by the above policies and represents an improvement over the previously approved design of the scheme.

Impact on neighbouring amenity

- 6.11 Policy 33 of the HDPF requires that development be designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land.
- 6.12 The siting of the dwellings and the orientation of the increased pitch would not lead to an increase in mass or bulk which would lead to any significant impact on amenity for occupants of adjoining properties. The amendment would not insert any additional window openings to the scheme, and as such the resulting overlooking would remain as already permitted as part of earlier application on the site. For these reasons the proposal would accord with the above policy.

Conclusion

- 6.13 The amendments to the roof form would not increase the size, proportions or 'habitability' of the previously approved 'roof room'. On this basis, and as established as part of planning permission DC/18/1046, the proposal would not create an additional 4th bedroom. The proposal would create a roof form more in keeping with the main dwellings and the wider surroundings without detriment to neighbouring amenity. The proposed minor material amendment is therefore considered acceptable subject to conditions, including the removal of permitted development rights for the future installation of rooflights or dormer windows under Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

7. RECOMMENDATIONS

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

1 List of Approved Plans

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

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

- 3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B and C of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

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

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

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

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

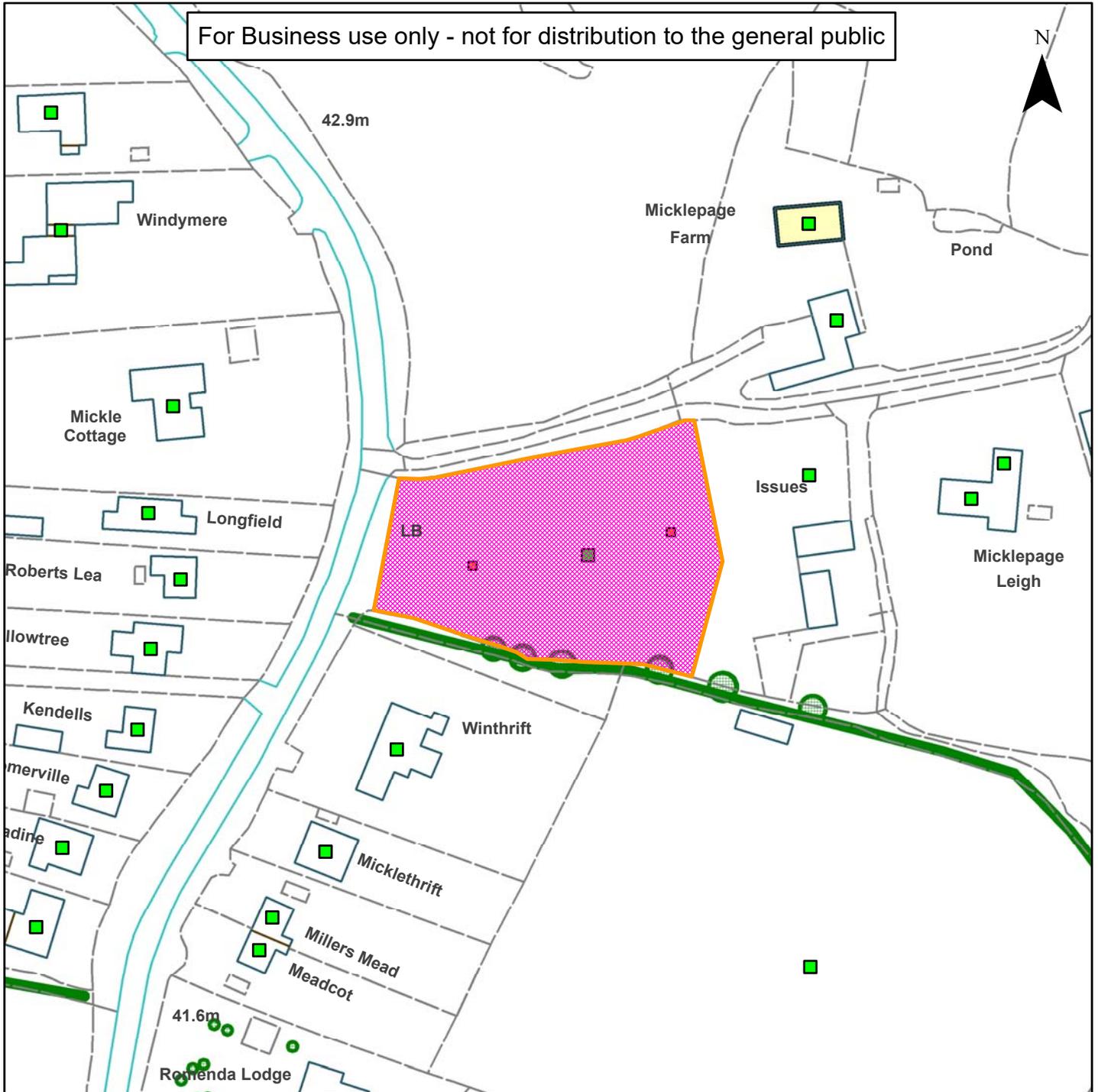
Background Papers: DC/18/2076
DC/18/1883
DC/18/1046
DC/17/2524
DC/15/2493

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Comments	Not Set
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 08 January 2019

DEVELOPMENT: Erection of a two storey dwelling.

SITE: 2 Foxfield Cottages Southwater Horsham West Sussex RH13 9EP

WARD: Southwater

APPLICATION: DC/18/2028

APPLICANT: **Name:** Mr Tony Fan **Address:** 2 Foxfield Cottages Southwater Horsham West Sussex RH13 9EP

REASON FOR INCLUSION ON THE AGENDA: Southwater Parish Council have requested to speak on the application at Planning Committee

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the erection of a 2-bed single dwellinghouse to the western side of 2 Foxfield Cottages Southwater. The proposed dwellinghouse would be located within the existing side garden of 2 Foxfield Cottages which is positioned on a corner plot. The proposed works would result in the creation of an end of terrace property.
- 1.2 The proposed dwellinghouse would have a width of approximately 5.6m when viewed from the north and would have an overall depth of approximately 9.75m at ground floor level and a depth of approximately 6.75m at first floor level. The proposed dwelling would have a maximum height of approximately 8.4m matching the existing semi-detached pair on site.
- 1.3 The proposed dwellinghouse would have a hipped roof design to match the existing dwelling at 2 Foxfield Cottages and 4 Foxfield Cottages as well as similar properties within the vicinity. An approximate gap of 7.9m would be preserved between the proposed dwelling and the western boundary of the site. The main entrance to the proposed dwellinghouse would be located to the north, matching that of the existing property at 2 Foxfield Cottages and 4 Foxfield Cottages. The gross GIA for the proposed dwellinghouse is calculated at 78.2 square metres.

- 1.4 As part of the proposals, 3no parking spaces would be created by extending the existing driveway/hardstanding area to serve both the proposed dwellinghouse as well as the existing dwellinghouse. In order to allow for improved vehicular access into the site, the access gate initially proposed has been removed and the entrance to the site widened with the removal of an area of hedging. The proposal would be accessed via the existing crossover/access point.
- 1.5 It is also noted that in order to facilitate the proposed end of terrace property, alterations to the existing dwellinghouse would be required, including the removal of secondary western side facing windows and alterations to the roof.
- 1.6 This application is resubmission of a previously refused scheme for a detached dwellinghouse under planning reference DC/17/1694, which was subsequently dismissed at appeal by the planning inspectorate. In dismissing the appeal the Inspector concluded that:
- 6. However, the siting and scale of the proposed dwelling, its proximity to the boundaries, and the requirement to provide parking for both dwellings within the front garden, would result in the development appearing out of proportion with the size of the plot. Furthermore, the permanent sub-division of the garden of No 2 to create the plot would leave the donor property with a garden that is considerably smaller than others in the vicinity. The resultant layout as a whole would be out of keeping with the more spacious pattern of development which characterises the surrounding area. I therefore consider that the proposal would result in a harmful loss of openness and a development that would appear cramped on this prominent corner plot.*
- 1.7 The Inspector did not raise any concern in respect of the impact of the development on neighbouring amenity.

DESCRIPTION OF THE SITE

- 1.8 The application site relates to a piece of garden land currently used as residential curtilage space on the western side of the property at 2 Foxfield Cottages. As 2 Foxfield Cottages occupies a corner plot this curtilage land occupies a corner aspect facing onto both Foxfield Cottages to the north and Shipley Road to the west. The area is residential in character and features predominantly two storey red brick semi-detached, detached and terraced dwellings with a mix of brick and tile hanging at first floor level. The site is located within the built up area boundary and is located within the southern-most part of Southwater.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport
Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The draft Southwater Parish Neighbourhood Plan is at initial Regulation 14 consultation stage and as such carries limited weight in decision making.

PARISH DESIGN STATEMENT

- 2.5 Southwater Parish Design Statement

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1694	Proposed erection of 1x two storey four bedroom dwelling	Application Refused on 25.09.2017
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3. OUTCOME OF CONSULTATIONS

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

3.2 **Parish Council Consultation:** Objection

The proposed plan would bring the line forward of the established building line and would be detrimental to the character of the area and contrary to the Village Design Statement. Council would like to speak to committee if Officers recommend approval.

OUTSIDE AGENCIES

3.3 **WSCC Highways:** No Objection

No objection following submission of amended information/plans showing the access gate removed and access widened. Conditions relating to parking and cycle parking recommended.

3.4 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

- 3.5 A total of 4 letters of objection were received from 3 separate households for this application. The nature of these objections can be summarised as follows -

- Highways and parking impact
- Not in keeping with surrounding development
- Break of the building line
- Impact on neighbouring amenity

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on:

- The principle of development
- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The parking and traffic implications for the development
- The quality of the resulting residential environment for future occupiers

Principle

- 6.2 Policy 3 (Development Hierarchy) of the HDPF states that the district has a distinct settlement pattern which should be retained and enhanced. It states that development will be permitted within towns and villages which have a defined built up area boundary (BUAB) where any development will be required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement in accordance with the settlement hierarchy set out within the policy. The application site is located within the defined built up area of Southwater and is therefore considered to be appropriate for residential development subject to all other material considerations as set out below.

Character and appearance

- 6.3 Horsham District Planning Framework (HDPF) Policies 32 and 33 seek to promote development of high quality and inclusive design for all development in the district, ensuring that it is complementary of local distinctive character and heritage, integrating with their surroundings. Furthermore, these policies ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant, relates sympathetically with the built surroundings.
- 6.4 The design of the proposed dwellinghouse takes its cues from the existing dwellinghouse on site in terms of design, scale and detailing, as well as the adjoining property at 4 Foxfield Cottages, with matching external materials proposed. The proposed dwellinghouse would be set in line with the existing property with a matching depth at first floor level and would be appropriately positioned within the curtilage of the site. The proposed dwellinghouse would have its main entrance and principal elevation to the north and its positioning and orientation is considered to be in keeping with the properties making up the existing semi-detached pair of which the proposal would adjoin. As such the resultant building would read as a balanced terrace of three dwellings.
- 6.5 Objections have been received stating that the proposal would alter the prevailing building line along Shipley Road. This was a reason why the previous proposal for a detached dwelling within the side garden was refused and dismissed on appeal. In that case the proposed dwelling house sat forward of the building line in its entirety. The current proposal seeks to extend the existing semi-detached pair in a more modest arrangement. Although it extends the buildings further west it would read as a continuation of the existing building rather than a prominent new detached dwelling as before.
- 6.6 It is noted that the existing semi-detached pair has a building frontage on a corner plot which faces at an angle to the north-west out of alignment with the more linear pattern of

development within the vicinity. Consequently given this angled orientation on a corner plot, and the fact that there are only two other properties located to the south, it is considered that the proposal would not be visually dominant and would not have a detrimental impact on the street scene, including in terms of the building lines along Shipley Road.

- 6.7 In terms of the other concerns raised by the Inspector with the previous scheme, it is considered that the revised location of the dwelling as an extension to the semi-detached pair would retain a suitable separation to the site boundaries thereby not appearing cramped in the plot and retaining the sense of openness and spaciousness that characterises the area. Consequently it is considered that the impact of the proposal on the character of the area would be profoundly different to that considered and dismissed on appeal with the previous proposal, and now acceptable within its context.
- 6.8 It is noted that some trees have been previously removed from the site, however the remaining landscaping provides a degree of screening to the application site from various views from Shipley Road. Given that the soft landscaping around the area is a key characteristic, the removal of any further vegetation from the site would be undesirable and a landscaping condition is recommended to ensure that sufficient landscaping is provided/retained to ensure appropriate screening is maintained.
- 6.9 Therefore, and having full regard the previous submission and appeal decision, it is considered that this revised proposal now represents an appropriate form of development which would not harm the character of the surrounding area and would be suitable for the plot size, in accordance with policies 32 and 33 of the HDPF.

The amenities of the occupiers of adjoining properties

- 6.10 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.11 The positioning of the proposed dwellinghouse and distance preserved to neighbouring development would ensure that there is no harmful impact on neighbouring amenity. It is noted that there are side windows to the existing property at 2 Foxfield Cottages facing west across the application site. These windows would be removed in order to facilitate the proposed dwellinghouse, however as they are secondary windows, it is considered that there would not be a detrimental impact on light and outlook to the existing property. As such, this, together the positioning of the proposed dwellinghouse in relation to the existing property on site, is considered to be acceptable.
- 6.12 A minimum distance of approximately 8.6m at ground floor level and approximately 11.2m at first floor level would be preserved between the proposed dwellinghouse and the closest neighbouring property to the south at Reksley House, Shipley Road, with the rear and side elevations to these properties sitting at a shallow angle to each other. The proposed dwellinghouse would not have any rear/southern facing windows at first floor level which would serve habitable rooms therefore there would be no direct or perceived sense of overlooking from the rear/south elevation over the new garden to 2 Foxfield Cottages or towards the side elevation of Reksley House (which contains a principal window at first floor level). Given that there is currently a distance of approximately 13.3m preserved between the existing dwellinghouse on site and Reksley House, it is considered that the proposal would not cause harm to neighbouring amenity in terms of light, outlook and privacy beyond and above that of the existing situation on site.
- 6.13 Overall, given the siting, scale and proximity of the proposed dwelling, no issues of overlooking, overshadowing, or overbearing is envisaged to the adjoining and neighbouring properties. The proposal is therefore considered to be acceptable on amenity grounds.

The quality of the resulting residential environment for future occupiers

- 6.14 It is considered that the proposed development provides adequate indoor and outdoor living space for occupants. Suitable distances would be preserved to neighbouring development to ensure that there would not be any harmful overlooking and other properties would not appear as overbearing on the proposed dwelling. As such, it is considered that the proposal would not be dissimilar to the existing situation on site and there would be an appropriate quality level of environment for the future occupiers of the proposed dwellinghouse.
- 6.15 It is noted that the proposal would result in the loss of outdoor amenity space for the existing dwellinghouse on site. Whilst the existing dwellinghouse would have a reduced rear garden space that would extend in an 'L' shape arrangement along the rear elevation of the new dwelling, this is still considered to be adequate to serve the dwelling and would not be subject to overlooking harm given the absence of rear facing windows to the new dwelling. The garden space would be larger than that previously proposed given its extension in an 'L' shape arrangement alongside the rear elevation of the proposed new dwelling. Consequently it is considered the quality of the resulting internal and external living environment at No.2 Foxfield Cottages would now be acceptable.

The existing parking and traffic conditions in the area

- 6.16 The Highways Authority has stated no objections to the development in terms of its effect on highway safety or parking. Plans show the proposed development would have three parking spaces created to the front which would serve the proposed to-bedroom dwellinghouse as well as the existing dwellinghouse on site. The Highway Authority considers this to be adequate to serve the two dwellings, whilst the Inspector previously raised no objection to this quantum of parking for a four-bedroom house. Concern was though raised at the extent of parking in the front garden however this submission has reduced the extent to a degree that is considered proportionate to the building frontage and character of the area. Amendments received show that the access into the site would be at a width of 6m which is considered to be acceptable and would provide appropriate access for entering and exiting the site. Overall, the proposal is considered to be acceptable on highway and transport grounds, subject to appropriate conditions to be attached, in accordance with policies 40 and 41 of the HDPF.

Conclusion

- 6.17 Overall, the proposed dwelling would represent an appropriate form of development, positioned appropriately within the curtilage of the site and, on balance, would not have a detrimental impact on the surrounding area or the prevailing character of the street scene, or the amenities of adjacent occupiers.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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	78.2		78.2
		Total Gain	
		Total Demolition	

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 It is recommended that planning permission is granted subject to the following conditions -

1 Plans list

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

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

3 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of the new dwelling 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 for the dwelling. The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage 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).

4 **Pre-occupation Condition:** Prior to the first occupation of new dwellinghouse hereby permitted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

5 **Pre-occupation Condition:** No part of the new dwellinghouse hereby permitted shall be first occupied until the car parking has been constructed in accordance with the approved site plan, drawing number 05 REV D received 26 November 2018. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

6 **Pre-occupation Condition:** No part of the new dwellinghouse hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved site plan, drawing number 05 REV D received 26 November 2018. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

7 **Pre-occupation Condition:** Prior to the first occupation of the new dwellinghouse hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of any external lighting

The approved landscaping 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. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site 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. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building on site.

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

- 9 **{b Regulatory Condition:}** 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 windows or other openings (other than those shown on the plans hereby approved) shall be formed in the ground or first floor rear elevation of the new dwelling without express planning consent from the Local Planning Authority first being obtained.

Reason: To protect the amenities of adjoining residential properties from loss of privacy in accordance with Policy 33 of the Horsham District Planning Framework (2015).

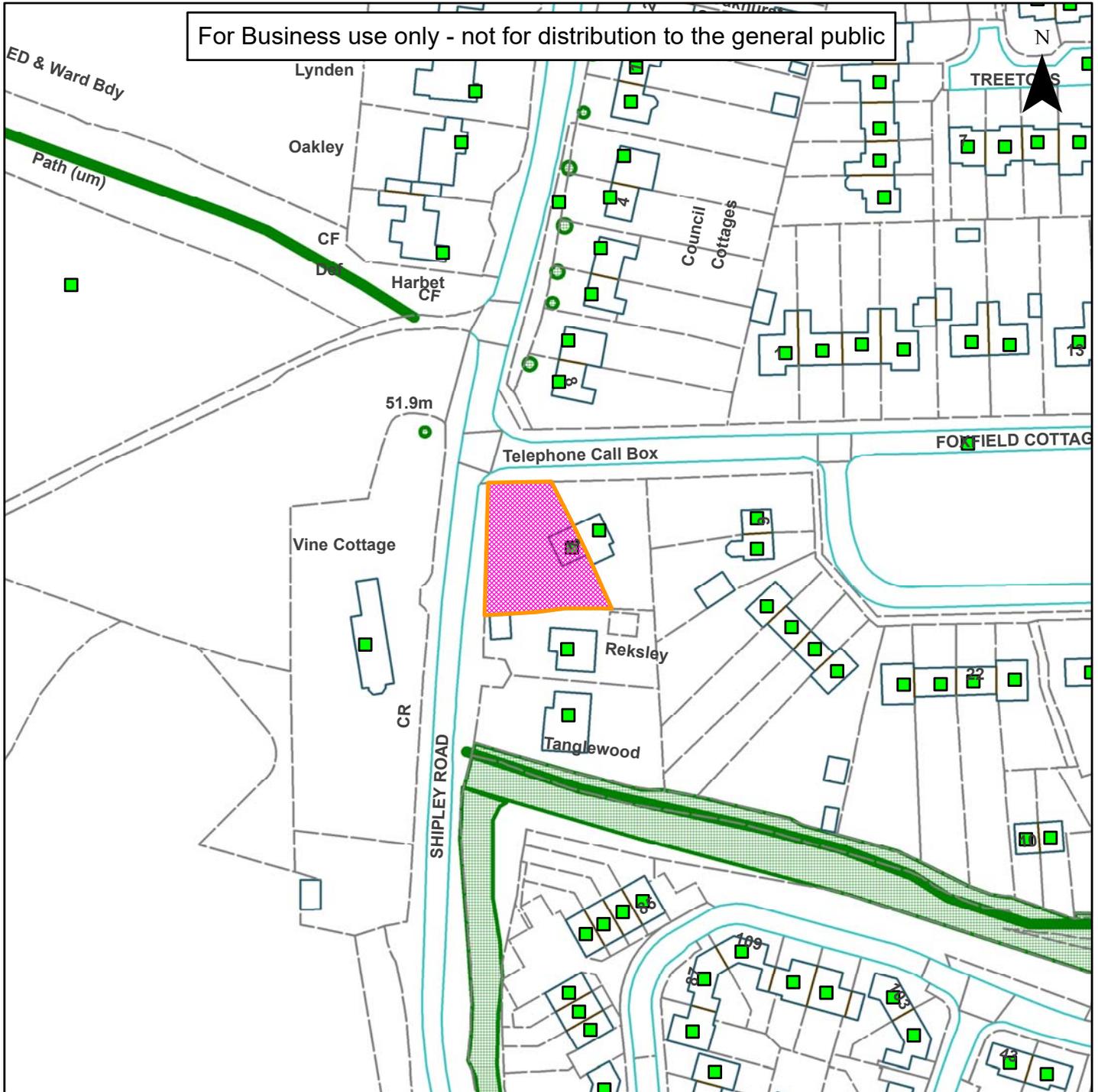
- 10 **Regulatory Condition:** No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and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

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



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Comments	Not Set
Date	27/12/2018
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