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# Planning Committee (North)

Tuesday, 5th March, 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.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 12
<p>To approve as correct the minutes of the meeting held on 8 January 2019 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</p>	
3. <b>Declarations of Members' Interests</b>	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. <b>Announcements</b>	
<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** 13 - 14

Applications for determination by Committee:

6. **DC/18/2699 - Okash and Weston, Worthing Road, Southwater** 15 - 32

Ward: Southwater

Applicant: Mr and Mrs Godfrey

7. **DC/19/0074 - Little Homefield, Brighton Road, Mannings Heath** 33 - 44

Ward: Nuthurst

Applicant: Mr Mark Helliwell

8. **DC/18/2131 - Vehicle Garage, Dukes Square, Horsham** 45 - 58

Ward: Denne

Applicant: Mr P Carr

9. **DC/18/2613 - Beacon Hill Croft, Tower Road, Colgate** 59 - 70

Ward: Rusper & Colgate

Applicant: Mr and Mrs C Strange

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

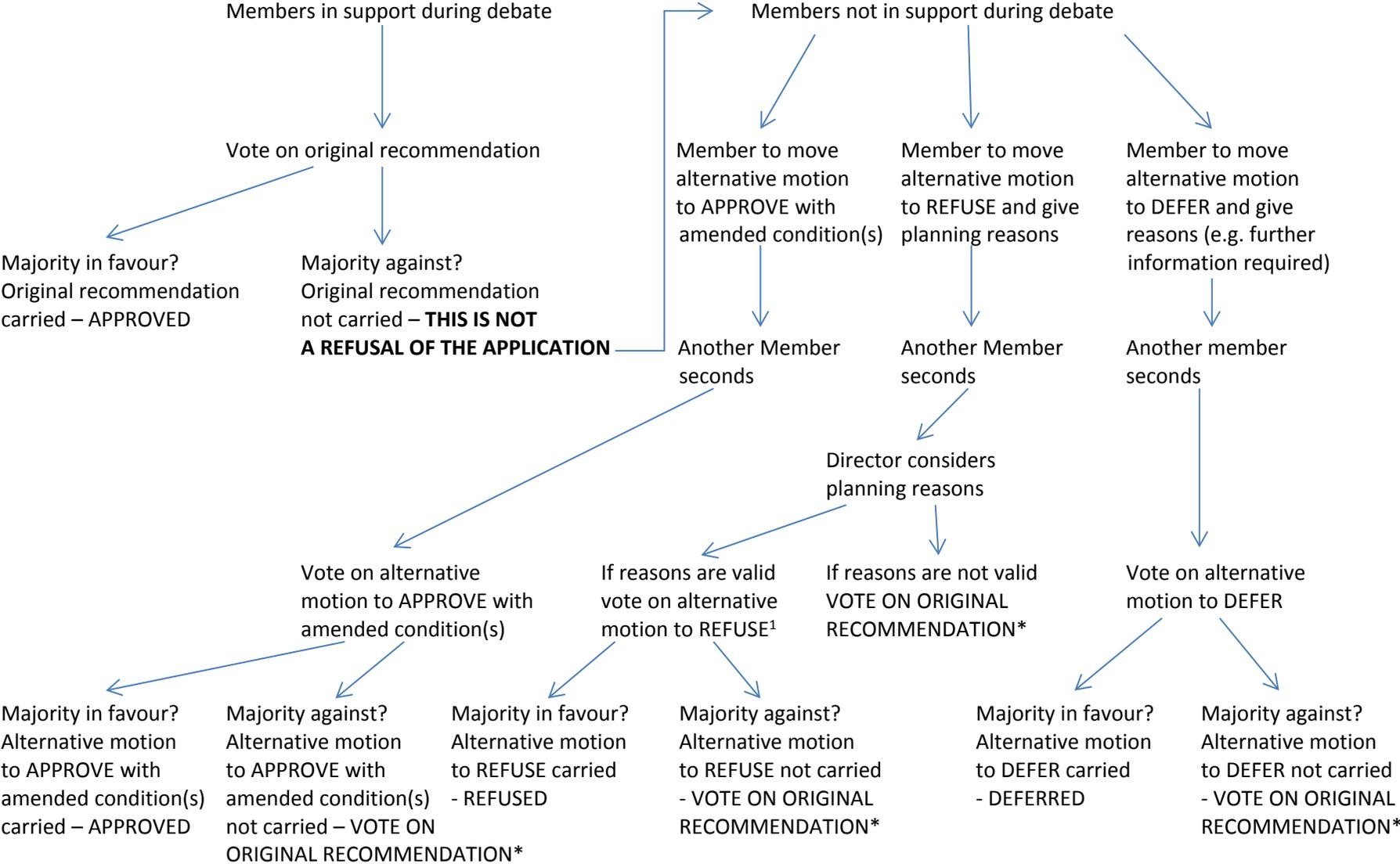
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

**Original recommendation to APPROVE application**



\*Or further alternative motion moved and procedure repeated

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

**Original recommendation to REFUSE application**



\*Or further alternative motion moved and procedure repeated

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

**ANGPlanning Committee (North)**  
**8 JANUARY 2019**

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, John Chidlow, Christine Costin, Billy Greening, Tony Hogben, Adrian Lee, Christian Mitchell, Godfrey Newman, Brian O'Connell, Stuart Ritchie, David Skipp, Claire Vickers and Tricia Youtan

Apologies: Councillors: John Bailey, Roy Cornell, Leonard Crosbie and Matthew French

Absent: Councillors: Jonathan Dancer, Josh Murphy, Connor Relleen and Simon Torn

PCN/70 **MINUTES**

The minutes of the meeting of the Committee held on 4 December 2018 were approved as a correct record and signed by the Chairman.

PCN/71 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/18/1268: Councillor Adrian Lee declared a personal interest because he was a member of Bluecoats Sports Centre.  
Councillor Godfrey Newman declared a personal interest because he was a member of Christs Hospital Choral Society.  
Councillor Claire Vickers declared a personal interest because she lived close to the site.

PCN/72 **ANNOUNCEMENTS**

There were no announcements.

PCN/73 **APPEALS**

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

PCN/74 **DC/18/1268 - CHRISTS HOSPITAL SCHOOL, THE AVENUE, CHRISTS HOSPITAL**

The Head of Development reported that this application sought permission for a number of additional sports and recreation facilities, car parking and landscaping in the vicinity of the Bluecoats Sports Centre, in conjunction with Christ's Hospital school. The application included the following:

- Two storey extension to the west of sports centre to provide a new swimming pool, spa facilities, two class studios, fitness suite and enlarged café;
- All-weather six-lane running track with ancillary athletic facilities;
- Outdoor exercise area;
- Downgrading of part of Infirmary Drive, including closure of its access onto Christs Hospital Road, to make a sprint track;
- 3G Artificial grass rugby/football pitch;
- Unlit running trial in area east of Infirmary Drive where relocated spoil is deposited;
- Parking for 272 cars;
- New access road from Christs Hospital Road;
- Landscaping, SuDS drainage system, fencing and lighting.

Members were advised that the height of the floodlighting columns was 18 metres, not 16 metres as stated in paragraph 1.4 of the report. Consultation assessments had taken into consideration the correct height. The proposed soft landscaping and planting, as set out in paragraph 1.10 of the report had been amended to include an increased quantum of trees, with 3,000 specimens to be planted. Members were advised that the officer's recommendation had been amended to defer to the Head of Development with a view to approval to allow for details of the triggers within the conditions to be clarified.

The application site was located approximately three kilometres south-west of Horsham and was outside and adjacent to the built-up area boundary of Christs Hospital. It was grassland used for sports pitches in the summer months in the northern part of the school campus. The sports centre was used by the school and members of the public. The school itself included two groups of Grade II\* Listed Buildings. There were a number of Grade II Listed Building residences nearby, and properties in Barnes Wallis Avenue and Bluecoat Ponds were close to the northwest boundary.

The Parish Council objected to the application. There had been 60 representations objecting to the application, 152 supporting the application, and eight commenting on the proposal. Both Local Members had requested that the application be determined by the Committee. Three members of the public spoke in objection to the application. The Headmaster of Christs Hospital, the applicant's Transport Adviser and the applicant's agent all addressed the Committee in support of the proposal. Councillor Nigel Jupp also addressed the committee. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the need and benefit of the proposal; impact on landscape; design, layout and specification of the facilities; impact on the Listed Buildings; highways; and neighbouring amenity.

Members discussed aspects of the proposal including: the scale of the proposal and its impact on landscape character; the capacity for holding large scale events which would impact on highways and amenity; the amenity of nearby

residents, particularly in Bluecoat Ponds; and the extent to which the proposal would benefit the local community. Members weighed the benefits of the proposal against the identified harm to the landscape character and after careful consideration concluded that the proposal was unacceptable.

#### RESOLVED

The planning application DC/18/1268 be refused for the following reasons:

- 01 The proposal results in significant landscape harm in a countryside location which is not outweighed by the benefits of the development. The scheme is therefore contrary to Policies 25 and 26 of the Horsham District Planning Framework (2015).
- 02 The development would result in an adverse effect upon the amenity of the neighbouring residents by virtue of noise and light contrary to Policy 33 of the Horsham District Planning Framework (2015).

#### PCN/75 **DC/18/1883 - MICKLEPAGE, NUTHURST STREET, NUTHURST**

The Head of Development reported that this application sought permission for the variation of Condition 1 to permission DC/18/1046, which was a minor-material amendment to DC/15/2493 for the erection of three two-storey 3-bedroom houses. The proposal would add a roof light into the roof above the garage in the western elevation of each plot.

The application site was located in the countryside and had been a paddock to the east of Nuthurst Street. A private access to the north led to adjoining development north and east of the site. There was linear residential development along Nuthurst Street in a rural setting. The three dwellings were almost completed.

The consultation response from HDC's Building Control to DC/18/2076 for a variation to the roof design, which was also being considered at the meeting, was considered by the Committee. Planning history of the site was noted, in particular DC/17/2524 which had been refused on the grounds that the application would have led to overdevelopment of the site through the creation of 4-bedroom houses. (Minute No PCN/100 (06.03.18) refers).

The Parish Council objected to the application. Thirty-one representations objecting to the proposal had been received. There had been one representation supporting the proposal. Two members of the public spoke in objection to the application and the applicant and two of the applicant's agents addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

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

Members noted the background to the application, as set out in the report, and considered the impact of the additional windows on the development. Members were concerned that the proposed amendment would enable the 'roof room' above the garage in each house to become a fourth bedroom and concluded that the application was therefore unacceptable.

RESOLVED

That planning application DC/18/1883 be refused for the following reason:

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).

PCN/76 **DC/18/2076 - MICKLEPAGE, NUTHURST STREET, NUTHURST**

The Head of Development reported that this application sought permission for the variation of Condition 1 to permission DC/18/1046, which was a minor-material amendment to DC/15/2493 for the erection of three two-storey 3-bedroom houses. The variation would allow a steeper roof pitch for each dwelling.

The application site was located in the countryside and had been a paddock to the east of Nuthurst Street. A private access to the north led to adjoining development north and east of the site. There was linear residential development along Nuthurst Street in a rural setting. The three dwellings were almost completed.

The consultation response from HDC's Building Control was considered by the Committee.

The Parish Council objected to the application. Seventeen representations objecting to the proposal had been received. Three members of the public spoke in objection to the application and the applicant and two of the applicant's agents addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

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

Members noted the background to the application and considered the impact of the proposal on the appearance of the buildings and concluded that the proposal was acceptable.

RESOLVED

That planning application DC/18/2076 be granted subject to the conditions as reported.

PCN/77 **DC/18/2028 - 2 FOXFIELD COTTAGES, SOUTHWATER**

The Head of Development reported that this application sought permission for the erection of a two-storey 2-bedroom dwelling, which would create an end of terrace property in the side garden of 2 Foxfield Cottages. The new dwelling would be the same height and similar design to the existing semi-detached pair. Three additional parking spaces were proposed.

The application site was located within the most southern part of the built-up area of Southwater. It was a corner plot, within a residential area, facing onto Foxfield Cottages and Shipley Road.

The appeal decision for refused DC/17/1694 for a detached property at this location, as set out in the report, was noted by the Committee. The responses from statutory external consultees, as contained within the report, were considered by the Committee.

The Parish Council objected to the application. Four objections from three households had been received. One member of the public spoke in objection to the application and the applicant and the applicant's architect spoke in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; character and appearance; the amenities of nearby residents; the quality of the residential environment for future occupiers; and parking and traffic.

Members concluded that the reason for refusing DC/17/1694 had been overcome and the extension would be in keeping with the pattern of development in the surrounding area.

RESOLVED

That planning application DC/18/2028 be granted subject to the conditions as reported.

*The meeting closed at 8.05 pm having commenced at 5.30 pm*

CHAIRMAN

Planning Committee North  
Date: 5<sup>th</sup> March 2019



Report on Appeals: 27/12/2018 – 20/02/2019

## 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/18/0055	Enterprise House 80 Lambs Farm Road Horsham West Sussex RH12 4JH	03-Jan-19	Permit	Refuse
DC/18/2394	31 Depot Road Horsham West Sussex RH13 5HE	24-Jan-19	Refuse	N/A
DC/18/1849	Little Homefield Brighton Road Mannings Heath Horsham West Sussex RH13 6HZ	15-Feb-19	Refuse	Refuse

## 2. Live Appeals

The following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/17/2524	Micklepage Nuthurst Street Nuthurst West Sussex	Written representation	21-Jan-19	Permit	Refuse
DC/18/0307	Colt Farm Burnthouse Lane Lower Beeding Horsham West Sussex RH13 6NN	Written representation	21-Jan-19	Prior approval required and refused	N/A

### 3. Appeal Decisions

HDC have received notice from the Ministry of Housing, Communities and Local Government that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/17/1607	18B - 20 Comptons Lane Horsham West Sussex RH13 5NY	Written Representation	Appeal Dismissed	Refuse	N/A
DC/17/2384	Bilbets Rushams Road Horsham West Sussex	Written Representation	Appeal Dismissed	Refuse	N/A
DC/18/0590	Baynards Motor Company Rowhook Hill Farm Bognor Road Broadbridge Heath Horsham West Sussex RH12 3PS	Written Representation	Appeal Dismissed	Refuse	N/A



**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 05 March 2019

**DEVELOPMENT:** Outline application for the demolition of the existing detached dwellings and the erection of a building that will accommodate eight two bedroom flats with associated parking and landscaping, with all matters reserved.

**SITE:** Okash & Weston Worthing Road Southwater Horsham West Sussex RH13 9HA

**WARD:** Southwater

**APPLICATION:** DC/18/2699

**APPLICANT:** **Name:** Mr and Mrs Godfrey **Address:** c/o agent

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation have been received within the consultation period which have raised material considerations contrary to the recommendation of the Head of Development.

Southwater Parish Council have requested to speak at the Planning Committee

**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 Outline planning permission is sought for the demolition of two dwellings and their replacement with a two storey building comprising 8 x 2 bedroom dwellings. All matters are reserved (layout, access, appearance, scale and landscaping) for later consideration.

1.3 The application was originally submitted with an indicative layout showing the apartment building orientated along the northern boundary of the site with a communal area to the rear of the building and car parking to the front and side elevation for 10 vehicles.

1.4 Following a need to accommodate additional car parking on site and in light of Officer comments, the Applicant has submitted a revised layout for consideration. This revised indicative layout has reoriented the building so that it sits across the width of site. The building is pushed back in the plot away from the Worthing Road, with communal open space and

cycle storage to the rear of the building. Car parking for 16 vehicles is now proposed to the front of the building with access obtained from the Worthing Road. Indicative soft landscaping is shown to the front and rear of the building. Indicative hard landscaping is also shown to the car parking area and access in addition to a pathway running around the perimeter of the building.

## DESCRIPTION OF THE SITE

- 1.5 The application site comprises 2 detached dwellings (Okash and Weston) within the built-up area of Southwater and accessed from Worthing Road. Okash is a single-storey bungalow and Weston is a two storey house. The dwellings are set back from the Worthing Road by approximately 34m. Each dwelling has its own individual access point with car parking and a generous amount of amenity space to the front. These dwellings and their associated outbuildings are proposed to be demolished to accommodate the new development.
- 1.6 The site is adjoined to the north by a Texaco petrol station. The petrol station previously had a car showroom / garage to the rear of the site (Godfreys) however, this has now closed and a planning application has been submitted under DC/18/2355 seeking its conversion to a convenience retail unit.
- 1.7 The eastern rear boundary of the site immediately abuts the car parking area for the Southwater Junior Academy with the main school building beyond. Access to the Academy from Worthing Road runs along the site's southern boundary. To the south of the site beyond this accessway is Southwater Children and Family Centre with a children's play space to the rear of this building.
- 1.8 Across the Worthing Road, to the west of the site, works are ongoing to implement planning permission DC/14/0590 which allowed the development of up to 540 dwellings, 54 retirement living apartments and associated infrastructure. The access point for this strategic site has been created on the western side of the Worthing Road, immediately opposite the north western boundary of this Application site.
- 1.9 There are two pedestrian crossing points across the Worthing Road in close proximity to the site. One to the north of the site beyond the petrol station and one to the south of the site opposite the Southwater Children and Family Centre. Lintot Square is located approximately 300m to the south.

## 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 24 - Strategic Policy: Environmental Protection  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

2.4 Supplementary Guidance:  
Southwater Parish Design Statement, 2011

## 2.5 RELEVANT NEIGHBOURHOOD PLAN:

**Southwater Neighbourhood Plan:** Consultation on the Regulation 14 draft plan concluded on the 25<sup>th</sup> November 2018. The Steering Group is now considering all representations and addressing any further technical issues before progressing the Plan to Regulation 16 stage. Whilst the Draft Neighbourhood Plan is a material consideration at this time, given the early stages of its preparation it can only be afforded very limited weight in decision making. The following draft Policies are noted by the Officer when considering this Application:

### SNP10 – Residential Space Standards

- All new residential units must meet or exceed the 'Technical Housing Standards – Nationally Described Space Standard as set by central government
- In addition all new residential units must have access to adequate private or shared private outdoor space / garden to meet the needs of future occupant. This is likely to be around 20m<sup>2</sup> per residential unit'

### SNP14 – Adequate Provision of Car Parking

- Residential development must include adequate off-road parking spaces
- 2 parking spaces should be provided for each dwelling
- Parking should not dominate the streetscene

### SNP15 – Driving in 21<sup>st</sup> Century

- Development proposal must support the introduction of electric vehicles

### SNP16 – Design

- All development must be of high quality design

### SNP17 – Site Levels

- New development must utilise existing site levels wherever practically possible

### SNP18 – A Treed Landscape

- All new residential development must provide one tree, on or off site.

## 2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

No relevant planning history.

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** Comment. Whilst it is noted that the application is outline with all matters reserved, it should be noted that there is insufficient information provided to be able to properly assess the application. Information would be required on the following matters:

- Potential contamination of the site arising from current and historic land use.
- An assessment of the acoustic environment having particular regards to the presence of plant & machinery.
- Provision for residents to make green vehicle choices.
- A Construction Environmental Management Plan to adequately assess the impact of this phase of the proposed development.

- 3.3 **HDC Drainage Engineer:** No objection.

#### OUTSIDE AGENCIES

- 3.4 **WSCC Highways:** No objection

First response: Further information required.

WSCC raise no objection in principle to the above proposal however; a review of the current car and cycle parking provision should be undertaken and re-submitted to the LPA for approval.

**Access** – the site is located on Worthing Road, a 30mph distributor road which runs through the village. There is already a dropped kerb in place and as Worthing Road has a straight alignment visibility is good in both directions. It is noticed the southern access boundary into the site is fairly close to the entrance of the Southwater Infant Academy; and there is some dense vegetation which may obscure pedestrian visibility splays. These should be cleared or reduced in height to ensure school children are visible at all times.

**Footways** – a pedestrian footway flanks Worthing Road along its eastern side and provides good links to the rest of the village and a light controlled pedestrian crossing to the south providing safe access across the road.

**Parking** – Given the location of the site, in close proximity to two schools, and petrol station, it is important parking is ample so residents and visitors can parking within the confines of the site. The WSCC car parking calculator has been considered, and based on an allocation of 1 space per flat with 2 spaces for visitors this is considered to be slightly lower than the expected demand. The calculator suggests 8 allocated spaces should be provided with 6 visitor spaces. Equally the applicant may wish to consider protecting the parking area with gates or a private sign to ensure exclusivity for residents only. If gates are to be installed these have to be set back 5m from the carriageway edge.

**Cycle parking** – this should be incorporated into the design and based on guidance should allow 0.5 space per flat. These should be covered and secure.

**Demolition/Construction Plan** – as per the condition attached this needs to be managed within the confines of the site where possible. A construction management plan (CMP)

should include measures to ensure no construction traffic is operating during school drop off and collection times. The issue of security has also been raised and with the CMP there should be hoarding plans.

Second response: No Objection.

The amended plan now shows a total of 16 car parking spaces which exceeds current West Sussex car parking guidance by 2 spaces.

I have considered the local comments regarding parking pressures in the local area and conclude that this additional 2 spaces will help to keep the development parking with the site. WSCC raise no objections.

Third Response (following site visit): No Objection.

This response is provided in response to a site visit conducted on Friday 8<sup>th</sup> February at 15:00. For the access, the concern was in connection with vehicles parked in the lay-by to the south outside the school. The lay-by is partly in the visibility splay of the access to the proposed flats. From visiting the site, it is apparent that parked vehicles do not wholly obstruct northbound traffic on Worthing Road. I also noted that the lay-by was empty or very nearly empty shortly after the site visit finished. The lay-by is therefore clearly used mainly in association with the school. Nevertheless, unsafe conditions would not be anticipated to arise as a result of this application due to vehicles parking in the lay-by.

The only other point was parking. This has been addressed in earlier comments. In summary, even though the scheme is outline with all matters reserved, the indicative site plan clearly demonstrates that 16 car parking spaces can be accommodated. This provision exceeds the demands forecast by the WSCC Parking Demand Calculator. The scheme wouldn't be expected to result in any overflow parking on-street.

3.5 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

3.6 **Southwater Parish Council:** Objection.

Strong objection as this is considered over intensification of the site. Highways concerns over the entrance and exit being directly opposite a new junction which will see high usage and adding additional traffic by school entrance which has a traffic order put in place. Adjacent to a garage for which there are planning permissions being sought but not as yet confirmed, further details have been requested from planners on this. Inadequate parking on site.

3.7 26 written representations were received, 25 objecting to the scheme and 1 letter supporting the scheme. These representations raised the following points:

3.8 Objections

- It will be dangerous for school children who have to walk past the site during construction and once the development has been finished due to the additional traffic
- The construction traffic will cause congestion on already heavily used roads which are unable to cope
- This area is already busy with two schools close by. This development would bring added pressure
- The cumulative impact of the development with the Broadacres site would be unacceptable
- People will be forced to park in the layby or on roads which will make school drop off and pick up difficult

- Parking within the development is inadequate and will force people to park in inappropriate places
- The entrance to the flats would be too close to the school entrance / exit and the new Co-op and petrol station, and the family centre and pedestrian crossing which would be dangerous
- To add another junction and increased traffic in this area would be a road safety issue
- There is already too much development in Southwater this will add further pressure on services (doctors and schools)
- There will not be enough school places for children in the village
- There is a new development site opposite this site which is not even finished yet
- Southwater is growing excessively and it needs time to readjust
- Southwater is already overdeveloped and does not need any more development
- There is no need for more dwellings in the village
- These properties will be overlooking the academy and infant playground which is unacceptable
- A big structure right next to the school will be an eyesore and make the area feel even more claustrophobic and busy
- This land should be used to extend the school grounds and provide more parking for the school and nursery

3.9 These letters included a letter of objection from the Southwater Infant Academy, which is adjacent to the site. This letter raised the following concerns / objections:

#### 3.10 The Southwater Infant Academy

- There is insufficient car parking proposed to meet the needs of the development. This would put pressure on the limited car parking surrounding the school and exacerbate car parking problems during school drop off and pickup times. It would also increase the chance of an accident.
- Information regarding the parking location of construction vehicles should be provided and restrictions placed on deliveries of construction materials during the day. Having a large lorry trying to access the site or park on Worthing Road during peak times would cause congestion and increase the risk of an accident.
- Details of boundary treatment need to be provided to ensure that the boundary between the site and the school is adequate to ensure the security of the academy during construction and thereafter.
- This development needs to be considered in the context of the wider cumulative development. Application DC/18/2355 has been submitted on the site adjacent which seeks to change the use of the car showroom to a supermarket. If approved there will be considerably increase in the volume of traffic accessing the site from Worthing Road. DC/18/2302 also seeks to demolish a property and replace it with three houses. This is a short walk from the school and would add further traffic onto the highway. The Berkeley Homes development site is also a short distance from the site. These developments are in close proximity to each other, the school, the Children and Family centre and the zebra crossings and will add to traffic and traffic related issues. Worthing Road is a busy road which already hazardous. Adding further traffic will increase this risk further.
- We have worked with WSCC over the past few years to create a travel plan aimed at reducing cars and congestion outside the academy. The potential to increase the traffic on the highway from this application will negate this work.

3.11 One letter of support was received which raised the following points:

- Good idea, infill rather than expansion of Southwater

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

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

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

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

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

##### Principle of development

6.1 Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built-up areas, with any infilling and redevelopment required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and functions of the settlement. Southwater is recognised in the development hierarchy as a small town / larger village.

6.2 Whilst objections have been received with regard to the need for the development and its cumulative impact, the Application site is within the Built-up Area of Southwater and as such, the principle of developing the site for 8 flats is acceptable in accordance with Policy 3 of the HDPF, subject to all other material considerations as discussed below.

##### Impact on Character and Appearance

6.3 Policy 32 of the HDPF requires development to be high quality, inclusive design. To provide an attractive, functional, accessible, safe and adaptable environment and complement locally distinctive character.

6.4 Policy 33 of the HDPF requires development to make efficient use of land, ensure the scale, massing and appearance and layout is of a high standard, relates well to routes within and adjoining the site, is locally distinctive in character and presumes in favour of the retention landscape and natural features.

6.5 The area is characterised by a number of different uses including commercial, community services, schools, individual dwellings and flatted residential development. As such there is no distinct character to maintain and reinforce in terms of building forms and uses.

6.6 Objection has been raised to the scheme over its size and scale including concerns over whether the resulting living space for each flat is adequate. Objections have also been received with regard to the rear and side boundary of the site which is shares with the Southwater Infant Academy and the safety of this boundary if planning permission were to be granted.

6.7 At this outline stage elevations of the building have not been provided, however, an indicative layout plan has been submitted to support the Application. Whilst matters of access, appearance, landscaping, layout and scale are reserved for later consideration, it is

considered that there is sufficient detail within the outline application to demonstrate that the site is capable of accommodating the proposed development without causing harm to the visual amenities of the site or its surrounding character. Consequently a suitable design and layout for the site is capable of being secured at Reserve Matters stage.

- 6.8 The indicative layout shows the apartment building set back in the plot in accordance with the existing building line, to be two storey and orientated to be road fronting in conformity with the existing development on site and nearby residential development. The layout plan has been annotated to show an indicative layout of 4 apartments at ground floor level, with the building able to accommodate 8 apartments spread over two storeys. The Applicant's planning statement suggests that these would be 2 bedroom apartments, each of which would have an internal space of approximately 70m<sup>2</sup> to meet the requirements of the National Space Standards. Off street car parking has also been shown to the front of the building with landscaping retained to the front of the site and new landscaping shown throughout the car parking area to ensure any area of hardstanding does not dominate the streetscene. A communal amenity space, measuring approximately 267m<sup>2</sup>, is also shown to the rear of the building which Officers consider acceptable to serve the number of the apartments proposed. Separate bin and cycle storage is also shown to the rear of the site within this area of open space.
- 6.9 In terms of boundary treatment, Officers are mindful of the need to ensure the security of the boundary between the site and the school. As such, a condition has been proposed to control this element of the proposal which requires details of boundary treatment to be submitted to the Council for approval and installation prior to the occupation of the building.
- 6.10 It is considered therefore that an appropriate access arrangement, scale, layout, appearance and landscaping could come forward at Reserve Matters and that concerns over boundary treatment can be addressed through condition. As such, the proposal is considered to accord with Policies 32 and 33 of the HDPF.

#### Impact on Neighbouring Amenity

- 6.11 Policy 33 of the HDPF requires development to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.
- 6.12 Concerns have been raised with regard to the potential of the flatted development to be visually intrusive and compromise the privacy for the adjacent school, Southwater Infant Academy.
- 6.13 In terms of views into the school, the rear elevation of the building would primarily overlook the car parking area to the front of the school building. The school itself is single-storey and the indicative layout shows a separation distance of approximately 32.5m between the proposed building and school building. The indicative site layout details a separation of at least 13m is achievable between the rear elevation of the proposed building and the boundary with the Academy.
- 6.14 HDC's Design Guidance for householder extensions states that the 'rear window to rear window distance between any habitable room should be no less than 21 metres in situations where first floor windows of separate properties face each other'. Whilst this is not a household application, this document does provide some guidance with regard to the acceptable distance between buildings to protect privacy. Given that the school is only one storey and that a separation distance of 32.5m would be maintained, it is considered that these measures are sufficient to ensure that direct or intrusive views into the school would not occur.

- 6.15 In terms of overlooking of play space, the play areas serving the school are located to the south and south east of the site with another smaller playground and the playing field located to the north east. Officers consider that the orientation of the proposed building and distance from these play areas would ensure that there are no direct views of these areas from the rear of the building. The indicative layout plan does not show the essential need for any windows on the southern side elevation which would look out over the play space to the rear of the Children and Family Centre. Notwithstanding this, this Application is for outline permission only and therefore this is a matter which would need to be assessed through a Reserve Matters Application. Officers consider however that it would be reasonable at Reserve Matters stage to request that any first storey windows on the southern elevation be obscured and fixed shut to ensure that there was no overlooking of this area.
- 6.16 In addition to this, Officers acknowledge concerns raised by objectors over the potential safety of the school site to be compromised by the shared southern and eastern boundaries between the school and the development. As set out above, Officers have recommended a boundary treatment condition to ensure that details are agreed by the council and installed prior to occupation of the development. With regard to the potential safety implications during construction, Officers consider it appropriate to require that a Construction Environmental Management Plan is submitted to the council for approval prior to any works commencing on site. This shall include details of hoarding to secure to the site during construction.
- 6.17 In terms of noise, Officers consider that the introduction of 8 residential units into an established mixed use area would be unlikely to generate harmful levels of noise or disturbance for occupants / users of adjoining properties or land.
- 6.18 With regard to the amenity of future occupants of the flats, HDC's Environmental Health Officer has requested that an assessment of the acoustic environment is provided to support this Application, principally in relation to addressing plant and machinery noise from the adjacent sites. It is considered that this level of detail can be brought forward via condition which requires noise mitigation details to be agreed and installed prior to occupation. As such, an appropriately worded condition has been proposed below.
- 6.19 For the reasons outlined above, it is considered that the indicative layout demonstrates that the proposed development would not lead to significant harm for occupants or users of adjoining properties / land. As such, there are no reasons at this outline stage to consider that the proposed development would result in any harmful impact to amenity, including security at the adjacent Academy school. The proposal is therefore considered to accord with Policy 33 of the HDPF.

#### Impact on Highways

- 6.20 Policy 40 of the HDPF requires development to provide safe and suitable access for all users including vehicles, pedestrians and cyclists. Policy 41 of the HDPF requires adequate car parking to be provided within developments to meet the needs of anticipated users. Consideration should also be given to the needs of cycle parking, motorcycle parking, low emission vehicles and mobility impaired.
- 6.21 The proposed layout would merge the existing two access points, serving Okash and Weston, into one single point of access and egress from the Worthing Road. The indicative layout, as revised, demonstrates car parking for 16 cars to serve 8x2 bedroom flats.
- 6.22 A number of objections have been received over the safety of the proposed access point during the construction and operation of the development in the context of this mixed used area. In addition, concerns have been raised over the increased levels of traffic which would be associated with development and the cumulative impact of this development on the existing road network when considered in the context of the proximity of the adjacent

junctions/accesses for the adjacent Academy school, petrol station, proposed supermarket and new Berkeley Homes development site.

- 6.23 In response to these objections, WSCC Highways Officers visited the site during peak school rush hour (15:00) to assess the current traffic situation. Whilst Officers are mindful of objections raised, following this site visit WSCC Highways Officers considered their consultation comments received, raising no objection to scheme, to still be relevant and correct. Whilst there would be a number of access points in close proximity, there is no indication that this arrangement is unsafe or that it would result in a 'severe' cumulative impact on the highway network. Accordingly the proposal would not conflict with paragraph
- 6.24 Whilst access is reserved for latter consideration, Officers consider that the indicative access point would be safe for all users providing that the existing vegetation to the front of the site is cleared or reduced in height to ensure that school children and other road and footway users are visible at all times. This can be suitably controlled through condition. There is pedestrian access to and from the site via the existing footways on either side of the Worthing Road and pedestrian crossing points to allow safe crossing to the north and south of the site.
- 6.25 Concerns were raised over the potential for residents of the proposed development to park in the formalised parking lay-by off Worthing Road to the South of the school, with any parking in this layby likely to result in the access of the proposed development being unsafe. The lay-by is formalised for vehicles to park/stop in and sits south of the Academy school access junction. At the site visit with the WSCC Highways Officer, the lay-by was mostly empty shortly after the site visit concluded which suggests that the lay-by is likely used mainly in association with school drop-off and pick up. The WSCC Highways Officer has confirmed that unsafe conditions would not be anticipated to arise as a result of this application due to vehicles parking in the lay-by.
- 6.26 In terms of car parking, the indicative layout shows provision for 16 spaces. This exceeds the current WSCC Standards by 6 spaces. Whilst the layout of the development is reserved for later consideration, Officers consider that the indicative layout of the development demonstrates that sufficient car parking provision can be provided on the site such that there would be no likely overflow car parking on the street as a result of the proposal. Final details of the car parking arrangements to ensure suitable availability for occupiers and visitors to the development can be secured at Reserved Matters stage with the layout details.
- 6.27 A separate cycle storage area is shown to the rear of the property within the communal space. It is considered that suitable details relating to this element of the proposal can be brought forward through condition.
- 6.28 Therefore, at this Outline stage there are no reasons to consider that sufficient details could not be brought forward through a Reserve Matters Application to meet the requirements of Policies 40 and 41 of the HDPF.

#### Affordable Housing

- 6.29 Policy 16 of the HDPF requires, on site of between 5 and 15 dwellings, 20% of dwellings to be affordable, or where on site provision is not achievable a financial contribution equivalent to the cost of providing the units on site.
- 6.30 Notwithstanding this, the requirements of Policy 16 have now been superseded by the new National Planning Policy Framework (NPPF), published in July 2018. Paragraph 63 of the NPPF states that 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas'. Major development is classed as development for 10 or more houses or site with an area of 0.5 hectares or more.

- 6.31 The new NPPF policy and accompanying guidance within the PPG is considered to carry significant weight such that it outweighs the requirement of Policy 16 of the HDPF adopted in 2015. As such, the current proposal for 8 units is not required to provide an affordable housing contribution.

## OTHER ISSUES

### Community Infrastructure Levy

- 6.32 Objections have been received over the potential of the development to put pressure on existing infrastructure and services such as school places and doctors surgeries. Horsham District Council adopted the Community infrastructure Levy (CIL) in 2017 which is a charge placed on new development. CIL is intended to ensure that new development is supported by the infrastructure it requires. CIL funds are meant to help fund new, or upgrade existing infrastructure to support growth. Officers can confirm that this development is CIL liable and chargeable in accordance with Horsham's CIL Charging Schedule.

### Conclusion

- 6.34 In summary, this Application seeks Outline consent with all matters reserved for 8 x 2 bedroom apartments to replace two existing dwellings (Okash and Weston) located off the Worthing Road. Officers consider that on the basis of the information submitted, the principle of the development is considered to be acceptable and the Applicant has been able to demonstrate that the site could successfully accommodate this level of development in accordance with the requirements of the HDPF. Officers therefore consider that sufficient detail relating to access, scale, layout, appearance and landscaping could be brought forward through a Reserve Matters application. Therefore, this Application is recommended for approval.

## 7. RECOMMENDATIONS

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

1. A list of the approved plans

2. **Regulatory (Time) Condition:**

- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
- I. the location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil)
  - II. the provision of wheel washing facilities (if necessary) and dust suppression facilities
  - III. Details and location of site hoarding
  - IV. Details of how residents and the Southwater Infant Academy will be advised of site management contact details and responsibilities and liaison prior to and during the demolition and construction works – newsletters, fliers etc.
  - V. Details regarding parking or site operatives and visitors, deliveries, and storage;

The approved details shall be adhered to throughout the construction period.

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

4. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels 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.

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

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

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

6. **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

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

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

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

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

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

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

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

7. **Pre-Commencement Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the recommendations which are set out in a Noise Report to be submitted to and approved by the Local Planning Authority. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

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

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

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

9. **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, 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).

10. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development 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 all external lighting
- Details of the management arrangements for all communal open space

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).

11. **Pre-Occupation Condition:** Prior to the first occupation of the building hereby permitted, details of the parking, turning and access facilities for that building shall have been submitted to and approved by the Local Planning Authority in writing. No dwelling within the building shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

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

12. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

13. **Pre-Occupation Condition:** Prior to the occupation of the dwellings hereby approved, a ventilation scheme to prevent odours from the adjacent petrol station from entering the dwellings hereby approved shall have been submitted to and approved by the Local Planning Authority in writing. Thereafter, the ventilation system shall be installed, operated and maintained in accordance with the approved details.

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

14. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and

08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

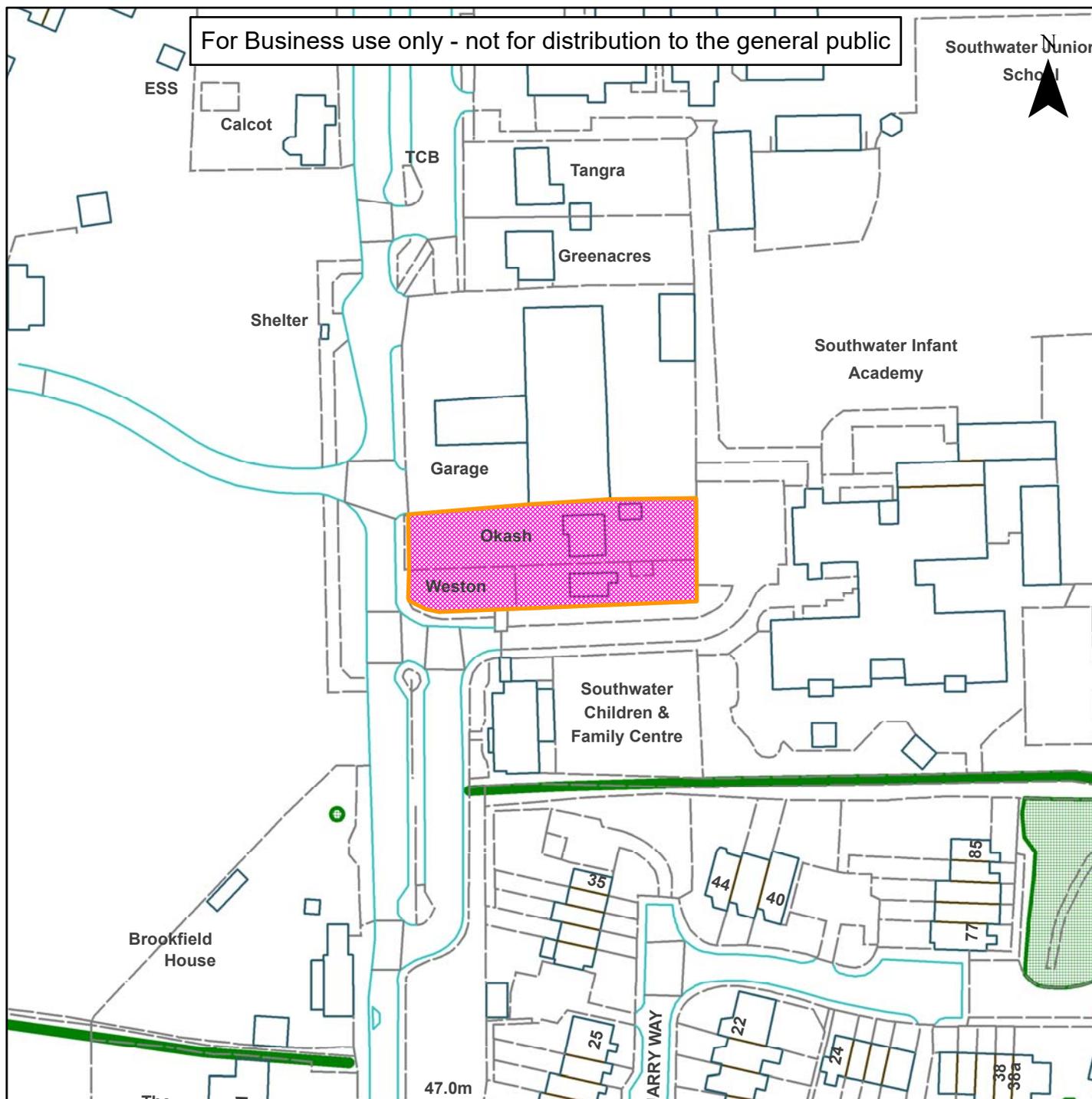
Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15. **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.

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).

Background Papers: DC/18/2699

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Organisation	Horsham District Council
Department	
Comments	
Date	21/02/2019
SA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING REPORT COMMITTEE**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 05 March 2019

**DEVELOPMENT:** Permission in Principle for the demolition of the existing outbuildings and erection of 3no. residential dwellings

**SITE:** Little Homefield Brighton Road Mannings Heath Horsham West Sussex RH13 6HZ

**WARD:** Nuthurst

**APPLICATION:** DC/19/0074

**APPLICANT:** **Name:** Mr Mark Helliwell **Address:** Tillingbourne Barn The Street Albury Surrey GU5 9AG

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 letters of representation raising material planning considerations made within the consultation period contrary to the recommendation of the Head of Development.

**RECOMMENDATION:** To approve Permission in Principle

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

To consider the application for Permission in Principle.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks Permission in Principle for residential development at the site under Part 2A of the Town and Country Planning (Permission in Principle) Order 2017.
- 1.2 The scope of permission in principle is limited to location, land use and amount of development. The Applicant has submitted a Location Plan indicating the proposed site, with an indication of 3no. dwellings proposed for the site.
- 1.3 The grant of a Permission in Principle does not constitute the grant of planning permission, rather it sets out that the principle of the location, land use and amount of development proposed is acceptable. Following the grant of a Permission in Principle, the applicant would need to apply for Technical Details Consent. The grant of Technical Details Consent would then create the planning permission.

#### DESCRIPTION OF THE SITE

- 1.4 The application site is positioned to the west of Brighton Road, and lies within the built-up area of Manning Heath. The application site is positioned to the south of residential

development that fronts Brighton Road, and lies directly adjacent to the allocated site known as 'Land Opposite The Dun Horse' which has approval under reference DC/16/1753 for 8 no. dwellings. The site currently includes a number of utilitarian buildings which are positioned centrally in the site, with the remainder of the site having recently been cleared of vegetation.

- 1.5 The application site consists of a triangular plot of approximately 0.3ha in area positioned to the rear of the frontage dwellings. The site is defined by a mix of boundary treatments, including hedging and closeboarded fencing, with a public footpath running directly along the western boundary of the site.
- 1.6 The wider surroundings encompass a mix of residential development and open countryside, defining the area as a semi-rural locality. The main settlement of Mannings Heath is positioned to the north of the application site, with the surroundings to the south, east and west of the site defined by open, undulating countryside.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

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

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

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

#### **2.4 Nuthurst Neighbourhood Development Plan 2015-2031**

- Policy 1: A Spatial Plan
- Policy 4: Land opposite Dun Horse Public House, Mannings Heath
- Policy 10: Housing Design
- Policy 14: Green Infrastructure and Biodiversity

### PARISH DESIGN STATEMENT

- 2.5 Nuthurst Parish Design Statement (2017)

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1753	Proposed residential development for 8 dwellings with associated parking and amenity space	Application Permitted on 02.06.2017
DC/18/0219	Non-Material Amendment to previously permitted application DC/16/1753 (8 dwellings with associated parking and amenity space) involving partial/full infilling of front recess and revised fenestration to dwellinghouses on plots 5 to 8 (with additional ground floor side window) and plots 1 to 4 (additional obscure glazed first floor and ground floor side windows).	Application Permitted on 01.03.2018
DC/18/0927	Non Material amendment to previously permitted application DC/16/ 1753 (8 dwellings with associated parking and amenity space) involving partial/full infilling of front recess and revised fenestration to dwellinghouses on plots 5 to 8 (with additional ground floor side window) and plots 1 to 4 (additional obscure glazed first floor and ground floor side windows).	Application Permitted on 09.05.2018
DC/18/1849	Demolition of the existing outbuildings and erection of 6no. 3 bedroom dwellings with associated parking and private amenity served via approved access from Brighton Road.	Application Refused on 07.12.2018
DC/18/2612	Non-material amendment to previously approved application DC/16/1753 (Proposed residential development for 8 dwellings with associated parking and amenity space) relating to change of length of the visibility splay in the northwest direction from 2.4 x 120 metres to 2.4 x 109 metres.	Application Permitted on 01.02.2019

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

- 3.2 **HDC Strategic Planning:** No Comment
- 3.3 **HDC Landscape Architect:** No Comment
- 3.4 **HDC Conservation:** No Comment
- 3.5 **HDC Environmental Health:** No Comment
- 3.7 **HDC Drainage Engineer:** No Objection. The surface water drainage strategy proposed is acceptable. The Applicant should be advised that any discharge to the local watercourse might require 'Ordinary Watercourse Consent'.

## OUTSIDE AGENCIES

- 3.8 **WSCC Highways:** No Objection. No concerns from a highway safety or capacity perspective are raised. Appropriate parking and garage space should be provided, with cycle storage provision also required. Any construction traffic will require managing via a Construction Management Plan.
- 3.9 **Ecology Consultant:** Comment. A Preliminary Ecological Appraisal provided by a suitably qualified ecologist would be required subject to the presence of Priority Habitats and European Protected Species and Sites within the vicinity of an on-site which may be present and affected by the development.
- 3.10 **Southern Water:** No Objection
- 3.11 **WSCC Rights of Way:** No Comment

## PUBLIC CONSULTATIONS

- 3.12 56 letters of objection have been received from 43 separate households, and these can be summarised as follows:
- The site is not allocated in the Neighbourhood Plan
  - The development is not required as the quota of dwellings has been met
  - Backland site that is not supported by the Neighbourhood Plan
  - The site is too small for the number of dwellings proposed
  - The proposed development is out of keeping with the surroundings.
  - Highways access is limited
  - Harmful impact on amenities of neighbouring properties
  - Adjoins countryside
  - Similar footprint to recent refusal
  - Noise impact
  - Potential flooding
  - Overdevelopment of the site

- 3.13 **Nuthurst Parish Council:** No Objection

The Parish Council acknowledges that the application site is currently within the built-up area boundary, where development within the built-up area will be permitted under HDC's Planning Framework and under Policy 1 of the Nuthurst Parish Neighbourhood Plan, provided they accord with the other provisions of the HDPF and NPNP.

Since no details of the type of dwellings are given or required for a Permission in Principle application, the Parish Council cannot determine whether the development proposals accord with the provisions of the HDPF or NPNP. Therefore, the Parish Council cannot object to the Permission in Principle application.

Notwithstanding the above, the Parish Council will expect the Applicant to provide details of the size, type and design of the dwellings and their siting in the "Technical Details Consent" application that fully complies with:

- the overarching objective of the NP to provide smaller dwellings for older people to downsize or for younger people/families; and
- Policies 25, 26, 31, 32, and 33 of the HDPF and Policy 10 of the NP in order to avoid a harmful impact on the amenities of the properties fronting Brighton Road, and the character of the landscape and visual amenities of the site and wider area.

The Parish Council may therefore consider supporting a subsequent application for 3no. 2/3 bedroom detached bungalows with all accommodation on the ground floor suitable for older

people to downsize. Furthermore, the lower roof height would reduce the harmful impact of dwellings in this particularly sensitive location.

#### **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 material to this application relate to:

- Location
- Land Use
- Number of Dwellings

- 6.1 The Permission in Principle consent route is an alternative way of obtaining planning permission for residential development, which separates the consideration of matters of "principle" for the proposed development, from the "technical details" of the development. As such, the Permission in Principle route has two stages: the first being the "permission in principle" stage (subject of this current application), which establishes whether the site is suitable in-principle; and the second being the "technical details consent" stage which is when the detailed development proposals are assessed.
- 6.2 The scope of the Permission in Principle application (being the first stage) is limited to location, land use, and amount of development.

##### **Location**

- 6.3 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.4 Policy 1 of the made Nuthurst Neighbourhood Development Plan states that "development proposals within the built-up area boundary of Mannings Heath, as defined on the Policies Map, will be permitted, provided they accord with the other provisions on the NPNP and HDC's adopted Development Plan."
- 6.5 Paragraph 68 of the NPFF states that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area...to promote the development of a good mix of sites local planning authorities should...support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes..."
- 6.6 The majority of objections received make reference to the adopted Nuthurst Neighbourhood Development Plan (NPNP), and the unallocated nature of the application site within it. As stated within Policy 1 of the Nuthurst Neighbourhood Development Plan 2015 - 2032,

development proposals within the built-up area boundary of Mannings Heath will be permitted, provided they accord with the other provisions of the NPNP and Horsham District Council's adopted development plan. The housing figure provided within the Nuthurst Parish Neighbourhood Plan does not reflect a definitive upper limit to acceptable housing numbers, albeit that it provides a future supply of land which is suitable, available, and achievable for housing development. Policy 15 of the HDPF makes provision for a total of 750 windfall sites, with Policy 3 of the HDPF stating that development will be permitted within built-up areas provided it is of an appropriate nature and scale to maintain characteristics and function of the settlement.

- 6.7 In terms of the overall housing needs for Nuthurst Parish, paragraph 60 of the NPPF states that a housing needs assessment should identify the minimum number of homes needed. This is also reflected within paragraph 4.12 of the NPNP which states that:

*'In overall terms, the indicative total number of houses specifically provided for in the NPNP is approximately 50 over the plan period....As the policy allows for sustainable development proposals in the form of windfall and other sites within the Built up Area Boundary of Mannings Heath and the confines of Maplehurst, Monks Gate and Nuthurst, the total number of dwellings consented over the plan period will be greater than the number resulting from the allocations of the NPNP'.*

- 6.8 In addition, paragraph 3.36 of the Examiner's Report for the Nuthurst Parish Neighbourhood Plan, the Examiner makes it clear that the housing figure contained within the supporting text for each policy is not prescriptive and is given as a range.

- 6.9 On this basis, neither the Development Plan nor the Nuthurst Parish Neighbourhood Plan can place an absolute cap on development. The Government have made it clear that an absolute cap on numbers of new homes is not justified, particularly if proposals are acceptable in all other respects. The District's housing targets are a minimum, and development cannot be refused when this target has been reached; with the same principle applicable to Local Needs Assessments.

- 6.10 As stated within paragraph 4.12 of the Nuthurst Parish Neighbourhood Plan, paragraph 4.12 states that Policy 1 " allows for sustainable development proposals in the form of windfall and other sites within the Built-Up Area Boundary of Mannings Heath..."

- 6.11 The application site lies within the designated built-up area of Mannings Heath, categorised as a "Smaller Village" within Policy 3 of the HDPF. The application site forms part of the existing settlement of Mannings Heath where development proposals that are of an appropriate nature and scale to maintain characteristics and function of the settlement are considered acceptable. There is a presumption in favour of sustainable development within the built-up area, and as such, the location of the proposed residential development is considered acceptable in principle.

### **Land Use**

- 6.12 The application proposes the use of the site for residential development.
- 6.13 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.
- 6.14 Policy 1 of the made Nuthurst Neighbourhood Development Plan states that "development proposals within the built-up area boundary of Mannings Heath, as defined on the Policies Map, will be permitted, provided they accord with the other provisions on the NPNP and HDC's adopted Development Plan."

- 6.15 The purpose of these policies is to prioritise appropriate development, including infilling, redevelopment, and conversion, within built-up area boundaries, with a focus on brownfield land. Proposals will need to ensure that development is of a scale that can retain the character and role of the settlement in terms of the range of services and facilities and community cohesion.
- 6.16 The direct surroundings of the site, and the wider locality of Mannings Heath, is characterised primarily by residential development. While recognised that the application site sits within a backland setting, it is noted that the adjacent surroundings comprise residential development.
- 6.17 Given the spatial context of the site, which sits within close proximity to a number of residential dwellings, it is considered that a residential use would be an appropriate use of the site. In addition, given the location of the site within the built-up area boundary, where development is considered acceptable in principle, it is considered that the site is appropriate for development.
- 6.18 The application site lies within the built-up area of Mannings Heath, with the application seeking to develop the site for residential purposes. Such development and use is considered to accord with Policy 3 of the HDPF and Policy 1 of the Nuthurst Neighbourhood Plan, and is therefore considered an appropriate land use.

**Number of Dwellings**

- 6.19 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.
- 6.20 Policy 10 of the Nuthurst Parish Neighbourhood Plan (NPNP) states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of surrounding buildings. Residential development proposals should make use of high quality building materials and finishes, and include adequate functional private garden space appropriate to dwelling size and type.
- 6.21 The application site measures to an area of approximately 0.2 hectares. The wider surroundings are characterised by dwellings that front the public highway, set within relatively large and spacious plots. It is acknowledged that there are limited examples of smaller terrace and semi-detached dwellings within the locality, with these dwellings set within a linear build pattern fronting the public highway. It is noted that the recent approval directly north of the application site is designed with 2 no. pairs of semi-detached dwellings positioned to the rear of the site, however, these form a book-end to the ribbon of development along this section of Brighton Road, and is considered to relate to the built pattern and character of the surroundings.
- 6.22 A previous application under planning reference DC/18/1849 sought full planning permission for 6no. dwellings on the application site. The proposed development was refused at Planning (North) Committee on 04 December 2018 for the following reasons:
  - 1 *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.

2 *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.*

6.23 The reasons for refusal related to the quantum of development, and the layout, siting and orientation, which was considered to result in overdevelopment of the site, to the detriment of the character and pattern of development. The previous application was not therefore refused on principle grounds, but rather the number of proposed dwellings and its impact on the character of the locality and the amenity of neighbouring occupiers.

6.24 The previous refusal on the site is a material consideration of weight in the assessment of the current application. However, the previous application was not refused on principle grounds, but was considered to result in overdevelopment of the backland site. It is therefore considered that a reduction in the number of proposed dwellings would overcome the previous reason for refusal.

6.25 Paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account among other things: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; the desirability of maintaining an area's prevailing character and setting; and the importance of securing well-designed, attractive and healthy places.

6.26 It is considered that the application site could accommodate between 3-4 dwellings comfortably, with the site capable of providing a layout that would continue the build pattern of the recently approved application at Land Opposite Dun Horse under reference DC16/1753. It is considered that the proposed range of residential development would be of a reasonable nature so that it would not harm the landscape character or visual amenities of the locality, or the amenities of neighbouring occupiers.

### **Other Matters**

6.27 The matters of scale, design, layout, and access of the proposed development are reserved for consideration under the subsequent "Technical Details" application.

### **Conclusion**

6.28 The application seeks Permission in Principle for residential development on the site. The Permission in Principle stage (subject of this application) establishes whether the site is suitable in-principle for development, with the scope of considerations solely relate to location, land use, and amount of development.

6.29 The application site is within the built-up area boundary of Mannings Heath where development is acceptable in principle, in accordance with Policy 3 of the Horsham District Planning Framework (2015) and Policy 1 of the made Nuthurst Parish Neighbourhood Plan. The site is located within an established residential area, with the proposed residential use of the site considered appropriate to this context.

6.30 It is considered that the application site could comfortably accommodate a range of development of between 3-4 dwellings, with this reduced number considered to overcome the reason for refusal as part of the previous application.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

In the case of Permission in Principle applications the CIL charge will be calculated at the relevant Technical Details stage.

### **7. RECOMMENDATIONS**

- 7.1 To approve the Permission in Principle application for a range of residential development of between a minimum of 3 and a maximum of 4 dwellings.

#### NOTE TO APPLICANT

The Applicant is advised that this decision and any determination of a subsequent Technical Details Consent application would be made in accordance with the Horsham District Local Development Framework, including the made Nuthurst Parish Neighbourhood Plan. The Applicant is therefore advised to pay particular regard to the relevant policies in both the Horsham District Planning Framework and Nuthurst Parish Neighbourhood Plan when submitting a Technical Details Consent application, including housing mix, scale, massing and design.

#### NOTE TO APPLICANT

The Applicant is advised that in accordance with the consultation response received from the Ecologist, a Preliminary Ecological Appraisal would be required to be submitted at the Technical Details Consent stage for consideration.

#### NOTE TO APPLICANT

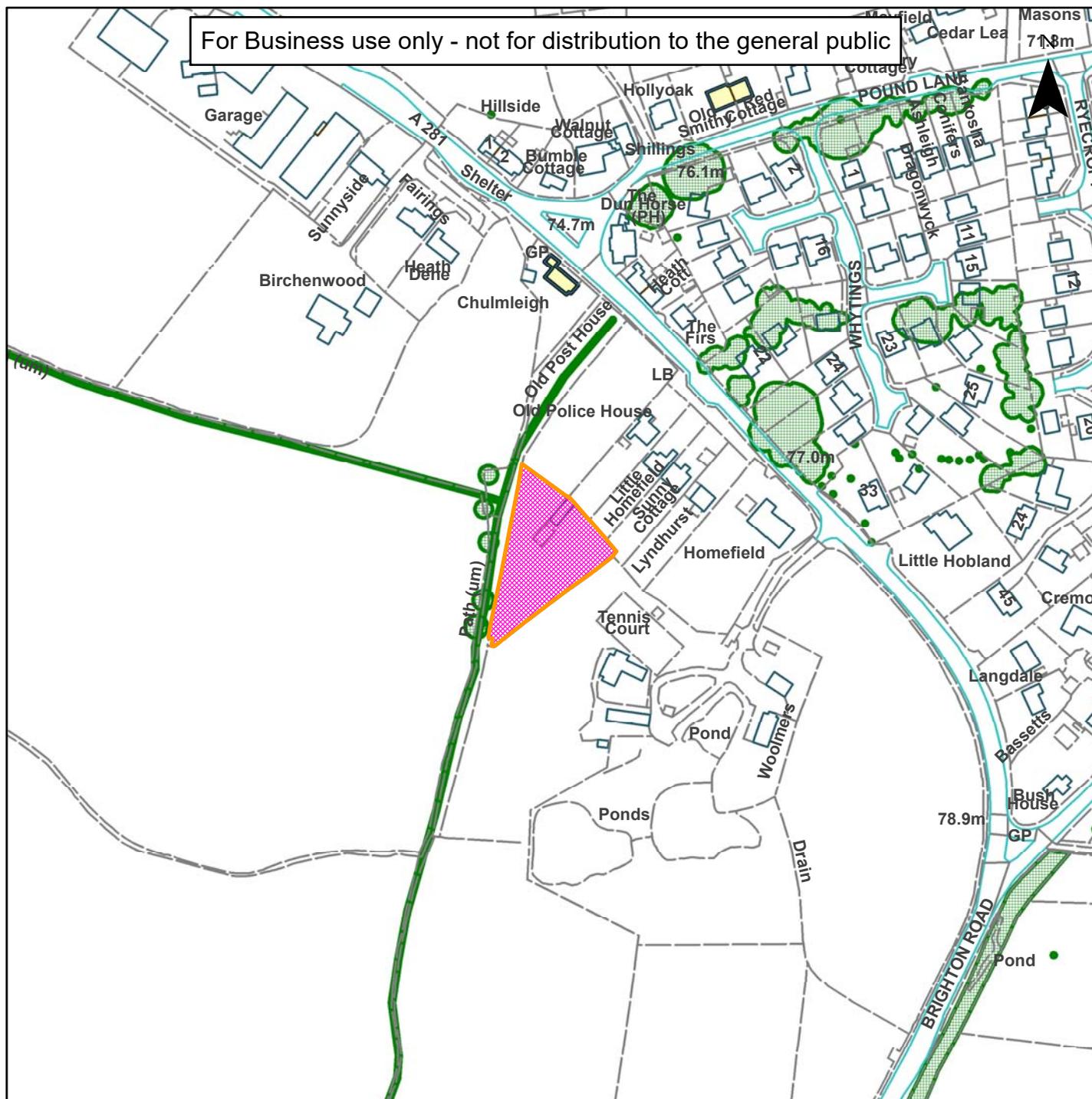
The Applicant is advised that in accordance with the consultation response received from WSCC Highways, the proposed development would require the submission of detailed plans illustrating the proposed access, turning and parking arrangements, including the provision of cycle storage.

Background Papers: DC/18/1849  
DC/19/0074

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Organisation	Horsham District Council
Department	
Comments	
Date	21/02/2019
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 5 March 2019

**DEVELOPMENT:** Demolition of existing commercial vehicle garage and erection of a residential care home.

**SITE:** Vehicle Garage Dukes Square Horsham West Sussex

**WARD:** Denne

**APPLICATION:** DC/18/2131

**APPLICANT:** **Name:** Mr P Carr **Address:** Westhope Care Ltd 11 Kings Court  
Harwood Road Horsham West Sussex RH13 5UR

**REASON FOR INCLUSION ON THE AGENDA:** Horsham District Council is a landowner of the site.

**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 is seeking planning permission for the demolition of existing commercial vehicle garage and erection of a residential care home comprising a two storey 7 bed supported living care home for people with physical and intellectual / cognitive disabilities. Bicycle and refuse storage areas are located to the east of the building enclosed by 1.6m high close boarded fence and three car parking spaces are proposed in total including 1 disabled bay.
- 1.3 The proposed building essentially has four separate sections, comprising eastern and western pitched roof wings joined by a central link flat roof building with a two storey flat roof element to the rear. The dimensions of the new building are 34m (W) x 8.6m (D) with an eaves level of 5.3m and ridge height of 7.8m, the proposed building has the same footprint of the existing building.
- 1.4 The proposed care home would be built in a mixed palate of materials primarily comprising brick, timber clad and tile hung elevations with an element of render to the central link section. A small communal garden area is proposed to the front western part of the site.

## DESCRIPTION OF THE SITE

- 1.5 The application site is situated within the Dukes Square Car Park off Denne Road and is located within the Built up Area Boundary of Horsham. The site lies outside of the Horsham Conservation Area which lies immediately to the west. The building and associated hardstanding area subject to the application (site area is 0.05 ha) is situated adjacent to the northern boundary of the car park and has vehicular access through the car park via the existing access road off Denne Road.
- 1.6 The building subject to the application comprises a steel framed single span 'shed' measuring some 288sqm (33.53sqm (W) x 8.64sqm (L)), with an eaves level of 4.5m and ridge height of 5.7m. The rear and side elevations are corrugated cement sheeting with steel sliding concertina doors to the south elevation. The original purpose of the building owned by the Council was as a low cost enclosure for vehicle storage and maintenance, however the building has more recently been used by Horsham District Council for the purposes of storage of street furniture.
- 1.7 The rear of the building is sited tight against a 2.9m high brick wall which forms the common northern boundary of the car park and rear of residential properties in Denne Parade. Numbers 6, 7, 8 and 9 Denne Parade are located north of and immediately opposite the application site, number 6 Denne Parade 'Westhope Mews' is a residential care home for young people with learning disabilities, the first floor windows directly overlook the roof area of the existing building with very limited separation and outlook.
- 1.8 The wider area comprises a mix of commercial, office and light industrial uses. Lavinia House, occupied by Age UK, and Mill River Lodge a 70 bed care home for the elderly are three / four storey buildings adjacent to the application site. Observer Court, is a three storey block of 20 affordable homes located to the rear of these buildings. The buildings are brick built with contrasting render and brick detailing Observer Court has elements of timber cladding. To the west of the application site are Drill Hall as well as the ATC single storey building and Miniature Rifle Range building owned by the MOD. To the east is a single storey brick built business unit and beyond this is an elevated railway line. The immediate area comprises a hard surfaced short stay (3 hours) car park for 101 cars.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### 2.2 National Planning Policy Framework

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

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 17 - Exceptions Housing Schemes
- Policy 18 - Retirement Housing and Specialist Care
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles

Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 40 - Sustainable Transport  
Policy 41 - Parking  
Policy 42 - Strategic Policy: Inclusive Communities

#### 2.4 RELEVANT NEIGHBOURHOOD PLAN

There is currently no made plan for the Horsham Blueprint Neighbourhood Forum.

#### 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

PE/18/0061	To create a residential care home for adults with learning and physical disabilities	Pre-Application Advice Given on 25.05.2018
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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](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

##### 3.2 **HDC Conservation:** Comment

The proposed replacement building will not harm the setting of the adjacent conservation area. It will not be visible from Denne Road and so will not have a direct relationship with the historic buildings that reinforce the character of the conservation area. The proposed materials are considered acceptable. The comments from the Horsham Society are noted regarding brighter roof and hanging tiles without pre-weathered finishes that would weather and tone down naturally.

##### 3.3 **HDC Tree Officer:** No objection

##### 3.4 **HDC Environmental Health:** No Objection (subject to conditions)

There are a number of residential properties in close proximity and in order to mitigate any adverse environmental impacts, the applicant will need to exercise suitable controls. Appropriate imposition of conditions recommended.

##### 3.5 **HDC Archaeology:** Comment

The site is within an Archaeological Notification Area covering the medieval core of Horsham, archaeological investigations in the vicinity have uncovered evidence of activity from the medieval period onwards. Historic mapping records suggest that the area was open fields on the fringe of the town until developed in the late 19<sup>th</sup> century.

It is recommended that a programme of archaeological monitoring be undertaken following demolition of the existing garages and during any groundworks associated with the new build and that this should be secured through the imposition of a condition and subject to an approved written scheme of Investigation.

##### 3.6 **HDC Drainage:** No comment

#### OUTSIDE AGENCIES

##### 3.7 **WSCC Highways:** No Objection (subject to conditions)

A transport statement accompanies this application which highlights there will be an overall reduction in trips to and from the site as a result of the change of use. The site will attract minimal numbers to cause any highway safety or capacity issues.

The site is located in a sustainable town centre location and supported well by pedestrian infrastructure and cycle routes. Cycle storage will be provided which will be secure and covered.

3.8 **Southern Water:** No Objection

#### PUBLIC CONSULTATIONS

3.9 **Denne Neighbourhood Council:** No objection

3.10 1 representation letter has been received from Horsham Society:

Commented that the proposals are low key and in a suitable location being close to existing care facilities. However, the building require lifting with introduction of colour. White render is a source of concern and consideration should be given to using 'off white' or agreeing a maintenance regime for the white render.

### **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 loss of the existing commercial vehicle storage unit and the impact and scale of the new development (care home) and the effect of the development on the character of the surrounding built up area and the visual amenities of the street scene; the amenities if the occupiers and adjoining properties; and the impact on existing parking and traffic conditions.

#### Principle

6.2 The application site sits within the built-up area boundary of Horsham therefore under Policy 3 of the HDPF the principle of development is considered to be acceptable, subject to all other material considerations as discussed below.

#### Loss of Employment use

6.3 Policy 9 Employment Development advises that redevelopment outside of Key Employment Areas must demonstrate that the site premises is no longer needed and or viable for employment use. In order to fully satisfy this policy a sequential approach must be applied to all development proposals requiring:

- employment based redevelopment in the first instance;
- mixed-use or other employment creating use redevelopment in the second instance; and lastly
- alternative non-employment use based redevelopment.

6.4 No information has been submitted to suggest that the site has been marketed for its current use or indeed for any alternative employment use therefore the sequential test has not been satisfied. Therefore, it has not been demonstrated that the existing commercial building or use is no longer needed or viable for employment use as required under HDPF 9(2).

6.5 The applicants have however set out a number of characteristics of the building which they consider sufficient to demonstrate that continued employment use is unsuitable/not

appropriate. The applicants have advised that the building appears to be painted and not galvanised and as such there is strong possibility of corrosion of the members, particularly at lower levels and below ground. There is also concern regarding the fibre cement sheet elevations which the applicants consider are likely to contain asbestos. The Design and Access Statement advises that the building was originally designed as an economic enclosure for the intended purposes which was for vehicle storage and maintenance, and that it is not suitable for re-use or conversion for anything other than its intended or similar purposes to that of its original use.

- 6.6 It is not considered that these characteristics in themselves are sufficiently unusual such that continued employment use is not feasible. There are however other material circumstances which officers consider relevant in assessing whether this site should remain in commercial use.
- 6.7 The main consideration is the proximity of residential properties to the rear/north boundary of the site. These buildings largely abut the boundary with the site with a number of principal windows, including bedroom windows, that directly overlooking the current building. A number of the bedroom windows serve a care home for young persons with learning difficulties. These rooms are therefore very susceptible to noise impacts from the use of the building, particularly given its lightweight finish that would not effectively absorb noise from within. Whilst the building is currently being used for B8 storage purposes, it has previously been used for B1 (light industrial) purposes. Current permitted development rights allow for a unit of this size to readily change between B1 and B8 use without the need for planning permission. Consequently there is the very real prospect that the building could be used in a more noise intensive manner than existing to the detriment of the amenities of these immediately adjacent occupiers.
- 6.8 Having regard to the form of the building and its close proximity to bedroom windows to a care home in particular, it is considered that continued use for potentially more noise generating commercial activities would likely result in material harm to the residents to the rear. Consequently in this instance there is sufficient evidence to support the redevelopment of the site despite the conflict with Policy 9 of the HDPF.
- Proposed care home use
- 6.9 The NPPF at paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 91 advises that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, are safe and accessible and enable and support healthy lifestyles.
- 6.10 Policy 42 of the HDPF (Inclusive Communities), states that positive measures which help create socially inclusive and adaptable environments for a range of occupiers and users to meet their long term needs will be encouraged and supported. Particular account will be taken of the need to address the requirements stemming from people with additional needs [point 2 refers], including the disabled or those with learning disabilities. The preamble to Policy 42 states that it is important that development should contribute towards meeting the needs of all sections of the community and help the community and help to encourage social cohesion.
- 6.11 Policy 43 Community Facilities Leisure and Recreation advises that the provision of new or improved community facilities or services will be supported, particularly where they meet the identified needs of local communities. Although a care home is not a community facility as set out in the definition within the Horsham District Planning Framework 2015, it is considered that a care home does help meet the needs of young people (in this case) and families within the community. This need is emphasised in HDPF Policy 42 above.

- 6.12 The applicants advise within their Design and Access Statement (revised) that there is a National shortage of affordable homes and for those with learning disabilities following the closure of many NHS facilities which require re-provision within the community and that the Care Quality Commission (CQC) are keen to encourage smaller units of 6 to 8 rooms integrated within towns and communities in order that residents can easily access amenities and integrate into a community in line with Government policy objectives to provide supported living for vulnerable people.
- 6.13 The applicants statement above is reflected within various Government Policy documents – Laws, government statements and government consultations relating to supported housing as well as various evidence based reports established on more recent academic literature on “what works” in meeting the housing needs of adults with learning disabilities. Evidence suggests and policy dictates that local authorities should offer a broad range of accommodation and support to people with learning disabilities and that smaller scale residencies, based in the community which offer a higher level of choice and independence result in better outcomes for service users. This shift is coupled with a continued commitment to a more person-centred approach to care and support, which is espoused in The Care Act 2014. The applicants statement as above is also reflected within ‘The Government report ‘Transforming Care’ - ‘A National Response to Winterbourne View Hospital (Department of Health Review: Final Report December 2012)’ which advises that there is a shift away from larger residential care facilities towards smaller supported facilities that are closer to home. The Government’s Mandate to the NHS Commissioning Board makes clear that the presumption should always be that services are local and that people remain in their communities. The report also advises that best practice is for children, young people and adults to live in small local community-based settings (para 3.7). Annex A: ‘The Model of Care’ advises that Housing authorities should include a wide range of community housing options - shared, individual, extra care, shared lives scheme, domiciliary care, keyring, respite and that Social care commissioners should ensure the availability of small-scale residential care for those who would benefit from it (e.g. because they have profound and multiple disabilities).
- 6.14 In view of the above and taking into account the policies within the HDPF, specifically HDPF 42 Inclusive Communities, it is considered that the proposed care facility is in accordance with locally adopted policy framework and with the Government’s overarching strategy to provide community based housing, which according to Good Practice Guidance on supporting people with learning disabilities, autism and those with behaviour with challenging behaviour included the Mansell report (updated and revised in 2007), emphasises amongst other things that services and support should be provided locally where possible. The principle of the development is, therefore, acceptable and in accordance with Policies 42 and 43 of the Horsham District Planning Framework 2015 and the NPPF.
- 6.15 To ensure that any future proposals to change the use of the site as permitted development can be properly considered by the Council, a condition is recommended to require such proposals to be subject to consideration through a planning application.

External Design/Appearance

- 6.16 The proposed building is a two storey structure comprising four elements, two pitched roof elements and a rear two storey flat roofed element all linked by a central two storey section providing a focal point and communal access to the building.
- 6.17 The nearest residential buildings to rear of the site in Denne Parade are of domestic proportions with other buildings close by being three to four storeys with a mixed pallet of materials. The proposed two storey building comprising the three main distinct elements (the east and west wing joined via a central link) sit under a clay tile pitch roof, with the two wings joined by the central section under a flat roof and parapet which conceals the lift shaft. The proposed materials to the front west elevation comprise horizontal timber weatherboard

with facing brick and soldier course detail bands. The proposed materials to the front east elevation include part facing brickwork with soldier course detail band above the window, and part clay tile hanging. The central element is painted render with black brick band below the window and along the ground, with a raised brickwork planting bed. The rear two storey element has facing brickwork to the elevation, there are no windows at first floor level and the ground floor doors are set behind the existing 2.9m common boundary brick wall.

- 6.18 The primary living accommodation areas within the building are located at ground and first floor within the west wing and include sitting, living, dining and kitchen communal area accommodation. The proposed ground and first floor bedrooms are located to the front of the building and are primarily within the east wing of the building with the exception of bedroom 4 which is located within the west wing. The central link to the east and west wing of the building provides a ground floor communal entrance hall, a wheelchair changing area, shower and cloakrooms and a lift lobby to first floor accommodation which incorporates the laundry / utility area, staff rest room and office area, a further wheel chair changing area and a boiler and store room.
- 6.19 There is a small garden area with a permeable surface and stone sets along with two car parking spaces (including 1 disabled space) contained within the site curtilage to the south west corner of the site and 1 car parking space and cycle / refuse storage facilities to the east of the site (3 car parking spaces in total). Soft landscaping is proposed to the site boundaries of the garden area. A painted metal garden fence 1.6m high with supporting wall piers of painted rendered brickwork enclose the garden. The existing common boundary rear wall between the application site and the rear of dwellings in Denne Parade and service access is to be retained and the opening gap closed with a 1.8m metal gate.
- 6.20 The proposed building to replace the existing single storey steel portal frame structure is of domestic proportions, and in terms of design provides articulation and interest through the elevation and roof profile, and along with the proposed mixed pallet of materials is considered acceptable. It is considered that the proposed new building would enhance the visual appearance of the immediate locality and would complement the appearance of nearby buildings in accordance with Policy 32 and 33 of the HDPF.

#### Amenity

- 6.21 Policy 33 of the HDPF allows for developments which do not cause unacceptable harm to the amenity of nearby properties and land through overlooking or noise having regard to the sensitivities of surrounding development. As set out above, there are a number of residential properties to the rear of the site, including a car home for person with learning difficulties, with principal windows on or very close to the site boundary.
- 6.22 The nearest residential property (rear of Westhope Mews) is located approximately 1.6m away from the existing steel portal building, and as such there is very limited separation between the rear of each building. This separation gap increases to 8.7m from the rear of number 7 Denne Parade. The height of the rear flat roof two storey element nearest to 'Westhope Mews' is 5.58m with the overall ridge height of the main roof structure some 1.6m away rising to 7.72m. Overall, the ridge height of the proposed building is 1.9m higher than the existing building, and the rear two storey flat roof element nearest to Westhope Mews is 1m higher than the eaves height of the existing building at this point. The increase in height of the proposed building, although set further away from the highest point of the existing building, would result in some loss of outlook and sky view from the adjacent bedroom windows. Whilst this is regrettable, given the outlook from the existing bedroom windows is already somewhat limited by the close proximity of the rear elevation and roof of the existing commercial building, it is not considered that this alone would justify a reason for refusal.
- 6.23 Whilst the application site shares a common boundary with the neighbouring dwellings in Denne Parade, there is no overlooking between properties or loss of private amenity over and above that which is already considered to exist by virtue of the limited separation and

limited outlook from rear bedrooms windows within Westhope Mews. The bedroom windows (room's A B and C) identified on the comparison plan (building profile) indicates the position of each adjacent window which directly overlooks the roof of the existing building. This relationship has been assessed on site, including from within the bedrooms, and it is noted that some of these windows residents already have limited or no existing outlook over the site. Room D on this plan is a locker room and as such there are no concerns regarding the relationship between the existing and new building and there is no loss of amenity. Room E is an existing bedroom and whilst the roof height is higher than the existing buildings roof in this location, existing views from the window over the roof are very limited by the roof pitch.

- 6.24 During the course of consideration of the application the plans have been revised to remove the roof light windows in the flat roof element nearest to the existing Care Home 'Westhope Mews', adjacent to the site and as such concerns regarding downward overlooking from bedroom windows that face the proposed new building have been removed. This amendment has also overcome concerns regarding light spillage from the new Care Home and the potential impact on existing residents in Westhope Mews. The side elevations to the proposed building have since been altered to include a window at each end to provide natural daylight to the first floor corridor.
- 6.25 The proposal will facilitate indoor activity and provides sleeping accommodation for 1 full time member of staff and 2 part time members of staff and 7 residents, neither of which will harm the amenities of the surrounding residents. Whilst the proposal may alter the pattern of movement in an out of the site with some related comings and goings during the day (staff changing shifts and limited visitors including families and health professionals), taking into account the relationship of the previous use of the site, and the separation from the nearest residential properties of both the existing and proposed replacement building, it is not considered that the proposal will have a harmful impact on the amenities of the surrounding residents.
- 6.26 Whilst it is acknowledge that there would be some increased loss of outlook and sky view to some of the principal windows that overlook the site, overall it is not considered that this impact would be so harmful as to warrant the refusal of planning permission. The proposal, therefore, complies with Policy 33 of the Horsham District Planning Framework (2015).

#### Trees and Landscaping:

- 6.27 The proposed development includes a small garden area which will be hard surfaced with cobble sets and includes some raised planting beds and a new Magnolia Tree to be planted. Narrow raised bed will be located along the front side of the half of the building (east wing) to provide a buffer from the road, planting will include a mixture of broom, laurel and blackthorn. The proposals would enhance the appearance of the site and are considered to be on accordance with policy 33 of The Horsham District Planning Framework 2015.

#### Heritage Impacts:

- 6.28 The site is located close to but outside of the Horsham Conservation Area and is not considered to result in any harm to the character or appearance of the Conservation Area or its setting in accordance with Policy 34 of the Horsham District Planning Framework 2015.

#### Highways

- 6.29 The proposal would provide for parking to the front and side of the site on a hardstanding area off the public highway. Additional visitors are able to use the immediately adjacent public car park if necessary therefore it is not considered that the proposed use would result in overspill parking to the detriment of the area. The Local Highways Authority does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. The proposals are

considered to be on accordance with policy 41 of the Horsham District Planning Framework 2015.

Conclusions:

- 6.30 In conclusion, it is noted that no marketing information has been submitted with the application proposals to demonstrate that the existing employment use/ building is no longer needed or viable. However, it is accepted that the type and form of the building structure would not readily lend itself to alternative commercial uses without further impact on private amenity arising from noise and disturbance from an alternative more intensive commercial operation that could potentially operate on the site. This impact, on residential properties that immediately abut the site, is sufficient to outweigh the absence of marketing of the premises and justify the redevelopment of the site as a care home. Whilst there would be some loss of amenity to principal windows that directly overlook the site, the extent of harm coupled with the benefit of providing additional specialist residential accommodation is sufficient to ensure no conflict with Policy 33 of the HDPF.
- 6.31 Accordingly, and notwithstanding the conflict with Policy 9, the proposed demolition of the existing vehicular garage and erection of a 7 bed residential care home is considered to comply with Policies 32, 33 and 42 of the Horsham District Planning Framework 2015 and, subject to the imposition of conditions as set out below, is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

**It is considered that this development constitutes CIL liable development.**

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

- 1 Plans list
- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
- 3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
  - i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
  - ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
  - iii. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of any piling for foundations (if so required), the careful selection of plant and machinery and use of noise mitigation barrier(s)

- iv. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination; and
- v. details of public engagement both prior to and during construction works.

The approved details shall be adhered to throughout the construction period.

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

**4 Pre-Commencement Condition:**

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

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

**5 Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.

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

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

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

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

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

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

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

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

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

- 7 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development 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 all external lighting
- Details of management arrangements for all communal open space

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 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking and bicycle spaces have been constructed and made available for use in accordance with approved drawing number [20432 -106 Rev A] received on 13 December 2018. The car parking and bicycle spaces permitted shall thereafter be retained as such for their designated use.

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

- 9 **Pre-Occupation Condition:** No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified

in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of 6, 7, 8 and 9 Denne Parade in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10 **Pre-Occupation Condition:** The building hereby permitted shall not be first occupied unless and until provision for the storage of refuse and recycling has been provided in accordance with drawing number [20432 – 106 A] received on 13 December 2018. These facilities shall thereafter be retained for use at all times.

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

- 11 **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

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

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

- 13 **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 North Elevation of the development without express planning consent from the Local Planning Authority first being obtained.

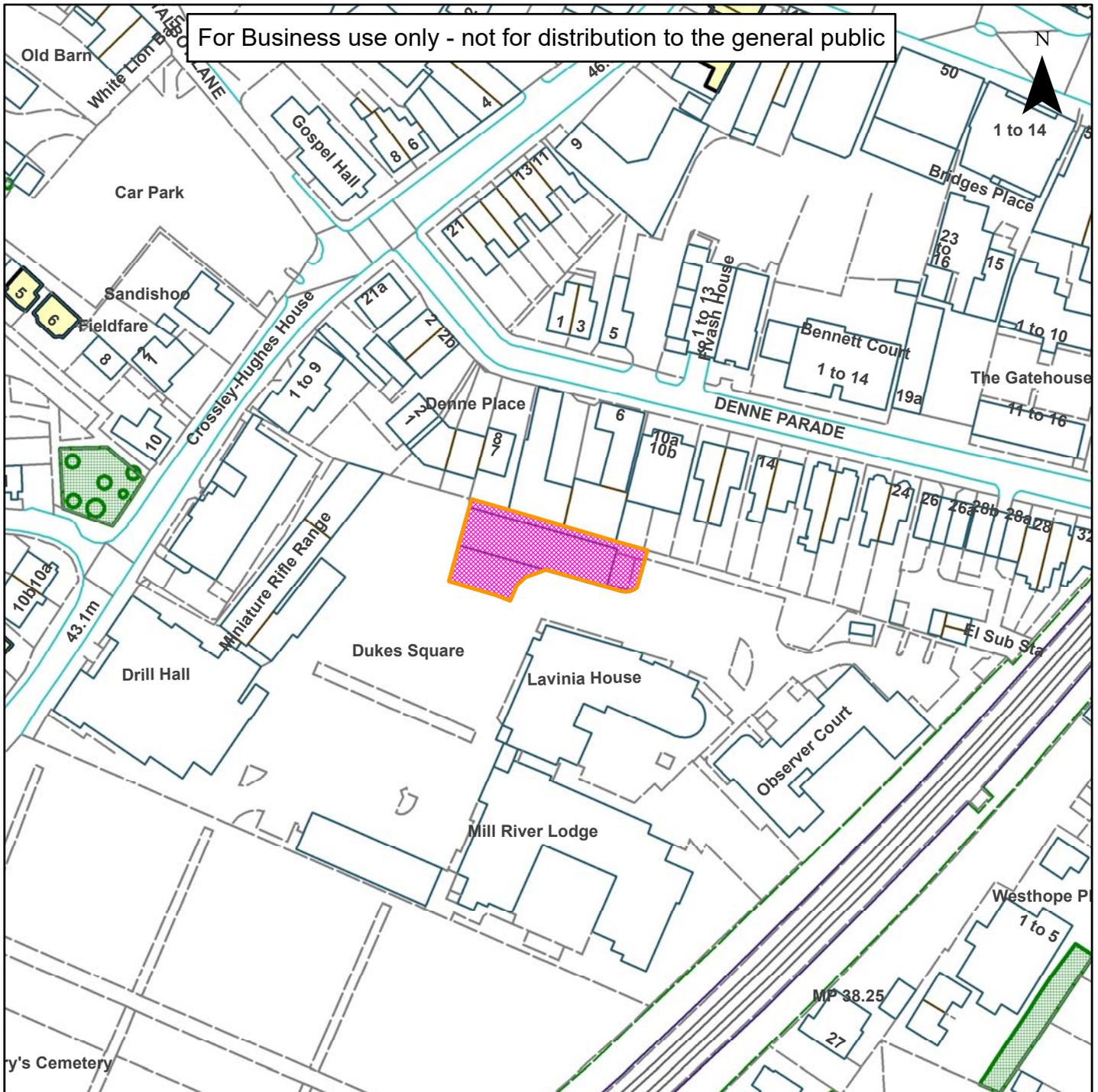
Reason: To protect the amenities of adjoining residential properties from loss of privacy and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for Care Home and for no other purposes whatsoever, (including those falling within Class C2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

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



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Organisation	Horsham District Council
Department	
Comments	
Date	21/02/2019
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 5 March 2019

**DEVELOPMENT:** Demolition of existing outbuildings and erection of a single storey detached dwelling

**SITE:** Beacon Hill Croft Tower Road Colgate Horsham West Sussex RH12 4SX

**WARD:** Colgate and Rusper

**APPLICATION:** DC/18/2613

**APPLICANT:** **Name:** Mr and Mrs C Strange **Address:** c/o Agent

**REASON FOR INCLUSION ON THE AGENDA:** The application, if approved, would represent a departure from the development plan

**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 the demolition of former agricultural /cattery outbuildings (307.9sqm) and the erection of a single storey 3 bed L shaped detached single storey dwelling (101sqm) with brick elevations under a pitch roof of similar size, height and scale to the previously approved 3 bed dwelling (conversion of existing out buildings) granted under DC/18/0249. The application includes 6 parking spaces, cycle storage and refuse and recycling facilities as well as associated residential amenity provision.

1.3 The dimensions of the proposed new dwelling are north elevation 7.8m, south elevation 15.37m and an overall maximum length along the east (and adjacent west) elevation of 22.39m. The proposed ridge height is approximately 5.5m. The proposed dwelling has four roof lights within the west elevation roof slope and a covered porch area to the east elevation and comprises changes to the internal layout previously approved under DC/18/0249. The application includes provision for 6 car parking spaces, and bicycle and refuse storage areas.

#### DESCRIPTION OF THE SITE

1.4 The application site is located within a countryside location which forms part of the High Weald Area of Outstanding Natural Beauty (AONB). The application site is located approximately 700m from Colgate, with a gated access to the property from Tower Road, a C class road linking the A264 and Forest Road, which both link Horsham and Crawley. The site also has a separate independent gated access which has been used to access the

cattery and the lawful use that has been operating from the site involving plant and machinery storage.

- 1.5 The site lies immediately to the south of Beacon Hill Croft and extends to approximately 0.3 hectares. The site is made up of a number of old agricultural buildings, mainly single storey in height, and an open yard area. The site is well screened from public view by mature hedging, shrubs and trees.

## **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 10 - Rural Economic Development

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 30 - Protected Landscapes

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 Colgate Parish has not been designated as a Neighbourhood Development Plan Area

#### **2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS**

DC/18/0249	Conversion and extension of existing outbuildings into a three-bedroom single storey dwelling. Demolition of remaining buildings with retention of one shed.	Application Permitted on 11.04.2018
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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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No Objection

## OUTSIDE AGENCIES

3.3 **WSSC Highways:** No Objection

3.4 **Southern Water:** No Objection

3.5 **High Weald Joint Advisory Committee:** Comment

It is the responsibility of Horsham District Council to decide whether the application meets the legislative and policy requirements in respect of AONBs. In the event that Horsham District Council considers the development of this site to be acceptable in principle, it is recommended that the following detailed requirements are met:

- Local materials such as wood and locally sourced bricks and tiles should be utilised and working chimneys and wood fuel storage incorporated to support the sustainable management of woodland in the AONB (Management Plan objectives S1 and W4);
- The High Weald Colour Study should be used to select the colours of external materials of structures so that they are appropriate to the High Weald AONB landscape;
- Native, locally sourced plants should be used for any additional landscaping to support local wildlife and avoid contamination by invasive non-native species or plant diseases (Management Plan objective FH3); and
- Controls over lighting should be imposed (Institute of Lighting Professionals recommended light control zone E1) to protect the intrinsically dark night skies of the High Weald (Management Plan objective UE5).

## PUBLIC CONSULTATIONS

3.6 **Colgate Parish Council:** No objection

The Parish Council would support the need for an environmental study, as already requested due to a long history of unknown commercial use on the site. They would also want to see that the plans remain the original footprint of the existing property.

3.7 No representation letters have been received.

## 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 considerations material to this application relate to the principle of development, and the impact and scale of the new dwelling and the effect of the development on the character of the surrounding countryside, AONB, and the visual amenities of the locality; the amenities of the occupiers and adjoining properties; and the impact on existing parking and traffic conditions as well as the quality of the resulting residential environment for future occupiers.

## Principle

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal moves to be considered in the context of paragraph 79 of the NPPF and policies 3, 4, and 26 of the Horsham District Planning Framework (HDPF).
- 6.4 HDPF Policy 3 and 4 advises that development will be permitted within towns and villages which have defined built up areas, and outside built up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The application site is located within the countryside outside of any defined settlement and is not allocated in either a Local Plan and there is currently no Neighbourhood Plan for the Parish of Colgate and thus the application proposals directly conflicts with these policies. On this basis the grant of this planning permission would represent a departure from the development plan.
- 6.5 The planning history of this site is a material planning consideration, as it relates to applications for dwellings both refused and latterly approved. The initial application for a dwelling on this site (ref: DC/14/1654) sought the demolition of the existing buildings and the erection of a single new build dwelling. This application was refused and subsequently dismissed at appeal as the site was considered isolated with limited accessibility, with the proposed dwelling taller than the existing and clearly residential in appearance with an extensive garden.
- 6.6 Subsequent to this, planning permission has recently been granted under DC/18/0249 for the conversion and extension of the existing outbuildings to create a single storey 3 bed detached dwelling. This permission was granted on the basis that by converting existing buildings, the resultant scale and form of the dwelling would largely reflect the scale and form of buildings already on the site. Allied to this was the consideration that the site was not truly isolated given its relative proximity to other dwellings and sustainable transport connections.
- 6.7 This most recent decision to grant permission for the conversion of the outbuildings to residential use under DC/18/0249 is a material planning consideration in the determination of the current application in that it represents a realistic fall-back position in the event that planning permission is not granted for the current proposals. Further, the proposed new build dwelling is of a similar scale, form and position such that the outcome of both the extant permission and this application would be largely similar. Consequently, whilst the proposal represents a departure from the development plan, the fall-back position established by way of the extant permission is considered of sufficient weight to justify the in principle grant of planning permission.
- 6.8 No issues have previously been raised in respect of the loss of the existing use(s) on the site, and since these applications, while the policy framework has changed there have been no changes to the condition or nature of the site which appears disused and in poor condition.

### External Design/Appearance

- 6.9 The current application proposals seek to demolish the existing outbuildings and to create a single storey detached 3 bed dwelling to replace the existing redundant agricultural/ cattery buildings, which the Council has previously accepted 'detracts from the immediate surroundings'. The proposed new dwelling will retain the size and scale (derived from the height, depth and footprint) of the former agricultural buildings to be converted as previously permitted, but it would be construction from more modern materials, although it is noted would not incorporate renewable energy technology into the design.
- 6.10 The proposed new residential dwelling is contained largely within the existing footprint and scale of the existing buildings and similar to the building envelope of the previously approved dwelling created from the conversion of the existing outbuildings, as granted under DC/18/0249. The footprint would be marginally wider than that of the existing approved dwelling by approximately 0.5m. However, essentially the original character would be retained and the 'L' shaped building as previously approved would be recreated by the new build. The dimensions of the proposed new dwelling are north elevation 7.8m, south elevation 15.37m with an overall maximum length along the east (and adjacent west) elevation of 22.39m. The proposed ridge height is approximately 5.5m. This is comparable to the previously approved dwelling created by the conversion of the existing out buildings. The difference in footprint arises from the marginal increase in width and the additional pitch roofed porch area which has been added to the eastern elevation.
- 6.11 It has already been established by virtue of the previous permission (DC/18/ 0249) that the sub division and resulting plot size of the site is considered satisfactory within the locality and there is no change to this position arising from the current proposals. The proposed new dwelling would be sited in the same position as the dwelling previously approved (from the converted outbuildings) and is well set back from the road frontage, therefore there are limited views from the public highway as the site is well screened by existing vegetation and trees. Any views of the site would be seen in context of the existing curtilage of Beacon Hill Croft and it is therefore considered that the proposals would not harm the natural beauty of the High Weald Area of Outstanding Natural Beauty.
- 6.12 It is accepted that in their current form the existing redundant agricultural / cattery buildings are considered to detract from the immediate surroundings, and that as the extant permission allows a single storey detached dwelling of a comparable size and scale within the same plot, along with the fact that the use of the buildings and site for residential purposes has been previously established, it is considered in this case that the proposed new dwelling is acceptable and would lead to enhancement of the immediate setting and the appearance of the site.
- 6.13 It is therefore considered that the visual impact would accord with policies 25, 30, 32 and 33 of the HDPF

### Amenity

- 6.14 Policy 33 of the HDPF allows for developments which do not cause unacceptable harm to the amenity of nearby properties and land through overlooking or noise having regard to the sensitivities of surrounding development.
- 6.15 It is considered that the nature of the proposed use as a domestic dwelling would not lead to levels of noise or disturbance above that normally expected for residential use. There is good separation distance between Beacon Hill Croft and the application buildings, and other sporadic properties within the locality.
- 6.16 Overall, given the siting, scale and proximity of the proposed dwelling, no issues of overlooking, overshadowing, or overbearing is envisaged given that the nearest dwelling is well separated from the application site. It is not considered that the proposed dwelling which

is of modest proportions and viewed within the context of Beacon Hill Croft would result in any visual harm to the character of the countryside of AONB. The proposal is therefore considered to be acceptable on amenity grounds and is in accordance with Policy 33 of the Horsham District Planning Framework (2015) and the NPPF.

### Highways

- 6.17 The proposed dwelling would be accessed via an independent access off of Tower Hill, previously used for access to the cattery. Whilst occupiers of the proposed dwelling would be reliant on a car, the level of journeys made would be less than those previously associated with the business use of the site.
- 6.18 Additionally, The Highways Authority have advised that they have no objections given the scale of the proposals which would be unlikely to result in any adverse impact on adjoining highways. No safety concerns have been raised. The proposal is therefore considered to be acceptable in highways terms subject to the imposition of conditions relating to parking and cycling provision. The proposals are considered to be on accordance with policy 41 of the Horsham District Planning Framework 2015.

### Other Matters

- 6.19 Environmental Health have been consulted and any residual concerns can be addressed through the imposition of appropriate conditions. This includes matters relating to potential land contamination from previous uses of the site. There are no immediately adjoining intensive agricultural uses taking place which could lead to odour or noise nuisance for future occupants.

### Conclusion

- 6.20 In conclusion, the principle of a new 3 bed single storey dwelling has already been approved through the conversion of the existing buildings on this site under planning ref: DC/18/0249, and as such provides the applicant with a fall-back position in the event that planning permission is not forthcoming for the proposed new dwelling. As such, given that the proposed new 'replacement' dwelling subject to the current application is of a similar scale, design and appearance to that granted by the extant permission, the outcome and impact of this application would be largely identical. For this reason the proposed new dwelling is considered to be acceptable as a departure from the development plan.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

**It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	206.9	307.9	0
<b>Total Gain</b>			
<b>Total Demolition</b>			

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

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

## 7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

1 Plans list

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

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

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

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

4 **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

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

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

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

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

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required. The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

The EAS Ltd report submitted addressing some of the points above and as such the only outstanding requirement would be a validation report to demonstrate that the remediation have been completed satisfactorily.

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

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

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

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

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

- 7 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, 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).

- 8 **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).

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

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

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

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

- 11 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

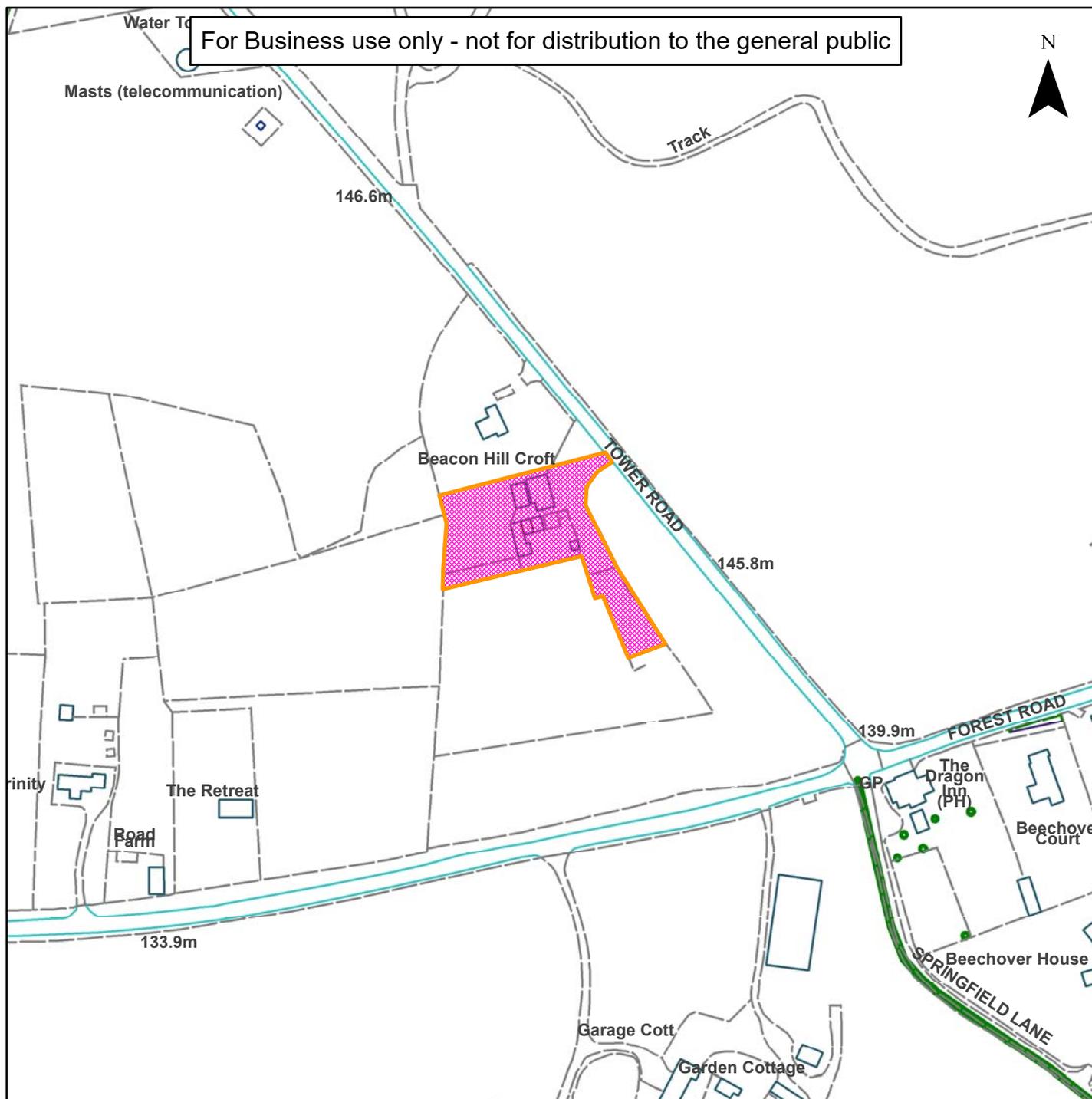
- 12 **Post Occupation Condition:** Upon the occupation of the dwellinghouse hereby permitted the existing buildings indicated by the hatched lines on plan FE01 C shall cease to be used for any purpose whatsoever and within a period of 2 months thereafter such existing buildings shall be demolished (including the removal of foundations) and all materials arising from such demolition removed from the site.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

- 13 **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, E, and F 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 character of the site and surrounding area in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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Comments	
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