



Email: committeeservices@horsham.gov.uk
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Planning Committee (South)

Tuesday, 18th December, 2018 at 2.30 pm
Conference Room, Parkside, Chart Way, Horsham

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

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

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

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

5. Appeals 13 - 14

Applications for determination by Committee:

6. DC/18/1543 - Plot 3, Bramblefield, Crays Lane, Thakeham 15 - 28

Ward: Chanctonbury
Applicant: Mr William Mitchell

7. DC/18/1114 - Bridge Garage, Henfield Road, Cowfold 29 - 38

Ward: Cowfold, Shermanbury & West Grinstead
Applicant: Mr Mick Clark

8. DC/18/1810 - 37 High Street, Steyning 39 - 54

Ward: Steyning
Applicant: Mr Cameron Robertson-Aitken

9. DC/18/1811 - 37 High Street, Steyning 55 - 62

Ward: Steyning
Applicant: Cameron Robertson-Aitken

10. DC/18/1962 - Land southwest of Martins, The Street, Thakeham 63 - 74

Ward: Chanctonbury
Applicant: Mr and Mr J and J Withrington

11. DC/18/0450 - Hobjoins, Hyde Street, Upper Beeding 75 - 88

Ward: Bramber, Upper Beeding & Woodmancote
Applicant: Steve Black

12. DC/18/1583 - Hope Cottage, Shoreham Road, Small Dole 89 - 96

Ward: Bramber, Upper Beeding & Woodmancote
Applicant: Mr and Mrs Powell

13. Urgent Business

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

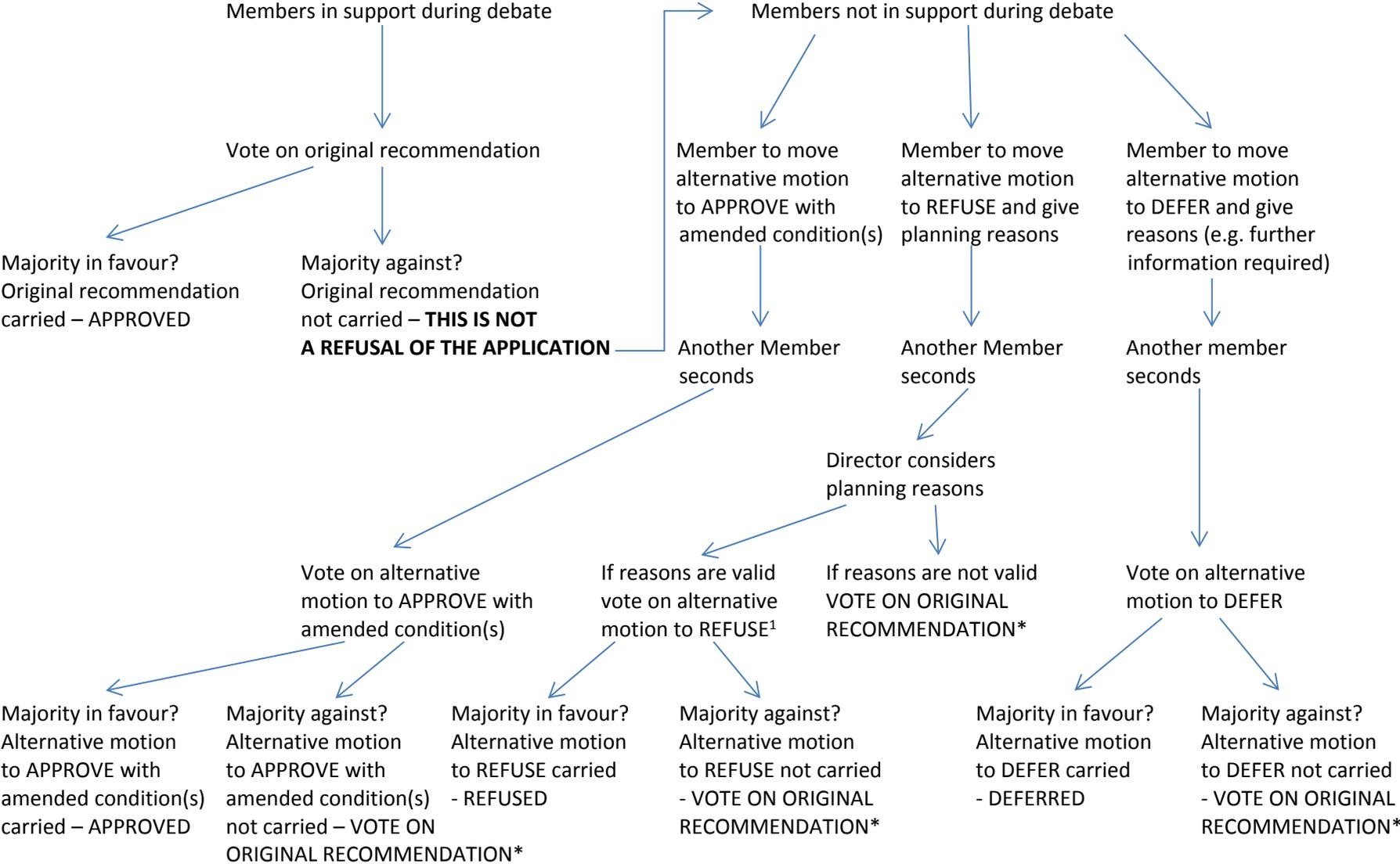
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
20 NOVEMBER 2018

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Karen Burgess, Philip Circus, David Coldwell, Ray Dawe, Brian Donnelly, Nigel Jupp, Lynn Lambert, Gordon Lindsay, Tim Lloyd, Paul Marshall, Mike Morgan, Kate Rowbottom, Jim Sanson, Ben Staines, Claire Vickers and Michael Willett

Apologies: Councillors: Jonathan Chowen and David Jenkins

PCS/44 **MINUTES**

The minutes of the meeting of the Committee held on 16 October 2018 were approved as a correct record and signed by the Chairman.

PCS/45 **DECLARATIONS OF MEMBERS' INTERESTS**

Councillor Nigel Jupp declared an interest in item DC/18/1087 as he knew the applicant and some objectors to the application.

Councillor Jim Sanson declared an interest in item DC/18/1695 as he owned property on the same road as the application site.

The above Councillors left the meeting room for the duration of the respective items.

PCS/46 **ANNOUNCEMENTS**

There were no announcements.

PCS/47 **APPEALS**

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

PCS/48 **DC/18/1087 - BAILEYS FARM, BROOKS GREEN ROAD, COOLHAM**

The Head of Development reported that this application sought permission for the erection of an office building with 24 parking spaces and access track from Brooks Green Road. The building and parking area would be on an area of farmland south of a group of office and light industrial buildings, extending the industrial estate by approximately 22 metres. The proposed 184 metre access track would use an existing crossover point from Brooks Green Road.

The application site was located outside the built-up area boundary approximately 380 metres from the North Coolham crossroads, immediately to the south of a small industrial estate. Baileys Farmhouse, a Grade II Listed building, was to the north adjacent to Brooks Green. There was agricultural land to the south, and a row of houses along Brooks Green Road, where William Penn Primary School was located.

Members were provided with an update that the HDC Landscape Officer had commented to say they raised no objections to the application but in respect of the details required by condition 6 (landscaping works), the applicant be advised to include a native hedgerow along the southern boundary to soften the appearance of the development

The Parish Council supported the application. There had been 32 objections, and two letters commenting on the proposal had been received. The applicant and the applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; landscape and visual effects; impact on highways and parking; impact on the nearby listed building; and neighbouring amenity.

Members considered the benefits to the local economy that extending an established industrial park would bring, and concluded that the increased level of activity would not have a harmful impact on the rural location.

RESOLVED

That planning application DC/18/1087 be granted subject to the conditions as reported.

Informative to be added advising the applicant that the landscaping details to be submitted for approval under condition 6 to include a native hedgerow along the southern boundary to soften the appearance of the development.

PCS/49 **DC/18/1695 - LAND SOUTH OF KITHURST LANE, STORRINGTON**

The Head of Development reported that this application sought permission for the construction of a storage barn and retention of an access. The barn would measure nine metres by six metres with open bays on the southern and western sides.

The land was managed by the Norbertine Order, the applicant and volunteers. The barn would be used to store machinery used for land maintenance as the current store arrangements would shortly cease to be available with the lease due to expire. The existing store was located within the nearby monastery at Our Lady of England Roman Catholic Church, run by the Chemin Neuf Community, who are also a Roman Catholic Order.

The application site was located outside the built-up area south of Storrington. It lay between a cemetery to the south, Kithurst Lane to the north, a residential plot to the west and an open area called Matt's Wood to the east. Our Lady of England Monastery was to the north, off Kithurst Lane. The planning history of the site, including the vehicular access, as printed in the report was noted by the Committee.

The Parish Council objected to the application. Objections from 14 households had been received. One additional letter of representation had been received since the publication of the officer's report expressing a concern for exterior lighting. The applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: principle of development; design and appearance; trees and landscaping; impact on Storrington Conservation Area; the amenity of neighbouring residents and occupiers; and highways impacts.

Members noted the scale and siting of the barn and the specific needs of the Norbertine Order in this rural location, and concluded that there would be no significant adverse harm to the rural setting.

RESOLVED

That planning application DC/18/1695 be granted subject to the conditions as reported with one additional condition to be added: 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).

PCS/50 **SDNP/18/03927/FUL - CASTLE LANE, CASTLE FARM, NEW BARN ROAD, AMBERLEY**

The Head of Development reported that this application sought permission for the change of use of a detached annex serving Castle Farm into an independent dwelling. The existing walled garden and pool area would be the new dwelling's amenity space and one of the attached garages to the rear would be allocated to it. No external alterations to the annex, access or parking area were proposed.

It was clarified by the presenting officer that the application was being considered by the committee as the proposal was contrary to the Amberley Neighbourhood Plan as well as the Local Plan.

The application site was located outside the built-up area to the west of Amberley. It was accessed off Castle Lane along a privately maintained drive

shared with Castle Farm, the main dwelling. Amberley Castle lay to the east and there was countryside to the north and west. The annex currently included two bedrooms.

The Parish Council objected to the application. No further representations had been received. The applicant's agent addressed the Committee in support of the proposal.

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

Members considered the location and how it related to the settlement of Amberley and concluded that the proposal would not harm local amenity or have a significant impact on traffic in the area. Members therefore concluded that it was in accordance with national and local planning requirements and it was acceptable on this occasion to make an exception to the policy requirements of Policy HD 1 of the Amberley Neighbourhood Plan and the Local Plan.

RESOLVED

That planning application SDNP/18/03927/FUL be granted subject to the conditions and reasons as reported.

PCS/51 **DC/17/2564 - OAK TREE VIEW AND LANE TOP, NUTBOURNE ROAD, PULBOROUGH**

The Head of Development reported that this application sought permission for the removal of conditions 2 and 3 to permission DC/10/0586 for the use of land for the stationing of two caravans for settled gypsy accommodation and the retention of two existing caravans, one with a temporary permission. The conditions related to personal occupancy restrictions.

The application to remove these conditions had been granted by the Committee in February 2018 (Minute No. PCS/66 (20.02/18 refers). Following the determination of the application, the decision was challenged through a Judicial Review. In light of the Judicial Review, the former decision had been quashed and the application was again a 'live' application to be re-determined by the Committee. The challenge through the Judicial Review related to the interpretation of the County Council's Highway comments and how these were presented to committee. Following the Judicial Review, subsequent comments from the Highway Authority had been received which clearly stated no objection. Details of the background to the Judicial Review and the revised Highway comments were noted by the Committee.

At committee, the presenting officer updated the members on additional letters which had been received from adjacent properties objecting to the proposal, since the report had been written. The objections were as follows:

- The lack of consultation on the proposal.
- The principle of the proposal.
- Road safety and highway concerns regarding the access and visibility splays from Nutbourne Road.

The presenting officer stated that the letters did not raise any new material considerations. The officer stated that, in terms of the principle of the proposal, this was addressed in the committee report. It was also stated that WSCC Highways have assessed the highway matters raised in the letters and were satisfied that the additional letters of objection do not raise any new points that have not been considered as part of their assessment of the application. The committee report was a fair assessment and reflection of their latest comments.

The presenting officer also stated that an additional condition was recommended that no external lighting shall be erected or placed on the land without the written approval of the Local Planning Authority. This condition was on the original permission and it is appropriate for this condition to be carried over to this proposal.

The application site was located The application site was located about 1.7 kilometres west of Pulborough and 500 metres south of Nutbourne in the countryside, although there were a number of properties close to the site. It was screened by trees, hedging and fencing and accessed by a driveway off Nutbourne Road. The site included a stable-block and paddock and there was an occupied barn on the site.

The Parish Council raised no objection to the application. There had been 18 objections from 17 households. 4 additional letters of objection had been received since publication of the report. Three members of the public spoke in objection to the application and the applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: policy background; the sustainability of the development; design and appearance; its impact on neighbouring amenity; and highway considerations.

The presenting officer clarified that since the last committee and following on from the judicial review, revised comments have been received from WSCC highways which confirm that they have no objection to the proposal on the grounds of highway safety and access. The comments of WSCC Highways were outlined in full in the report. A copy of the full comments were also shown to the committee on a slide.

Members were also reminded of and taken to the relevant paragraph of the NPPF relating to highways impact.

For clarity, it was stated that the proposal does not include re-imposing the previous conditions in relation to drainage details and visibility splays. The reasons for not re-imposing these conditions were outlined in the report in detail.

It was also stated that the proposal does not include the re-imposition of the previous condition relating to the removal of permitted development rights for extensions (condition 10 of DC/10/0586). This was because the condition was not required given that mobile homes do not benefit from normal permitted development rights as enjoyed by residential dwelling houses.

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

RESOLVED

That planning application DC/17/2564 be granted subject to the conditions as reported with one additional condition: No external lighting shall be erected or placed on the land without the written approval of the Local Planning Authority. Reason In the interests of the character and amenity of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The meeting closed at 3.49 pm having commenced at 2.30 pm

CHAIRMAN



Planning Committee (South)

Date: 18th December 2018

Report on Appeals: 08/11/2018 – 05/12/2018

1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/18/0553	Land West of Badgers Wood Spinney Lane West Chiltington Pulborough West Sussex RH20 2NX	13/11/2018	Refused	N/A
DC/18/1429	Burletts Clays Hill Bramber Steyning West Sussex BN44 3WD	13/11/2018	Refused	N/A

2. Live Appeals

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

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/18/0345	Sunnydell Coolham Road Brooks Green Horsham West Sussex RH13 0JW	Written Representation	08/11/2018	Refused	N/A
DC/18/0650	The Old Telephone Exchange High Street Partridge Green Horsham West Sussex RH13 8HR	Written Representation	28/11/2018	Refused	N/A
DC/18/0783	The Old Dairy Home Farm Cowfold Road Coolham West Sussex RH13 8QJ	Written Representation	28/11/2018	Refused	N/A
DC/18/1007	Stables South of Rowfold Lodge Coneyhurst Road Billingshurst West Sussex RH14 9DD	Written Representation	08/11/2018	Refused	N/A

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/18/0209	Steyning Football Club Shooting Field Steyning West Sussex BN44 3RQ	Written Representation	Dismissed	Prior Approval Required and refused	N/A
EN/18/0080	Whiteoaks Shoreham Road Small Dole Henfield West Sussex BN5 9SD	Public Inquiry	Dismissed	—	N/A
EN/18/0080	Whiteoaks Shoreham Road Small Dole Henfield West Sussex BN5 9SD	Written Representation	Dismissed	—	N/A
DC/17/1375	Whiteoaks Shoreham Road Small Dole Henfield West Sussex BN5 9SD	Written Representation	Dismissed	Application Permitted	Refused



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Change of use of agricultural land to a private Gypsy and Traveller caravan site.

SITE: Plot 3 Bramblefield Crays Lane Thakeham West Sussex

WARD: Chanctonbury

APPLICATION: DC/18/1543

APPLICANT: **Name:** Mr William Mitchell **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period with a view contrary to the recommendation, and, at the request of the Parish Council who wish to speak

RECOMMENDATION: To grant permission subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks to station a mobile home on the western edge of the site with hard-standing for parking and access allowing space for a touring van to be stationed to the north, and providing a permanent day room to the southern side.

1.3 The mobile home and day room would be clad in timber weather-boarding, with the day room having a footprint of some 6m x 6m with a ridge height of some 4m.

1.4 The proposal includes a provision for the site area to be reduced along the eastern side by some 10m, and subsequently landscaped and provided with a bench, enabling wider public use of this area, in the form of a 'pocket park'. Additional trees and hedgerows are to be planted along the re-aligned eastern boundary as well as to the south and east of the proposed mobile home.

DESCRIPTION OF THE SITE

1.5 The application site forms a small site area (approx 0.3ha), reached by way of a single track lane and public right of way which also serves a number of small parcels of land which have been sub-divided for small-holding purposes. The site lies in a hilltop location, at the junction of two public rights of way (footpaths), some 230m north of the built-up area

boundary of Thakeham. It is bounded on all sides by a reasonably dense hedgerow, with two gates providing access from the northern edge. Ground levels slope gently across the site with the western side lying higher than the eastern side (height difference of around 3m

- 1.6 The existing site layout includes a number of timber structures along the western boundary, and what appears to be a new timber stable block, providing one stable and an associated tack / store room. There is a sizable area of concrete hard-standing to the north-western corner of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

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 21 - Strategic Policy: Gypsy and Traveller Sites Allocations
- Policy 22 - Gypsy and Traveller Sites
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities
- Policy 43 - Community Facilities, Leisure and Recreation

2.4 Supplementary Planning Guidance:

- Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) - Preferred Strategy
- Thakeham Parish Design Statement (2002)

2.5 RELEVANT NEIGHBOURHOOD PLAN

- Thakeham Neighbourhood Plan – Made January 2017
- Policy 1: Spatial Plan for the Parish
 - Policy 6: Design
 - Policy 8: Sub-division of Agricultural Land
 - Policy 9: Development in the Countryside
 - Policy 10: Green Infrastructure and Valued Landscapes

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/11/1755	Retrospective permission for stock fencing and 12 foot galvanised gate	Application Permitted on 18.10.2011
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A former agricultural building was converted to a dwelling to the east of the application site, with the dwelling now known as Bramble Barn (ref: DC/16/0272). The permission was granted at appeal, with the Inspector considering that the access track was surfaced and 'a short distance from the village' and was not sufficiently divorced from services and utilities to be considered isolated.

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Strategic Planning:** Comment:-

- It is acknowledged that the sites allocated through Policy 21 of the HDPF have yet to come forward and therefore, the Council is currently still unable to demonstrate an up-to-date 5 year supply of deliverable sites. This is a significant consideration in terms of the determination of this planning application and would weigh in favour of the proposal, provided that the proposed development does not significantly depart from the criteria laid out in policy 23 of the HDPF and the PPTS.
- The application site has not been assessed as part of the 'Gypsy & Traveller' DPD process.
- In terms of compliance with policy 23 (1) of the HDPF, it is noted that part (d) states that the site should be located in or near to existing settlements, within a reasonable range of local services and community facilities, in particular schools and essential health services. In this case, the application site is located approximately 250m north from the Built-up Area Boundary (BUAB) of Thakeham, approximately 330m from a first school (in Thakeham) and approximately 3km from a doctor's surgery (The Glebe) in Storrington. There is no doctor's surgery in Thakeham. Thakeham is classified as a "smaller village" in Policy 3 of the HDPF "villages with limited services, facilities, social networks but with good accessibility to larger settlements"
- In addition, policy 23 (1) (b) and (e) of the HDPF in relation to highway safety and the impact upon the character and appearance of the area should be considered by the Case Officer in this case. Policy 23 (1) (e) is of particular significance given the location of the site in the countryside and the landscape issues associated with the site.
- However, as summarised, the proposed development has the potential to conflict with policy 23 (1) (b) and (e) and indeed policy 25 of the HDPF in terms of its impact on the character and appearance of the surrounding landscape.

3.3 **HDC Landscape Architect:** No Objection:-

- The proposal is not considered to introduce any greater level of activity than is already present in the adjoining plots and by virtue of the topography would not introduce any significant harm to the wider landscape character.
- The site is located outside the BUAB of Thakeham. The field is situated on the high ground on the brow of a hill open and surrounded on all sides by hedges. The land slopes gently down from the north western corner to the south eastern edge. The proposed built form and caravan site will sit on the higher part of the land to the north on existing hardstanding, replacing the existing buildings.

- The site is located on the southern edge of a group of smaller plots - each plot having different uses - from storage of vehicles and materials to allotments. Some have habitable buildings on them and others have a variety of sheds.
- The plot and its neighbours do not display the landscape characteristics of the open land to the south towards Crays Lane. The location is such that the plots are not read as being part of the open fields to the south and form a distinct enclave.
- A narrow access road leads to the site from the village PROW 2475 also follows along this route for most of the way diverting Northeast at the south eastern corner of the site where it meets with PROW 2399. The location of the built day room and static home would be barely visible from the crossing point of the two PROWS due to the curving away nature of the landform and relative height of the viewer and intervening hedge and height of vegetation in the lower part of the field.
- The site lies within the character area F1 Pulborough, Chiltington and Thakeham farmlands. The character of these farmlands are typified by the undulating mixed farmland landscape of arable and horticulture, with small areas of pasture. There is development pressure on this declining landscape and in areas where there is moderate inter-visibility, the overall sensitivity to change can be described as moderate. The site itself - partly due to the subdivision of the land and boundary treatments does not display the open characteristics of the surrounding landscape - nor do they afford 'moderate' inter-visibility - except from the access road used by the owners of the plots. Rather each plot is enclosed and the level of activity is more intensive as a result - creating a distinct pattern and character.
- The landform falls sharply away from the southern boundary towards Crays Lane and this again prevents any views into the site as the viewer approaches from the fields in a northerly direction. So, the site is again, not read in relation to these open pastures.
- The applicant proposes a scheme of soft landscaping which aims to help integrate the development into the landscape. This should assist further in screening the proposal from the PROWS which lie on lower land to the south of the site.
- Conditions are advised to secure hard and soft landscaping details

3.4 **HDC Conservation:** No Objection. The Thakeham conservation area will not be harmed by a traveller and gypsy site at plot 3 Bramble Lane

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

- No objections subject to advised conditions to include means of treatment and sewage disposal, external lighting, control on delivery and installation of development and no burning on site
- It is also noted that the proposal will require a caravan site license

3.3 **HDC Waste and Refuse:** Comment:-

- The refuse lorry currently accesses Chequers at the southern corner of the lane, and this is the only point the vehicle can turn
- Access would therefore not be possible further along the lane

OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection:-

- Vehicular access to the public highway is via Cray's Lane. Both Cray's Lane and Bramble Lane are narrow with limited opportunities for 2 vehicles to pass each other. However, the area is rural in nature and traffic levels and speeds are likely to be very low.
- Visibility from Bramble Lane to the south is limited due to the horizontal alignment of the carriageway and 3rd party land. However, the proposal is for 1 dwelling only which

will generate a small level of traffic and considering traffic speeds along Cray's Lane are likely to be low, is therefore acceptable to the highway authority.

- As Bramble lane is; narrow with no passing places, a Public Right of Way (footpath) and visibility to the south is limited any additional development on the site will require further consideration by the Highway Authority.
- A construction management plan (CMP) in relation to the planting/landscaping proposals is required. The plan should also include how the mobile home will enter the site ie showing there is sufficient room within Cray's Lane and Bramble Lane for a low loader carrying a mobile home to manoeuvre into and out of Bramble Lane from the public highway. The plan will also need to show there is sufficient room on site for the mobile home delivery vehicle to turn and re-enter Bramble Lane/Cray's lane in a forward gear.
- No highway objection subject to the submission of a detailed CMP.

3.7 **WSCC Rights of Way:** Comment:-

- Public Rights of Way (PROW) Footpath 2475 and Footpath 2478 run to the south and east of the proposed development, within the red line of the planning application boundary. It is understood that the vehicular access to the proposed development is to be via these PROW.
- It is noted that the current Land Registry title to Plot 3 Bramblefield does not extend to include the footpaths. Public vehicular rights do not exist along the PROW and the Applicant should not assume private access rights along the PROW unless these can be lawfully demonstrated by (1) ownership of the land across which access is proposed to be gained or (2) by such rights being conferred to them by the owner of the land. The Local Planning Authority should ensure that the Applicant is made aware that it is a criminal offence to drive a motor vehicle along a footpath in the absence of a private vehicular right of access and that no parking is permitted on the PROW.
- It should be noted that the rights of the public take precedence over private rights and, therefore, all vehicular movements along the footpath must give way to pedestrians.
- The Applicant should submit designs to demonstrate adequate visibility splays for vehicle movements along the PROW and entering and exiting the PROW.
- Further notes are advised regarding the protection of the PROW

PUBLIC CONSULTATIONS

3.8 **Parish Council:** Objection:-

- Site is in an unsustainable location outside of the BUAB, and subject to a current agricultural designation, subject to problematic level of sub-division
- Clear conflict with HDPF 26 and policies TNP1, TNP8, TNP9 of the Made Thakeham Neighbourhood Plan.
- Proposal fails on at least 4 of the 5 listed HDPF Policy 23 criteria:
 - Access to the site depends on a single-track private lane and it is not clear if the applicant has rights of way / easements over it
 - Services to the site are currently only suitable for livestock - no waste / sewerage disposal arrangements
 - Not within the BUAB
 - Introduction of permanent mobile home in this sensitive hilltop location would have a significantly detrimental impact on landscape character
- The Parish Council wishes to speak at committee in the event it is recommended for approval

3.9 Representations have been received from 66 addresses objecting for the following reasons:-

- Already enough designated gypsy / traveller sites in the area

- Proposed area outside of allocated sites identified in DPD - strategy identifies that there will be need for just 40 additional sites between now and 2027 and has identified sites adequate to provide 68
- Sufficient allocated land and alternative sites set out in local policy
- Conflict with local planning policies - isolated rural location Require ongoing monitoring and regulation
- Prohibited residential use of small-holding sites
- Adverse impact on other small-holding plots
- Adverse impact on character and area of natural beauty
- Overdevelopment
- Poor location
- Significant development in Thakeham in last two years
- Highly visible on skyline - impact on conservation area views
- Inappropriate use of agricultural land
- Contrary to Neighbourhood plan
- Provision of day room constitutes a dwelling in itself
- Danger to other road users by way of vehicles towing trailers
- Increase in traffic - danger to other road users (horse riders and walkers) - unmade and narrow lane
- Use of suggested 3.5tonne lorry would destroy lane
- Increased disturbance to other residential properties adjoining the lane
- Difficulties in accessing the site in an emergency
- Increased strain in infrastructure
- Not served by safe and convenient pedestrian access
- Not served by essential services etc
- Precedent for other small-holders in area applying for similar
- Description would allow for further intensification of the site
- Does not take account of adjacent land holder's access rights over land to access two gates at eastern end
- Development in the area on small-holdings without planning permission - continuing breaches
- Question what provision is made for waste removal

3.10 1 representation has been received supporting the proposal for the following reasons:-

- The provision of a 'pocket park'
- provision of accommodation for one family won't impact on rural location and traffic unduly

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

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

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

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

6. PLANNING ASSESSMENTS

Background

- 6.1 The Council has recently successfully defended appeals against the refusal of planning permission for settled gypsy accommodation on land at Whiteoaks near Small Dole (ref: DC/17/1375) and at Millers Mead in Nuthurst (ref: DC/17/2534). As part of these appeal decisions the Inspector noted that the wording and objectives of Policy 23 of the HDPF are consistent with the new NPPF, and that while the unmet needs within the District for residential sites for Gypsies, Travellers and Travelling Showpeople, was a consideration of significant weight it did not automatically trigger the 'tilted balance'. Accordingly, the decisions were made in accordance with the development plan.

Principle of Development:

- 6.2 The NPPF seeks to foster 'sustainable development' which includes a social objective, in seeking to ensure that sufficient number and range of homes can be provided to meet the needs of present and future generations. In considering the provision of rural housing, the NPPF advises that decisions should reflect local needs. To be read alongside the NPPF, paragraph 27 of the 'Planning Policy for Traveller Sites' (PPTS) states that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites; this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.3 The application site is located within a countryside location which is afforded a significant degree of protection by Policy 26 of the HDPF and by policy 'Thakeham1' of the Thakeham Neighbourhood Plan (TNP). The Thakeham Neighbourhood Plan (TPNP) also sets out an objective to 'safeguard the best and most versatile agricultural land for sustained food production', with policy Thakeham8 stating that development on agricultural land subdivided into holdings of less than 0.4 hectares and involving the erection of small structures will be resisted. However, the Planning Policy for Traveller Sites (PPTS) implicitly accepts that gypsy and traveller sites may be located in rural areas, albeit that the PPTS does indicate at paragraph 25 that development in open areas, or outside areas allocated in the development plan, should be strictly limited. It is therefore considered that subject to detailed landscape character considerations the location of the site within the countryside, and the resulting conflict with the above policies, would not, in itself, justify a refusal of planning permission.
- 6.4 Policy 21 of the HDPF, 'Gypsy and Traveller Site Allocations', makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017 in order to fulfil the backlog of unmet need identified through the Council's current Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2013). The policy confirms that Horsham District Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Site Allocations DPD. A number of sites allocated through Policy 21 of the HDPF have though yet to come forward and therefore the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites. This shortfall in pitches is a consideration of significant weight in the determination of this application.
- 6.5 The application site is not specifically allocated as a Gypsy and Traveller site in the HDPF. Policy 23 of the HDPF sets out the criteria that the Council will take into account in considering planning applications for gypsy accommodation on non-allocated sites (for clarity these criteria will be referenced throughout the assessment section of this report).
- 6.6 Criterion (d) of Policy 23 indicates that whether the site is located within a reasonable distance of a range of local services and community facilities, in particular schools and essential health services be taken into account. The nearest settlement is Thakeham

which is approximately 460 metres to the south (as measured from the access to the proposed pitch). Thakeham is identified by Policy 3 of the HDPF as a 'smaller village' where residents are reliant on larger settlements to access most of their requirements. This is though noted to be common for all recently constructed development in Thakeham, including that at the current Abingworth development site. The Abingworth development includes provision for new services within the village, including a store and nursery which are in the process of being provided, which would potentially meet some of the needs for occupiers of the proposed development.

- 6.7 It is considered that while occupiers may need to travel further afield for many services this would not, given the services being brought forward in Thakeham, be a daily necessity. The site is in reasonably close proximity to Thakeham such that pedestrian access is a distinct possibility. It is therefore considered that in principle the location of the site and relative proximity to the village boundary would accord with the aims of criterion (d) of Policy 23, with the scale of development not at a level which would 'overdominate' the character and scale of Thakeham. There are no significant barriers to development on the site, with no issues identified in respect of flooding, drainage, ground stability or contamination and as such there is no conflict with criterion (a) of Policy 23. The highway impacts, and whether safe and convenient pedestrian access is available (criterion b); servicing arrangements (criterion c); and landscape impacts (criterion d) are considered elsewhere in this report.

Landscape Character:

- 6.8 Criterion (e) of Policy 23 of the HDPF states that development proposals for gypsy and traveller accommodation should not have an unacceptable impact on the character and appearance of the landscape, and should be sensitively designed to mitigate any impact on its surroundings.
- 6.9 The site lies within an area characterised by farmlands typified by the undulating mixed farmland landscape of arable and horticulture, with small areas of pasture. Following a site visit it was apparent that a number of plots in the locality incorporate established field boundaries, fencing and gates, with many seemingly in use as small-holdings and including a number or related (small-scale) structures, including shepherd huts on wheels, polytunnels, pig arcs of sheds and other forms of structures used for shelter and stores.
- 6.10 The application site does not display the open characteristics of the surrounding landscape, and is not particularly visible except from the adjoining access road, due to the subdivision of sites and the enclosed nature of boundaries. As a result there is only limited visual connection with the wider open characteristics of the larger fields that lie to the south and north-east and the site and immediate surrounds form a distinct enclave.
- 6.11 As a result of the above factors it is considered that the modest scale of development proposed would not result in any adverse visual harm to the site itself or the landscape character of the wider surrounds. The level of development across the site would be a modest increase over and above the existing grouping of sheds and stable block, the physical form and nature, including the use of timber cladding, would lead to a visually recessive form of development on the site. A landscaping plan has been submitted which would help integrate the development into the landscape and further assist screening the proposal from wider public view. For the reasons outlined it is considered that the visual impact of the proposal accords with relevant local and national planning policies.

Impact on neighbouring amenity:

- 6.12 HDPF Policies 23 and 33 of the HDPF requires consideration be had to the resulting amenities of neighbouring occupiers of nearby land and property, for example, through overlooking or noise.

- 6.13 The application site is separated by an access track and public right of way with a resulting gap of approximately 6m between the application site and the neighbouring property to the east, Bramble Barn. However, the cumulative gap between the proposed mobile home / day room and the front of the neighbouring building would be approximately 118m, which is considered sufficient to ensure no significant harm to adjoining properties. The scale of the development would similarly be sufficient to prevent any significant harm to users of adjoining land.
- 6.14 The proposal, including the introduction of the pocket park along the eastern edge, would not lead to any further loss of residential amenities on the new dwelling at Bramble Barn, over and above the existing use of the lane as a PROW, which is stated to be well-used. It is suggested that a condition be added to secure details of the final layout and landscaping scheme of this eastern area / pocket park.
- 6.15 Overall, it is not considered that the scheme as proposed would have an adversely harmful impact on the privacy or amenity of the occupiers of the neighbouring residential property, Bramble Barn.

Highways Impacts / Public Right of Way:

- 6.16 Criterion (b) of Policy 23 requires that site's for gypsy and traveller accommodation are served by a safe and convenient vehicular and pedestrian access, and that proposals should not result in significant hazard to other road users. This is supported by Policies 40 and 41 which require, amongst other matters, safe and suitable vehicular access and adequate parking facilities. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.17 As set out in the 'principle' section of this report, the site is considered to be in reasonable proximity to Thakeham such that pedestrian access is a distinct possibility. The majority of access would be along a footpath, adopted as a public right of way, which provides vehicular and pedestrian links to the centre of Thakeham. The remainder of the access comprises a narrow private lane with limited passing places. The scale of the proposed development would though be expected to generate a modest number of trips and the nature of the access means any vehicular movements would be at a low speed. While private vehicular rights may be present rights of the public take precedence over private rights and therefore any vehicular movements along the footpath must give way to pedestrians. Taking into account the above it is considered the access arrangements would be adequate for vehicles and pedestrians, and the potential for conflict between vehicles and pedestrians would be minimal.
- 6.18 It should be noted that a former agricultural building was converted to a dwelling to the east of the application site, with the dwelling now known as Bramble Barn (ref: DC/16/0272). The permission was granted at appeal, with the Inspector considering that the access track was surfaced and 'a short distance from the village' and was not sufficiently divorced from services and utilities to be considered isolated.
- 6.19 In terms of proposed parking levels at the property the development would provide for parking and turning space within the property for at least two vehicles, along with the touring caravan. The proposed layout would be sufficient to meet the needs of the development and can be secured through an appropriate condition.

Trees and Ecology:

- 6.20 Policy 31 of the HDPF seeks to support development which retains, enhances and maintains existing networks of green infrastructure and habitats, as the proposal includes the provision of additional native planting and trees on the site. A landscaping proposal to identify all hard and soft landscaping elements across the site has been submitted, including future maintenance arrangements for the open space at the corner of the site, and this can be secured through an appropriate condition.

Conclusions and Planning Balance:

- 6.21 In conclusion, it is acknowledged that the Council cannot currently meet the identified backlog of unmet gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF. The Council has prepared a revised Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) - Preferred Strategy - which is still undergoing review.
- 6.22 The site's location within the countryside and at a modest distance from the nearest local services, accessible along a designated PROW have been taken into account, along with the likely additional increase in vehicular movements to/from the site given the single new residential pitch being proposed on the site. Although the site would be located in a rural area, it is located adjacent to a recent barn conversion, and where the sub-divided nature of the adjacent small-holding plots would not be overwhelmed as a result of the proposed development. It is therefore considered that the amount of resulting development would not lead to harm to the rural character and nature of the locality.
- 6.23 It is considered that there would be a modest benefit of providing further gypsy/traveller accommodation within the District, which would go some way to off-set the identified shortage of sites. The proposal is therefore considered to be in line with local and national planning policies and would not lead to a significantly harmful development.

7. RECOMMENDATIONS

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

1 **Approved Plans**

- 2 **Standard Time Condition:** The development hereby permitted shall begin 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 all existing storage buildings and structures on site have been removed from the land.

Reason: As this matter is fundamental in the interest of visual amenity and impact on the rural area in accordance with Policies 23, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

- 6 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works, including fences, gates and areas of hardstanding, and details of the 'pocket park', 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 Policies 23, 25, 31 and 33 of the Horsham District Planning Framework (2015).

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

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

- 8 **Pre-Occupation Condition:** Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

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

- 9 **Regulatory Condition:** Any touring caravans shall not be occupied by any person at any time whilst on the application site.

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework 2015.

- 10 **Regulatory Condition:** No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.

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

- 11 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy

- 12 **Regulatory Condition:** No more than 1 static caravan or mobile home, and no more than 1 touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), to be stationed on the site at any time.

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

- 13 **Regulatory Condition:** No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

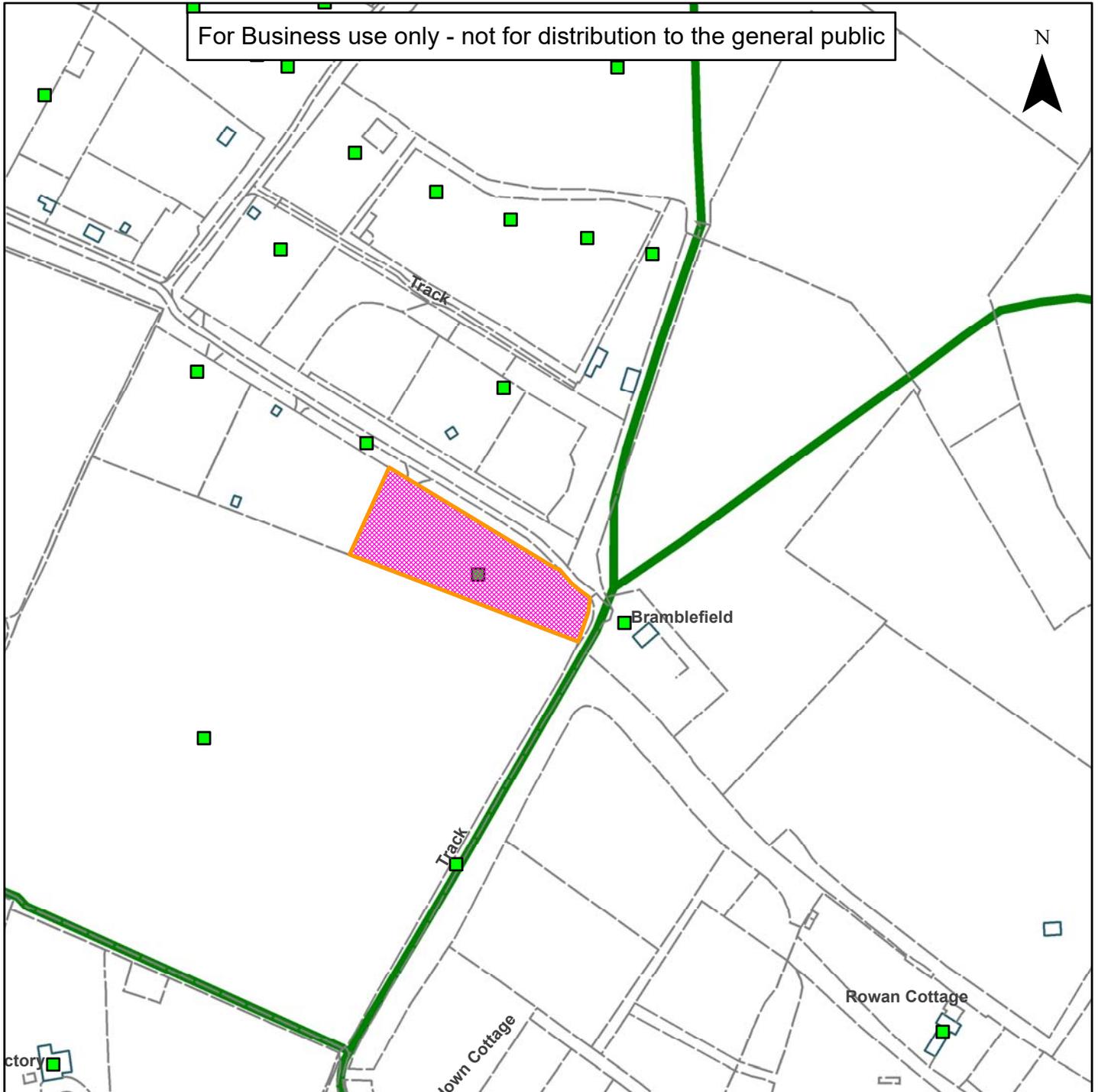
Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

Background Papers: DC/18/1543



Not Set

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/12/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Variation of conditions 15 and 16 to previously approved application DC/17/1279 (Proposed demolition of existing commercial unit and erection of replacement commercial unit with single flat on first floor). Amendments sought to approved opening and delivery hours.

SITE: Bridge Garage Henfield Road Cowfold Horsham West Sussex RH13 8DT

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/18/1114

APPLICANT: **Name:** Mr Mick Clark **Address:** Bridge Garage, Henfield Road Cowfold RH13 8DT

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period with a view contrary to the recommendation

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks to vary the opening hours and delivery hours which are currently restricted by conditions 15 and 16 of DC/17/1279. These conditions state:-

Condition 15:

1.3 The premises shall not be open for trade or business, and no trade deliveries taken or dispatched, except between the hours of 07:30 hours and 18:00 hours on Mondays to Fridays inclusive.

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

Condition 16:

1.4 No plant or machinery shall be operated, or processing carried out, on the premises before 07:30 hours or after 18:00 Monday to Friday, nor at any time on Saturday, Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of amenity of neighbouring properties and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 1.5 As originally submitted the application sought to vary the above conditions and allow hours of use and trade as follows:-
- 06:00 – 19:00 hours for transport and deliveries;
 - 07:00 – 18:00 hours for office opening and machinery operations; and
 - Operations extended to weekends and Bank Holidays as per the above hours
- 1.6 The supporting documents advise that the business provides crane and lifting devices hire locally and further afield. In some instances, the equipment is required overnight and therefore returned to the site after the imposed hours. The application has therefore been submitted to allow for equipment to be returned to site and securely locked outside of the current operating hours. In addition, in some instances equipment is also pre-loaded onto trailers to await early morning dispatch from the site in order to reach sites that are located some distance from the application site.
- 1.7 The submission advises that prior to demolition of the existing building (and its redevelopment as outlined in 2.5) the commercial use of the site was operating as set out in section 1.5 (above). This current submission has therefore been submitted to extend the hours permitted in DC/17/1279 to reflect the historical use of the site.
- 1.8 As part of the application process the applicant has clarified the nature of activities which would take place within the extended opening hours, for which consent is sought; these are set out below:-
- Movement of single vehicle held on Clark Lifting's Operator's License:
Mon-Sat 0600hrs – 1900hrs
 - Other external deliveries and collection via external transport contractors:
Mon-Fri 0800hrs – 1800hrs
Sat 0800hrs – 1400hrs
 - MOT/repair workshop and Clark Lifting Solutions operating hours:
Mon-Fri 0800hrs – 1800hrs
Sat 0800hrs – 1400hrs
 - Front forecourt trading hours:
Mon-Sun 0800hrs – 1800hrs

DESCRIPTION OF THE SITE

- 1.9 The application site concerns an established commercial site at the southern edge of Cowfold village, which has been in use as a car sales, repair and crane hire business for an extended period of time.
- 1.10 Permission was recently granted under DC/17/1279 for the demolition of the original building and for the erection of a replacement commercial unit, along with a first-floor residential flat. The commercial floor space would accommodate the existing occupants of the building, including commercial vehicle MOT repair, car / vehicle sales and a crane hire company. The occupation of the flat was, at the time of the approved application, considered suitable for open market occupation, and was not designated as being in any way tied to any of the businesses operating from the site.

- 1.11 The permission was granted subject to a number of pre-commencement conditions and regulatory conditions, some of which were imposed to protect residential amenity, including those of the first floor flat within the development site. This is reflected by conditions 15 and 16 which the applicant now seeks to amend.

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 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres

Policy 24 - Strategic Policy: Environmental Protection

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

The Cowfold Neighbourhood Plan is still at an early stage

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1279	Proposed demolition of existing commercial unit and erection of replacement commercial unit with single flat on first floor.	Application Permitted on 28.09.2017
DC/13/1818	Demolition of existing garage building, erection of new garage building for car sales, car and class 7 MOT testing, car repairs, equipment hire and repairs	Application Permitted on 12.02.2014

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No objection on the basis of the occupation of the first floor flat (within the application site) being tied to the business use in order to address concerns relating to the potential impact of hours of use in the absence of such a restriction.

PUBLIC CONSULTATIONS

- 3.3 **Parish Council:** Object. The condition was put in place to "safeguard the amenity on neighbouring properties", and we believe that this is still appropriate.

3.4 To date, letters of representation have been received from 12 different properties near to the application site. The following objections have been raised:

- Additional hours will add to existing noise levels along Henfield Road
- Additional pollution from HGV's in the village at weekends
- Already considerable noise at weekends caused by business premises - beeping from reversing large vehicles into the site
- Increased hours would affect traffic in the village at weekends

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 Policy 33 of the Horsham District Planning Framework (2015) seeks to ensure that development avoids unacceptable harm to the amenity of nearby property or land, for example through noise disturbance.

6.2 The current hours of use for the approved development scheme restrict any element of the commercial use of the site from operating before 07:30 hours or after 18:00 on a Monday-Friday, with no operations permitted at weekends and on Bank / Public Holidays (ref: DC/17/1279).

6.3 The existing commercial uses at the site, which are also to occupy the premises post-development, includes a car sales yard operating from the site forecourt. The operating hours for this element of the use are proposed as 08:00 – 18:00 hours Monday through to Saturday. It is considered that this use would not involve any activities which would be expected to generate significant potential for harmful levels of noise or disturbance, with the main activity the movement of vehicles. It is therefore considered that the proposed operating hours, as set out above, are acceptable and would not result in significant harm to neighbouring amenity.

6.4 The remainder of the site comprises a vehicular MOT / workshop and a crane / lifting hire business. These uses involve a number of activities which have potential to impact on neighbouring amenity. In response to concerns regarding the proposed extended hours the applicant has provided greater detail as to times during which specific activities would take place on the site. The core hours of these businesses would be 08.00 – 18.00 Monday to Friday, and 08.00 – 14.00 on Saturdays. This does not represent a significant increase over the originally permitted hours, with the key change opening on Saturdays. The introduction of Saturday working is not considered objectionable in principle, particularly given the original commercial building had no restrictions on operating hours, and the hours sought would not be considered unsociable.

6.5 In respect of the activities taking place at the site which would take place outside of the above hours these primarily relate to vehicular movements associated with crane / lifting

hire equipment. These movements relate to larger items of equipment which require loading onto trailers that need to be parked on the public highway, loaded and then driven away to sites that same day. These manoeuvres would usually happen in the early hours of the morning so that the equipment can reach its destination before rush hour traffic. This has been defined as activities of single vehicles held on 'Clark Lifting's Operator's License', and would allow loading / unloading between the hours of 06:00 – 19:00hours Monday to Saturday. This part of the business is stated to be occasional, and therefore generally happens outside of normal 'business hours'.

- 6.6 It is considered that the extended openings hours would be acceptable provided the conditions are amended to reflect the specific nature of the proposed use. The site is located within the southern edge of Cowfold and while residential properties adjoin to the north and west the presence of a building and highway provides a meaningful buffer which would mitigate potential noise disturbance. The amended conditions, nos. 11, 12, 13 & 14, would retain control over operating hours to ensure activities which do take place outside of 'normal' opening hours are of a type and nature which would not lead to significant potential for harmful levels of noise or disturbance. In addition, the existing permission, includes conditions which remain relevant to the current application relating to the need for an acoustic survey for plant and a mitigation strategy; this remains relevant and would also be a condition as part of the current application.
- 6.7 The applicant has advised that the first floor residential unit would be occupied by persons connected with the ground floor commercial uses of the site; this is in contrast to the original permission which proposed the unit as potentially occupied as open market housing. The Environmental Health Team has raised concerns that if the unit were occupied by tenants not associated with the commercial uses there would be potential for harmful levels of noise and disturbance. In recognition of the applicant's intention for the first floor residential unit a condition is therefore recommended to require occupancy to an association with the ground floor commercial uses of the site. This would be considered sufficient to resolve any potential issues between contrasting uses on the site.
- 6.8 Concerns raised by way of public representations refer to additional pollution caused by traffic on the public highway, and beeping from reversing vehicles, which can be switched off within the vehicles as part of management practices within the site.
- 6.9 In conclusion, the proposal to vary the stated conditions, resulting in the creation of a new permission and associated regulatory and development conditions, has been considered within the context of the NPPF and the presumption in favour of sustainable development, and Local Policies set out within the Horsham District Planning Framework (2015).
- 6.10 Subject to the addition of appropriately worded conditions, the proposal is considered to be in accordance with HDPF policies 1, 2, 3, 7, 9, 32, 33, 40 and 41.

7. RECOMMENDATIONS

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

1 **Approved Plans**

2 **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. Details shall include oil trap gullies and petrol / oil interceptors owing to the nature of the commercial operations on the site. 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).

- 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. Details shall include oil trap gullies and petrol / oil interceptors owing to the nature of the commercial operations on the site. 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-Occupation Condition:** Prior to first use no internally and externally located plant shall be operated until an assessment of the acoustic impact arising from the operation has been undertaken in accordance with BS 4142:2014 and submitted to and approved by the Local Planning Authority. Where the assessment identifies potentially adverse impacts a scheme of attenuation measures to mitigate any adverse impacts shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved by the Local Planning Authority shall be fully installed before the use hereby permitted commences and shall be operated for as long as the use is continued.

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

- 5 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the recommended mitigation measures set out within the submitted Acoustic Associates Sussex Ltd Industrial Noise Assessment (Car Sales and Car Workshop) dated 03/05/2015 and referenced J1312 shall be fully implemented and subsequently tested to demonstrate the achievement of the required sound reduction. The test report, and any identified mitigation in the event that tests demonstrate potential concerns, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation and the approved mitigation measures shall thereafter be permanently retained, unless otherwise agreed in writing by 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-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all boundary walls and/or fences, including compound fencing, shall have been submitted to and approved in writing by the Local Planning Authority. No building hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that building (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 7 **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 (including garages) for vehicles, turning space, loading / unloading and access facilities shall be submitted to and approved in writing by the Local Planning Authority. No building 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).

- 8 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition [1] are complete, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required. ed report.

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).

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

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

- 10 **Regulatory Condition:** The car sales business shall not be open for trade or business, and no trade deliveries taken or dispatched, except between the hours of 0800 hours and 1800 hours on Mondays to Saturdays. No trade or business shall be conducted on Sundays, Bank Holidays and Public Holidays.

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

- 11 **Regulatory Condition:** The MOT / workshop and general premises comprising the crane / lifting hire business, shall not be open for trade or business except between the hours of 0800 hours and 1800 hours on Mondays to Fridays, and between the hours of 0800 hours and 1400hours on Saturdays. No trade or business shall be conducted on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of amenity of neighbouring properties and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** Vehicular movements associated with the crane / lifting equipment hire by way of Clark Lifting's Operator's Licence shall not occur except between the hours of 0600 hours and 1900 hours on Mondays to Saturdays. No associated vehicular movements shall be conducted on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of amenity of neighbouring properties and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** There shall be no vehicular movements outside of the site associated with the crane / lifting hire business, except between the hours of 0800 hours and 1800 hours on Mondays to Fridays, and between the hours of 0800 hours and 1400hours on Saturdays. No associated vehicular movements shall be conducted outside of the site on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of amenity of neighbouring properties and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** No plant or machinery shall be operated, or processing carried out, on the premises, including jet-washing and servicing of cars, except between the hours of 0800 hours and 1800 hours on Mondays to Fridays, and between the hours of 0800 hours and 1400hours on Saturdays. No plant or machinery to be operated on the site on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of amenity of neighbouring properties and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** The occupation of the first floor residential unit hereby permitted shall be limited to a person solely or mainly working, or last working, in connection with the commercial uses carried on at the application site.

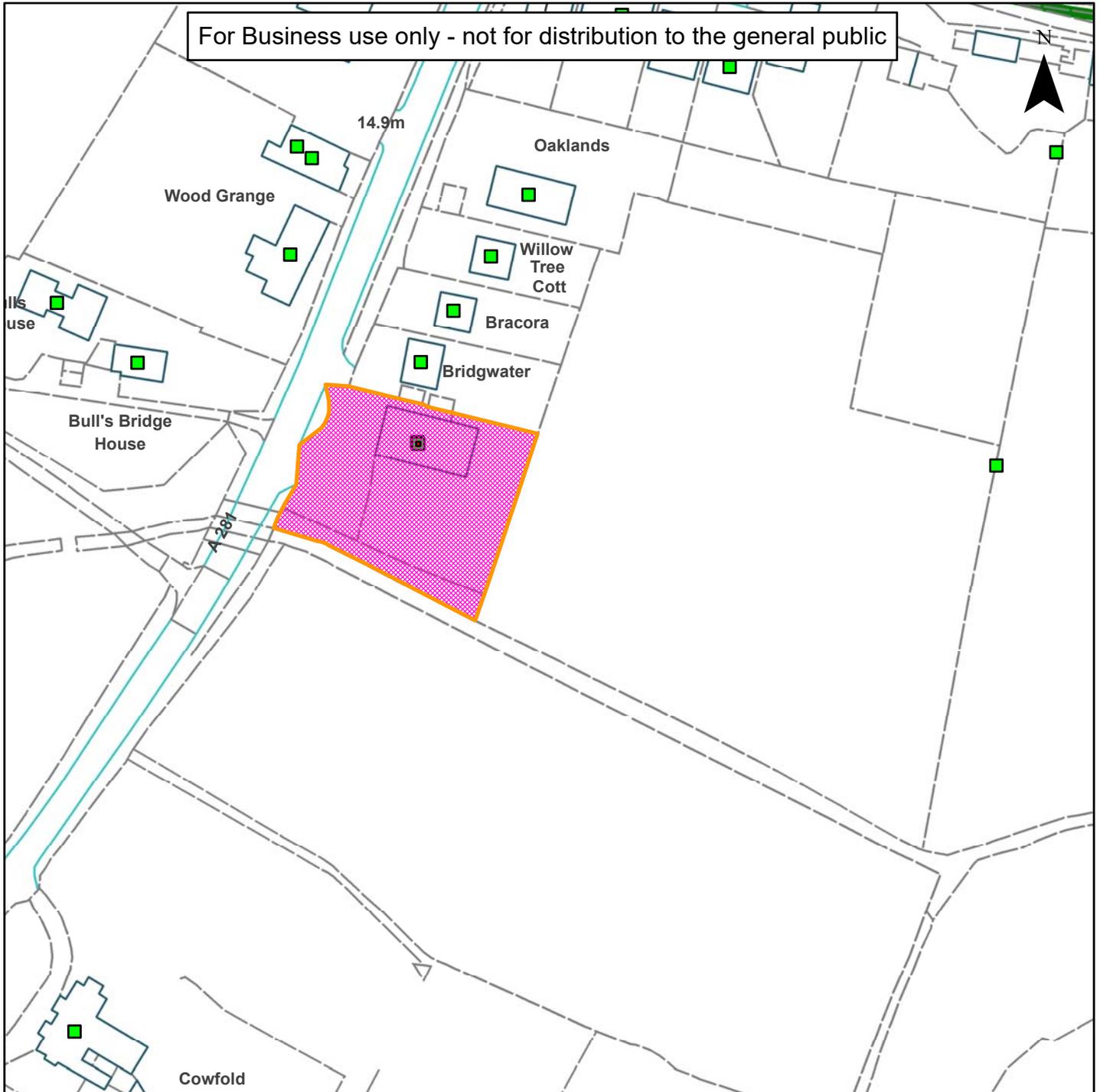
Reason: In the interests of ensuring that the commercial use(s) at the site do / does not lead to an unsatisfactory relationship between independent unit of living accommodation contrary to Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/1114
DC/17/1279



Not Set

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/12/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING REPORT COMMITTEE

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Proposed conversion of former Lloyds Bank to provide 1no. retail unit and 4no. flats, the erection of 2no. dwellings to rear yard area, and conversion of existing barn to 1no. dwelling, with associated car parking (Full Application)

SITE: 37 High Street Steyning West Sussex BN44 3ZA

WARD: Steyning

APPLICATION: DC/18/1810

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

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

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

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

Flat 2 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 80sqm; Flat 3 would provide 2 no. bedrooms and measure to a floor area of approximately 114sqm; with Flat 4 providing 3 no. bedrooms, and measuring to a total floor area of approximately 108sqm. The 2 no. ground floor flats would each include a rear courtyard that would measure 17sqm and 13sqm respectively. A communal garden area would be provided to the south-west of the building, measuring to a total coverage of approximately 40sqm, which would be positioned between the rear yard of the neighbouring property to the south.

- 1.5 The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials. The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.
- 1.6 The application also proposes the conversion of the existing barn to the south-west of the site to a 1-bed dwelling and the erection of 2 no. two-bed dwellings within the rear yard.
- 1.7 The existing barn is positioned to the south-west of the site, and lies directly adjacent to Charlton Street. The proposal would involve internal and external alterations to facilitate the change of use to a 1-bed dwelling, which would have a total floor area of 75.2sqm. The proposal would include the internal subdivision of the ground floor to incorporate a kitchen and bathroom, and an internal staircase installed to provide a bedroom on a mezzanine level. The proposal would incorporate 2 no. rooflights to the eastern roof slope, with the addition of new doors to the south and west elevations.
- 1.8 The 2no. semi-detached dwellings within the rear yard would be positioned along the northern boundary of the application site, and would measure to 16.95m in length and 5.5m in depth. The proposed dwellings would extend over two storeys and would incorporate a pitched roof measuring to an overall height of 6m, with an eaves height of 3.36m. A single storey front projection would measure to a depth of 1.2m and would incorporate a mono-pitched roof extending from the main roofslope. The proposal would incorporate roof lights to the front elevation, with a flat roof dormer to the rear of each dwelling. The proposal would be finished in facing brick and tile hanging, with stone to the single storey front projection.
- 1.9 Private amenity space would be positioned to the east and west of each dwelling amounting to an approximate area of between 20sqm and 14sqm respectively. The amenity space would be separated from the communal parking area by a 1.1m high brick wall and closeboarded fence measuring to an overall height of 1.8m.
- 1.10 Each of the 7 no. dwellings would be provided with 1no. allocated parking space, with areas of landscaping positioned to the front of the 2no. new dwellings, and to the side (south) of the converted barn.

DESCRIPTION OF THE SITE

- 1.11 The application site consists of a Grade II Listed Building which lies within the built-up area and Primary Shopping Area of Steyning, and sits within the designated Conservation Area of Steyning.

- 1.12 The site is surrounded by a mix of retail, commercial, and residential properties, many of which consist of Grade II Listed Buildings, including in particular those opposite and adjacent to the either side.
- 1.13 The site's current lawful use is for a bank (A2) use on the ground floor, with a single 4-bed flat to the first floor. The business unit is accessed from the central door to the front of the building, with separate access provided to the first floor flat through an entrance door off-set to the side of the frontage.
- 1.14 The neighbouring properties sit along the frontage of High Street to the west of the application site, with ancillary buildings positioned directly to the north of the site. A converted barn to the north-west of the site is used as an independent residential dwelling

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

- 2.4 Steyning Parish Conservation Appraisal

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Steyning Parish Neighbourhood Plan
- Designated (Regulation 7)

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2702	Conversion of existing barn to form 1 No. residential unit and re-development of the rear of the site to create 3 No. three-storey town houses (Full Planning)	Withdrawn Application on 23.01.2017
DC/17/2620	Proposed erection of 2 no. 3-bedroom dwellings and conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works,	Application Refused on 18.05.2018

drainage works, car parking, refuse storage and cycle storage (Full Application)

DC/17/2625 Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Full application) Withdrawn Application on 23.05.2018

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Strategic Planning:** No Objection. The principle of the proposal is not considered to conflict with policy. The site is located within the built-up area boundary of Steyning, a small town/larger village as defined by Policy 3 of the HDPF. As such, an increase in residential density to provide additional residential units is supported in principle. The proposal would also be subject to the retention of a commercial use on the ground floor, with an active frontage. This would contribute towards footfall, and the vitality and viability of the retail centre.

3.3 **HDC Conservation:** Objection:-

- The principle of conversion of the frontage building is acceptable, with the internal alterations proposed acceptable. The proposed extensions to the ground floor are designed with flat roofs to avoid fouling first floor windows. The provincially classical character of the rear elevation could carry flat roofed extensions, provided these are detailed to reinforce the historical architectural character.
- The proposed conversion of the barn at the rear is acceptable in principle. This building does positively contribute to the Conservation Area, and a more intensive use will ensure it is maintained and repaired in the future. The alterations will not prevent it from being recognised as a historic barn.
- The proposed two additional dwellings in the garden is of concern. The style of the building does not respect or relate to the type of building that might be expected in this context. The polite character of the rear elevation of the frontage building was designed and detailed to reflect the use of the land at the rear of the property as a predominantly domestic space rather than a light industrial or commercial space. This is suggested by historic map evidence which shows this area as garden in the nineteenth century. The proposed two dwellings and associated increase in hardstanding and boundary walls are considered to harm the setting of the Listed Building, and would result in overdevelopment of the site. It would be preferred to retain the garden space as a soft buffer between the rear of the house and any parking areas if necessary.
- Officer note – design changes have been made to the proposal after receipt of the comments from the Conservation Officer

3.4 **HDC Environmental Health:** No Objection.

OUTSIDE AGENCIES

3.5 **WSCC Highways:** No Objection:-

- The layout has been amended to provide for eight car parking spaces across the development. From an inspection of the plans these are of suitable dimensions to be counted toward allocated parking. There is 6 metre space rear of these to allow a turn on site. On the basis of the spaces remaining unallocated (first come first serve) the WSCC Car Parking Demand Calculator envisions a total demand for eight spaces. The LHA are therefore satisfied that the parking meets the requirement of the development though would advise that spaces remain unallocated.
- If any overspill on-street parking was to occur there is limited space for this on the eastern side of Charlton Street in vicinity to the site. This is an existing practise that causes a noticeable narrowing of the available carriageway space and is not anticipated to be exacerbated over the existing situation. Double yellow lines on the west side of Charlton Street and nearby junction protection markings prohibit on-street parking in locations that would be deemed a detriment to highway safety.
- The existing vehicle crossover will be used to access the car parking spaces. The access and internal route within the site is restrictive and not wide enough to allow two cars to pass. However, considering the scale of the proposed scheme and the lightly trafficked low speed nature of Charlton Street, the LHA could not substantiate highway safety grounds to resist the application on the proposed access arrangements.
- The LHA 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.

3.6 **Archaeology Consultant:** No Objection. The proposed development is within an area of high archaeological potential. Steyning is an urban centre of 7th to 8th century origin, but evidence of earlier activity has been identified in the wider area. The site in particular is within the historic core of the medieval town, with the plot potentially fossilising a medieval burgrave plot. As such, and considering that the site has been relatively undisturbed, it is advised that a programme of archaeological monitoring be undertaken during any groundworks to the rear of the property, to be secured through an appropriately worded planning condition.

3.7 **Southern Water:** No Objection

PUBLIC CONSULTATIONS

3.8 **Steyning Parish Council:** Objection for the following reasons:

- Design of the 2no. dwellings to the rear is out of character with adjacent Listed Building and Conservation Area
- Overlooking and loss of privacy to neighbouring property
- Cumulatively results in overdevelopment of the site
- Car parking layout will not function in practice
- Narrow and awkward access arrangement
- Intensify traffic, parking and access problems
- Limited amenity space

3.9 A total of 3 objections were received for the proposed development, and these can be summarised as follows:

- Overdevelopment of the site
- Intensification of traffic and parking issues
- Out of character with the designated Conservation Area

- Loss of amenity to neighbouring garden

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the conversion of the existing frontage building to provide 1 no. retail unit on the ground floor, with 4 no. flats; along with the conversion of the existing barn to the rear of the site, and the erection of 2no. 2-bed semi-detached dwellings.

Principle of Development

- 6.2 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages that have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy. In addition, Policy 12 supports the vitality and diversity of existing retail centres, promoting development that encourages suitable activities and uses within them.
- 6.3 The site lies within the built-up area of Steyning, which is categorised as a "Small Town and Larger Village" within the settlement hierarchy. These are settlements with a good range of services and facilities, with reasonable rail and bus services. In addition, Steyning village centre is categorised as a "Secondary Centre" under Policy 12 of the HDPF, where activities and a diversity of uses are encouraged and promoted. There is a presumption in favour of sustainable development within the built-up area, where residential development is considered acceptable in principle, subject to all other material considerations.
- 6.4 The proposal seeks to convert the existing bank (A2) to a small retail (A1) use to the ground floor frontage, with the conversion of the rear ground floor section and upper level of the building to create 4 no. flats. In addition, it is proposed to convert the existing barn to the rear of the site to 1no. residential flat, with the erection of 2no. residential dwellings within the rear yard.
- 6.5 Whilst the proposal would result in the loss of an A2 premises, Policies 12 and 13 of the HDPF promote a mix of uses within Town and Village Centres, where development that complements the vitality and viability of the centre is supported. The proposed A1 retail use would diversify the retail offering within the Primary Shopping Area, and introduce an active frontage within the designated Primary Shopping Frontage.
- 6.6 The proposed development would support the Steyning Local Centre and the principle of residential development is considered acceptable, subject to all other material considerations.

Design and Appearance

- 6.7 Policies 25, 32, 33 and 34 of the HDPF state that development should be of a scale, massing and appearance that is of a high standard of design and layout, which relates sympathetically to the built surroundings, landscape, and open spaces of the surroundings. Proposals should complement locally distinctive characters and heritage of the District, and should contribute to a sense of place in the buildings themselves and in the way they integrate within their surroundings and historic landscape to which they sit. Development should reinforce the special character of the historic environment through appropriate siting, scale, form and design, and should preserve and ensure clear legibility of locally distinctive vernacular.
- 6.8 Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials. This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.
- 6.9 The application seeks to convert the existing A2 premises to a retail unit and 2 no. flats on the ground floor, with 2 no. flats to the first floor. The proposed accommodation would include 2 no. extensions to the rear of the building, which would provide additional accommodation for the 2 no. flats to the ground floor. The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials. The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.

Frontage building

- 6.10 The proposed works to the existing building, including the proposed rear extensions, are considered to be of a scale, form and mass that would sit comfortably within the context of the Grade II Listed Building and the designated Conservation Area of which it forms a part. The proposed extensions are considered to relate sympathetically to the character and distinctiveness of the Listed Building, and are considered to be relatively minor additions that would not harm the character or appearance of the existing building. As such, the proposed alterations and extensions are considered to accord with Policies 32, 33, and 34 of the HDPF.

Conversion of barn

- 6.11 The proposed conversion of the existing barn to the rear of the site was previously accepted as part of an earlier application for listed building consent under ref: DC/17/2621. This consent included the conversion and associated alterations to the curtilage Listed Building. As with the existing consent the current scheme for planning permission would retain the historic fabric of the barn, with the addition of partitions and insulation internally to facilitate the conversion. The applicant has outlined the proposed methodology of works, which is

considered to utilise materials and building techniques that would preserve and ensure the clear legibility of the historic significance.

New semi-detached building

- 6.12 The site consists of a long and narrow plot whereby the hierarchy within the site reads as the principal building fronting the High Street, with open space immediately behind, and a subservient ancillary barn situated to the rear of the plot fronting the service lane. This setting directs that development should have a sense of hierarchy, with any development to the rear of a subservient nature to the frontage building adjacent to Steyning High Street.
- 6.13 The 2no. semi-detached dwellings within the rear yard would be positioned along the northern boundary of the application site, and would measure to 16.95m in length and 5.5m in depth. The proposed dwellings would extend over two storeys and would incorporate a pitched roof measuring to an overall height of 6m, with an eaves height of 3.36m. A single storey front projection would measure to a depth of 1.2m and would incorporate a mono-pitched roof extending from the main roofslope. The proposal would incorporate roof lights to the front elevation, with a flat roof dormer to the rear of each dwelling. The proposal would be finished in facing brick and tile hanging, with stone to the single storey front projection.
- 6.14 It is acknowledged that concerns have been raised by the Design and Conservation Officer in respect of the proposed dwellings to the rear of the frontage building. In response to these concerns design amendments have been made in an attempt to better reflect the traditional and utilitarian vernacular of surroundings buildings.
- 6.15 It is recognised that the surrounding Conservation Area comprises similar backland development within the yard area of the frontage buildings. The proposal would consist of a modest mews-style development which would incorporate a projecting element and varied material palette to provide visual relief along the frontage. Following amendments to the scheme, the proposal now incorporates a more traditional form, with the use of a diverse material palette comprising a mix of brick, tile hanging and stone, considered to provide visual relief and interest. The proposed dwellings would be of a scale that would reflect the character of its setting, which is generally dominated by backland development, being subservient in scale and height to the frontage building and relating to the build pattern of the surroundings. As such, the proposal is considered to sit appropriately within the historic environment of which it forms without harm to townscape character of the designated Conservation Area or the setting of adjacent listed buildings. The proposed development is therefore considered to accord with Policies 25, 32, 33, and 34 of the Horsham District Planning Framework (2015).

Landscaping

- 6.16 Policy 33 of the HDPF states that development should relate sympathetically with the built surroundings and landscape, and should presume in favour of the retention of existing important landscape and nature features, and use high standards of landscaping where appropriate.
- 6.17 The application site is located within the built-up area and designated Conservation Area of Steyning. The site comprises a historic yard which has most recently been used as a garden space, characterised by laid grass and a range of shrubbery. There are no landscaped features of particular merit or amenity value, with the proposal seeking to remove the trees within the site to accommodate the parking area and 2 no. dwellings.
- 6.18 Whilst the proposals involve the loss of the existing vegetation within the rear yard, this is not generally considered to be of high amenity value important to the character of the wider area. A tall pine tree central to the site is to be removed which the Council's tree officer has advised that it is not of high amenity value or a major contributor to the conservation area and as

such would not be considered suitable for a tree preservation order. The tree officer has raised no objection to its loss accordingly.

- 6.19 The proposal would provide some soft landscaping to the frontage of the 2no. proposed new dwellings and to the side of the converted barn. While the proposal would lead to the loss of some landscape features, given the context of the application site within the built-up area and designated Conservation Area, it is not considered that such loss would lead to harm. It is therefore not considered that the proposal would result in sufficient harm to justify a reason for refusal on landscape grounds.

Impact on neighbouring amenity

- 6.20 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.21 The site and surroundings are characterised by their mixed use, with most of the properties within the vicinity consisting of A1 and A2 uses on the ground floor and residential properties above. To the north-west and south-west of the site there are a number of residential properties, including a converted barn now in residential use.
- 6.22 The proposed development would subdivide the existing building into 1 no. retail unit and 4 no. flats across the ground and first floor. The proposal would involve no new openings, with 2 no. single storey extensions proposed to the rear of the dwellings. The proposed development would result in an intensification in use of the existing building, with the subdivision of the building creating a net increase of 3 no. flats within the building. Whilst this increased level of activity could result in an increase in noise disturbance and general activity, given the location of the site within the village centre, it is not considered that this would result in substantial harm to the amenities of neighbouring properties. In addition, it is recognised that mixed retail and residential uses already exist within the vicinity, and as such the nature of the proposal, would not be expected to result in poor living conditions for future occupants. As such, the proposal is not considered to result in severe harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 6.23 The proposed 2 no. dwellings would be positioned directly adjacent to the northern boundary, within approximately 0.4m of the shared boundary. The proposed dwellings would be positioned parallel to an existing utilitarian building to the north which is used in connection with the Funeral Home that operates on the neighbouring site. The dwellings would also be positioned to the rear of the frontage building, subject of conversion to 4no. residential flats under the current application.
- 6.24 Whilst the dwellings would be positioned in close proximity to the northern boundary, it is considered that the proposal has been designed at a scale, mass, and bulk to limit impact upon the neighbouring properties. The number of openings have been restricted, and it is considered that the size and siting of these openings have been considered to address potential overlooking. Whilst the introduction of a built form in this location would result in an increased perception of overlooking, given the nature of the built-up area, and the close relationship between properties within the locality, is not considered that the proposal would result in substantial harm to the amenities or sensitivities of neighbouring properties. As such, the proposal is considered to accord with Policy 33 of the Horsham District Planning Framework (2015).
- 6.25 The 2 no. ground floor flats and the 2no. new dwellings would benefit from private amenity space to the north and east, and the north-east and south-west respectively. The 1-bed dwelling within the converted barn to the south-west would not incorporate any private amenity space, however it is acknowledged that the Steyning Recreation Ground is located

approximately 60m to the west of the proposed 1-bed dwelling. Given the town centre location, and the proximity of the site to public amenity space, it is considered that on balance there would be adequate access to open green space for the occupier of this property. As such, it is not considered that a reason for refusal could be substantiated on these grounds.

Highways Impacts

- 6.26 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
- 6.27 The application site is located within a sustainable village centre location, close to a number of bus stops and other public transport offerings. Whilst there are parking restrictions along the High Street comprising designated parking bays to the south side and single yellow lines to the north side, there are suitable alternative parking options in the wider area. This includes Pay and Display parking in the Public Car Park to the north of the site, and unrestricted on-road parking on both sides of Charlton Street and Newham Lane immediately to the rear/west.
- 6.28 The proposed development would utilise an existing vehicle crossover from the unclassified Charlton Street, with a total of 8no. parking spaces provided for the 7no. dwellings. These are of suitable dimensions to be counted toward allocated parking with an area of hardstanding provided to allow a turn on site. The WSCC Parking Demand Calculator envisions a total requirement of 8no. spaces to accommodate the parking needs of the development. Following consultation with WSCC Highways, it is considered that the total amount of parking would meet the requirement of the development.
- 6.29 If any overspill on-street parking was to occur, there is limited space for this on the eastern side of Charlton Street in proximity to the site. This is an existing practise that causes a noticeable narrowing of the available carriageway space but is not anticipated to be exacerbated over the existing situation. Double yellow lines on the west side of Charlton Street, as well as nearby junction protection markings, prohibit on-street parking in locations that would be deemed a detriment to highway safety. No objections on the grounds of parking provision are therefore raised.
- 6.30 For the reasons outlined it is considered that the proposed development would provide an appropriate level of on-site parking and would not have a severe impact on the highway network. Therefore, the proposal is considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

Housing

- 6.31 Policy 16 of the Horsham District Planning Framework relates to meeting housing needs. In particular, part 3 of this policy relates to the provision of affordable housing for all residential development of 5 or more dwellings. Part 3.b) states that on sites of between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or where on site provision is not achievable, a financial contribution equivalent to the cost to the developer of providing the units on site would be anticipated.
- 6.32 Since the adoption of this policy, the NPPF has been revised, with paragraph 63 stating that "the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)."
- 6.33 The NPPF no longer allows contributions for development proposals of less than 10 dwellings. As the most up to date policy guidance, an affordable housing contribution can no longer be required.

Conclusion

- 6.34 The proposed conversion and 2no. dwellings are considered to be of a scale, design and form that would be sympathetic to the character and distinctiveness of the site and wider landscape, whilst of a siting and orientation that would not materially harm the amenities of neighbouring properties. In addition, the proposal is considered to provide sufficient parking and turning space on site, and would not result in 'severe' harm to the function of the public highway network. As such, the proposal is considered to accord with policies 3, 25, 32, 33, and 41 of the Horsham District Planning Framework (2015).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	679.34		679.34
All Other Development	101.64		101.64
		Total Gain	
		Total Demolition	

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

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

7. RECOMMENDATIONS

- 7.1 It is recommended that the application be approved, subject to the following conditions.

1 **List of the approved plans**

- 2 **Standard Time Condition:** The development hereby permitted shall begin 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:** Notwithstanding previously submitted drawings, no development shall commence until the detailed design, including materials and finishes, of the following items have been submitted to and approved in writing by the Local Planning Authority:

- All new services, including pipework, for the bathroom and kitchen
- All new extraction and boiler flues and vents
- All new external doors (including door furniture)
- All new windows (including reveals, sill and head treatment)

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

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

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

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

- 5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body 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).

- 6 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the hard and soft landscaping shall be carried out in accordance with the details as shown on plan reference 2.21 received 24.08.2018. 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).

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number 2.21 received 24.08.2018. 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).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.21 received 24.08.2018. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number 2.21 received 24.08.2018. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

- 10 **Pre-Occupation Condition:** Prior to the first occupation 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).

- 11 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

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

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

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

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

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

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

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

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

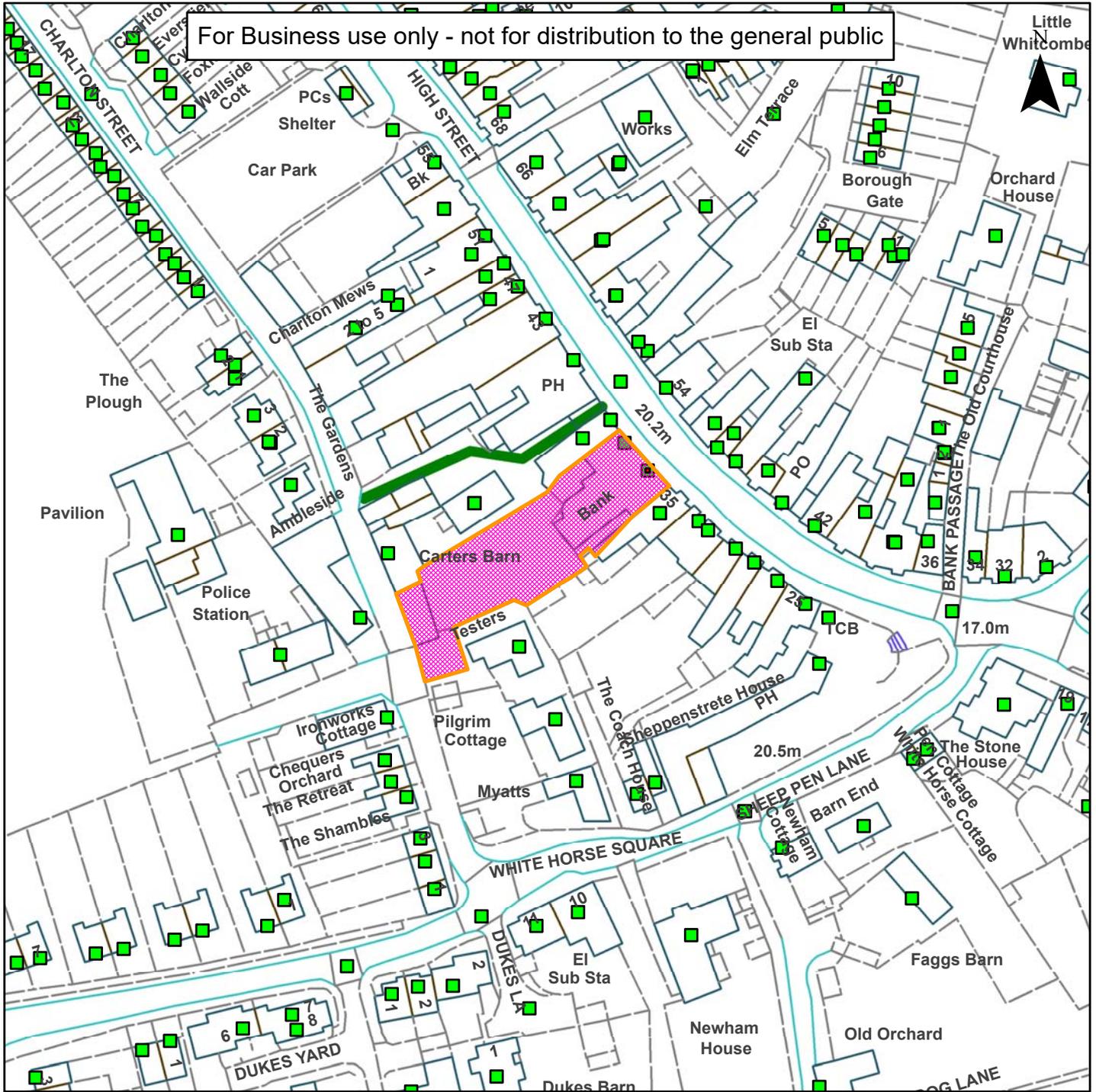
Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with Policy 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/1810
DC/18/1811
DC/17/2621



Not Set

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/12/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING REPORT COMMITTEE

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Proposed conversion of former Lloyds Bank to provide 1no. retail unit and 4no. flats, and conversion of existing barn to 1no. dwelling together with all associated internal works (Listed Building Consent)

SITE: 37 High Street Steyning West Sussex BN44 3ZA

WARD: Steyning

APPLICATION: DC/18/1811

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

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

RECOMMENDATION: To grant listed building consent subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks Listed Building Consent for the conversion of the existing building into 1 no. retail unit on the ground floor, with 4 no. flats to the upper floors; and the conversion of the existing barn to the rear of the site to 1no. dwelling.

1.3 The proposed works to the frontage building would involve largely internal works to reconfigure the layout to provide a smaller ground floor commercial/retail unit and store rooms, with the provision of 4 no. flats to the ground and first floor. Two single storey rear extensions are proposed to the building to provide living accommodation for the 2 no. flats proposed to the ground floor. The proposed internal works would primarily retain the historic plan form, with the removal of later partitions to the ground floor, and the blocking-up of certain openings to facilitate the subdivision of units. The proposed internal alterations would create a small retail unit with kitchenette w.c, and store rooms to the ground floor at the front of the building, and the provision of a 2 no. 2-bed flats on the ground floor; with the provision of a 3-bed flat and 2-bed flat on the first floor.

1.4 The proposed retail unit would be accessed from the existing entrance which fronts the High Street, with the removal of the existing partitions to provide an open floor plan within the unit. The proposal would result in a retail unit measuring approximately 118sqm. Flat 1 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 74sqm; Flat 2 would provide 2 no. bedrooms, and would measure to a total floor area of approximately 80sqm; Flat 3 would provide 2 no. bedrooms and measure to a floor area of

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

- 1.5 The single storey rear extension to the north-west of the building would sit between the northern boundary and the existing two storey projection, and would measure to a depth of 5m and a width of 4.7m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the ground level. The proposal would incorporate a folding door the western elevation which would open to a courtyard garden, with the addition finished in matching materials. The single storey rear extension to the south-west would measure to a depth of 3.2m from the existing rear projection, to a total width of 8.8m. The proposal would incorporate a flat roof measuring to a total height of 2.8m, extending 1.6m above the existing ground level. The proposal would incorporate folding doors to the northern elevation, with 2 no. windows to the western elevation. The addition would be finished in matching materials, and would incorporate 2 no. roof lights within the roof.
- 1.6 The application also seeks Listed Building Consent for internal and external alterations to the curtilage barn that fronts Charlton Street, to facilitate its conversion to a 1-bed dwelling.
- 1.7 The existing barn is positioned to the south-west of the site, and lies directly adjacent to Charlton Street. The proposal would involve internal and external alterations to facilitate the change of use to a 1-bed dwelling, which would have a total floor area of 75.2sqm. The proposal would include the internal subdivision of the ground floor to incorporate a kitchen and bathroom, and an internal staircase installed to provide a bedroom on a mezzanine level. The proposal would incorporate 2 no. rooflights to the eastern roof slope, with the addition of new doors to the south and west elevations.

DESCRIPTION OF THE SITE

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

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 34 - Cultural and Heritage Assets

2.4 Supplementary Planning Guidance: Steyping Parish Conservation Appraisal

2.5 RELEVANT NEIGHBOURHOOD PLAN Steyping Parish Neighbourhood Plan

- Designated (Regulation 7)

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/14/1376	Provide new timber boxing to timber beam, fixed and finished to match existing boxing, on inspection of roof and chimney, repair lead valley gutters where needed and re-fix or replace as necessary individual roof tiles. All to match existing patch repair where possible or replace defective timber window ills with new timber ills, paint timber work, including entrance door, and all down pipes to match existing. Locally re point brickworks to front elevation where mortar has district, and to rear elevation around obvious crack, hack away render for inspection, prior to re rendering and painting to match existing (Listed Building Consent)	Application Permitted on 21.08.2014
DC/16/2703	Conversion of existing barn to form 1 No. residential unit and re-development of the rear of the site to create 3 No. three-storey town houses (Listed Building Consent)	Withdrawn Application on 23.01.2017
DC/17/2621	Conversion of the existing barn to the south of Carters barn to provide 1x bedroom dwelling together with all associated internal works (Listed Building Consent)	Application Permitted on 18.05.2018
DC/17/2626	Proposed conversion of former Lloyds Bank to provide 4x flats and 1x retail unit with erection of single storey rear extension and associated internal alterations (Listed Building Consent)	Withdrawn Application on 23.05.2018

3. OUTCOME OF CONSULTATIONS

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

3.2 **HDC Conservation:** No Objection:-

- The principle of conversion of the frontage building is acceptable, with the internal alterations proposed acceptable. The proposed extensions to the ground floor are designed with flat roofs to avoid fouling first floor windows. The provincially classical character of the rear elevation could carry flat roofed extensions, provided these are detailed to reinforce the historical architectural character.
- The proposed conversion of the barn at the rear is acceptable in principle. This building does positively contribute to the Conservation Area, and a more intensive use will ensure it is maintained and repaired in the future. The alterations will not prevent it from being recognised as a historic barn.

PUBLIC CONSULTATIONS

- 3.3 **Steyning Parish Council:** Objection for the following reasons:
- Design of the 2no. dwellings to the rear is out of character with adjacent Listed Building and Conservation Area
 - Cumulatively results in overdevelopment of the site

3.4 A total of 3 objections were received for the proposed development, and these can be summarised as follows:

- Overdevelopment of the site
- Intensification of traffic and parking issues
- Out of character with the designated Conservation Area
- Loss of amenity to neighbouring garden

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The application seeks Listed Building Consent for the conversion of the existing building into 1 no. retail unit on the ground floor, with 4 no. flats to the upper floors; and the conversion of the existing barn to the rear of the site to 1no. dwelling.

Special Character and Distinctiveness of the Listed Building

6.2 Paragraph 193 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'

6.3 This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.

6.4 Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

- 6.5 The site consists of a long and narrow plot whereby the hierarchy within the site reads as the principal building fronting the High Street, with open space immediately behind, and a subservient ancillary barn situated to the rear of the plot fronting the service lane. This setting directs that development should have a sense of hierarchy, with any development to the rear of a subservient nature to the frontage building adjacent to Steyning High Street.
- 6.6 It is acknowledged that the existing frontage building itself already consists of a relatively complex layout; however, the historic plan forms reads as cellular rooms and divisions, with predominantly square rooms accessed through regular sized hallways. The proposal seeks to primarily use the existing room divisions, with limited internal alterations. Where the proposal would introduce additional subdivisions these would generally reflect the cellular layout of the existing rooms.
- 6.7 The proposed works, including the proposed rear extensions, are considered to be of a scale, form and mass that would sit comfortably within the context of the Grade II Listed Building. The proposed extensions are considered to relate sympathetically to the character and distinctiveness of the Listed Building, and are considered to be relatively minor additions that would not harm the character or appearance of the existing building. Whilst the proposed subdivisions would further intensify and compartmentalise the existing building, the nature and proportion of these rooms are not considered to detract from the historic plan form of the Grade II Listed Building. The proposal is therefore considered to result in less than substantial harm, with the proposal considered to contribute to the sustainable and continued use of the heritage asset. As such, the proposal is considered, on balance, to preserve the sustainable and continued use of the Grade II Listed Building, in accordance with Policy 34 of the Horsham District Planning Framework (2015).
- 6.8 The proposed conversion of the existing barn to the rear of the site was previously accepted as part of an earlier application for listed building consent under ref: DC/17/2621. This consent included the conversion and associated alterations to the curtilage Listed Building. As with the existing consent the current scheme would retain the historic fabric of the barn, with the addition of partitions and insulation internally to facilitate the conversion. The applicant has outlined the proposed methodology of works, which is considered to utilise materials and building techniques that would preserve and ensure the clear legibility of the historic significance. As such this element of the proposal is considered to accord with Policy 34 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 It is recommended that the application be approved, subject to the following conditions.

1 **List of approved plans**

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

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

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

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

d. All new windows (including reveals, cill and head treatment)

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

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

- 4 **Regulatory Condition:** The works undertaken to the barn shall strictly accord with the methodology and specification as outlined on the approved plan reference 2.27 received 24.08.2018. These works shall thereafter be retained.

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

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

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

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

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

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

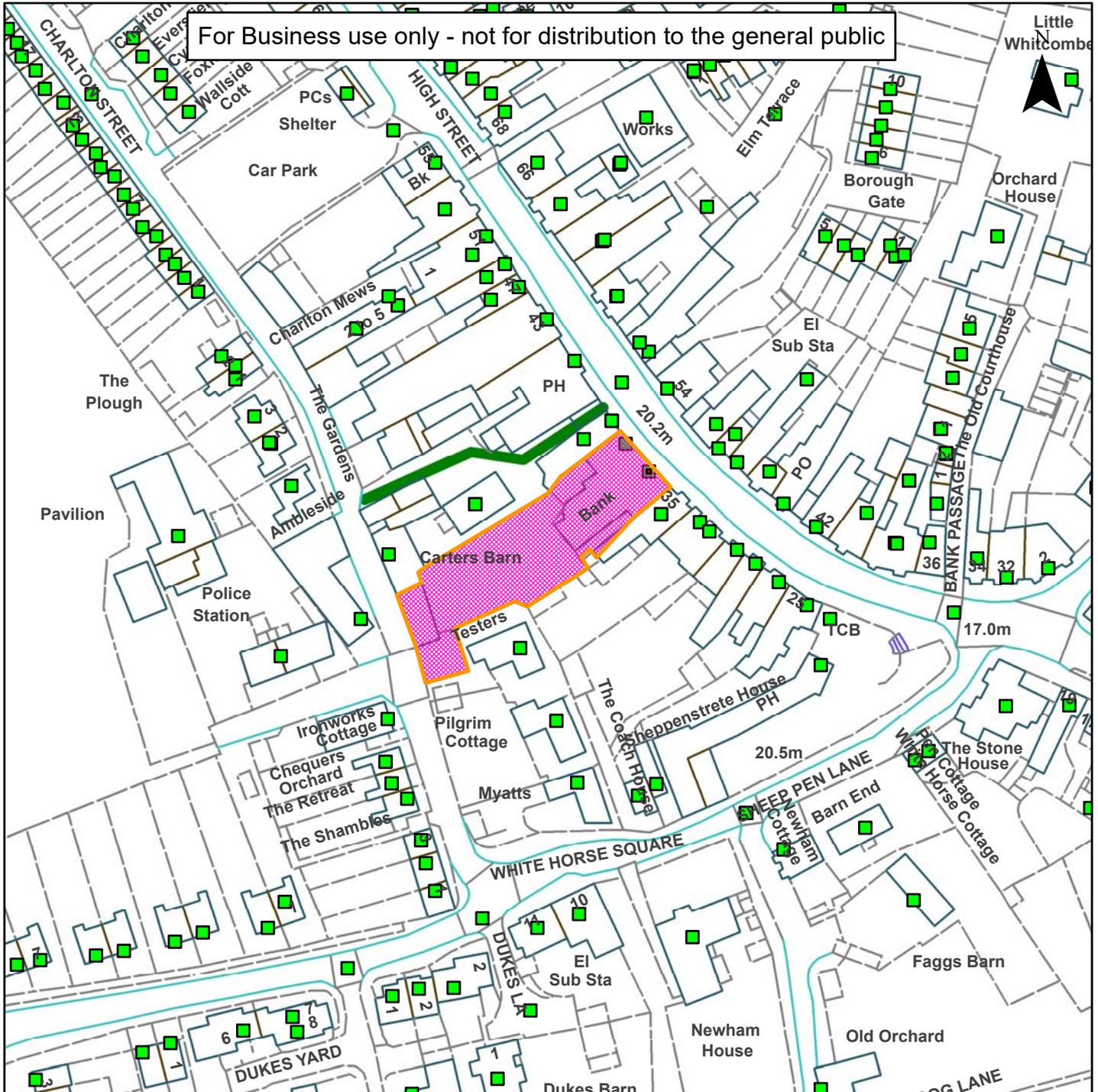
Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses and to comply with policy 34 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/1810
DC/18/1811
DC/17/2621



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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Creation of a vehicular access track for agricultural purposes.

SITE: Land South West of Martins The Street Thakeham West Sussex

WARD: Chanctonbury

APPLICATION: DC/18/1962

APPLICANT: **Name:** Mr and Mr J and J Withrington **Address:** 1220 Ellis Street 9 San Francisco USA

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period with a view contrary to the recommendation

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks permission for the creation of an agricultural vehicular access track serving land south and west of Martins. The proposed access track would measure 3m in width and comprise of a stone based hoggin (a compactable groundcover that is composed of a mixture of clay, gravel, and sand or granite dust that produces a buff-coloured bound surface). The proposal would necessitate the part removal of an existing brick built dwarf retaining wall, the removal of retained soils, and the part removal of existing Laurel/Hawthorn shrubbery in order to provide connection to the existing highway access serving Martins. A small turning space would be provided adjacent to the existing field gate towards the northern end of the site. As part of the application process a previously proposed pier (adjoining the proposed access) has been omitted from the scheme.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises of a lightly wooded former orchard situated to the north/east of Coolham Road and north-west of The Street. The site features steep earthen embankments against adjacent public highways and benefits from verdant vegetated boundaries to the south, west and east. An existing vehicular access, which does not benefit from planning permission, has been cut through the embankment onto The Street towards the southern extent of the site. A gradual slope towards the north east is present,

however, is notably less pronounced than that facing against The Street and Coolham Road.

- 1.3 The application site bounds, and would serve, an agricultural field and barn located to the immediate north-west. The field is currently used for grazing purposes, with sheep kept on the land at the time of a site visit. A timber post and rail fence demarcates the boundary between the site and the adjacent Grade II Listed property Martins, with which the application site is understood to be historically associated. To the west is the detached property of Grans Cottage, which benefits from significant screening on the common boundary in the form of mature shrubbery and various trees.
- 1.4 The application site is located outside the defined built-up area of Thakeham, found opposite the site on The Street, and would affect the setting of the adjacent Grade II Listed Building of Martins and would involve works partly falling within the Thakeham Conservation Area.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

- 2.2 **National Planning Policy Framework (NPPF 2018)**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 10 - Rural Economic Development

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 41 - Parking

- 2.4 **Thakeham Parish Neighbourhood Plan to 2031**

Thakeham 6 – Design

Thakeham 7 – Heritage Assets

Thakeham 10 – Green Infrastructure and Valued Landscapes

- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/0373	Conversion of existing barn to single detached dwelling	Application Refused on 11.07.2016
DC/06/2475	Renewal of unimplemented planning permission to erect a garage block and grooms accommodation	Application Permitted on 22.12.2006
T/81/01	Erection of garage block and grooms accommodation	Application Permitted on 29.01.2002

T/2/97	Erection of garage block and grooms accommodation	Application Permitted on 03.02.1997
T/76/89	New garage with chauffeur's accommodation to replace damaged one	Application Permitted on 25.08.1990

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Design and Conservation:** No Objection, the proposed access would not harm the Conservation Area or the setting of Martins as a Grade II Listed Building. The new stone pier should be removed so as to avoid the introduction of an overly residential character and an informal track surface (such as hoggin) is required to maintain an appropriate degree of subservience. (*N.B. Amended plans have since been received to omit the pier and to provide an informal surface as sought in the above comments*).
- 3.3 **HDC Landscape Architect:** No Objection.
- 3.4 **HDC Arboricultural Services:** No Objection. The majority of trees on site lay outside of the Thakeham Conservation Area with most trees to be retained with the exception of two small *Prunus*. The removal of non-espacial trees and mixed shrubbery would have a minimal adverse effect on the character and appearance of the Conservation Area.

OUTSIDE AGENCIES

- 3.5 **WSSC Highways:** No Objection. The increase in vehicle movements utilising the existing access onto the publicly maintained highway could not be substantiated as severe. In connection with a previous planning application the LHA observed vehicles to be travelling between 10-15mph; a speed capable of reacting to vehicles accessing/emerging from the existing highway access. There is no evidence available to the LHA to indicate the existing highway access has been operating unsafely, with the proposal not considered to have a severe impact on the operation of the highway network.
- 3.6 **Thakeham Parish Council:** Object. The access track would be highly visible when exiting The Street and would harm the historic setting of the Conservation Area, contrary to Policy 7 of the Thakeham Neighbourhood Plan. Parish Councillors further raised concerns regarding the loss of mature vegetation and the potential for a change in the setting of proximate Listed Buildings. The response of the Parish highlights that heritage grounds formed one of the reasons for refusal on application DC/16/0373.

The Parish additionally noted that swept-path tracking had not been provided for larger vehicles, and questioned whether this would be consistent with a long term agricultural use of the site. Private legal issues and prospective alternative routes were also mentioned in the response of the parish, but should be highlighted as not material considerations in the determination of this application; being the state presented to the Local Planning Authority.

The Parish finally requested a condition requiring the restoration of the existing highway access prior to the commencement of any work.

PUBLIC CONSULTATIONS

3.7 10 representations (from 10 different addresses) were received in objection to the proposal. The primary grounds for objection can be summarised as follows:

- Harm to the setting of adjacent Listed Buildings
- Overdevelopment
- Introduction of hardstanding as a 'suburban' element
- Questions relating to the need for an access given the low level of agricultural activity
- Insufficient justification for the proposed access
- Private legal agreements relating to right of access and boundary maintenance
- More suitable alternative access arrangements
- Proposal is contrary to the provisions of the Thakeham Neighbourhood Plan
- Harm to the quality and appearance of the Conservation Area
- Cumulative erosion of earthen bank
- Dismissal of previous appeal for existing highway access
- Danger to existing highway and pedestrian traffic
- Possibility that access would facilitate subsequent residential development
- Completion of previous works without acquiring planning permission
- Harm to the appearance of The Street
- Environmental harm

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

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

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

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

6. PLANNING ASSESSMENTS

Background:

6.1 The application site has a relatively comprehensive planning history in respect of highway accesses. A series of consecutive unimplemented renewed permissions for the erection of a large garage block and ancillary accommodation were issued between 1990 and 2006. These permissions incorporated a highway access adjoining to the existing driveway of Martins, being comparable to the siting of the access now proposed under this application.

6.2 Application DC/16/0373 for the conversion of agricultural buildings north-west of the application site to a single dwelling was later refused on ecological, heritage and countryside protection grounds. This application proposed a highway access near immediately adjacent to the common boundary with Martins along the north eastern edge of the application site and adjoining to the existing driveway of Martins.

6.3 An unauthorised highway access was created in early 2017 leading directly onto The Street towards the southern end of the application site. The unauthorised access involved significant excavation of an earthen embankment adjacent to the public highway, in addition to the removal of vegetation. In response an enforcement notice requiring its closure and the restoration of the earthen embankment was served.

- 6.4 This enforcement notice was subject of an appeal where the planning merits of the scheme were considered by the Inspector (ref: APP/Z3825/C/17/3182946). The appeal was dismissed, upholding the enforcement notice, with the Inspector considering that the harm to sunken lanes, as a valued landscape feature of Thakeham, outweighed any necessity to maintain land North West of the application site and to support agricultural uses.
- 6.5 The current application differs substantially from that determined by the Inspectorate in that it does not adjoin onto The Street directly and requires approximately 90cm of excavation, in comparison to the approximate 3m of excavation made in connection with the unauthorised access (subject of the enforcement notice).

Principle of Development:

- 6.6 Policy 26 of the HDPF seeks to protect the countryside from inappropriate development. The policy provides that outside built-up area boundaries, development must be essential to its countryside location, and in addition meet one of the following criteria:
- 1.) Support the needs of agriculture or forestry;
 - 2.) Enable the extraction of minerals or the disposal of waste;
 - 3.) Provide for quiet informal recreational use; or
 - 4.) Enable the sustainable development of rural areas.
- 6.7 The supporting information accompanying this application asserts that the proposed access track would support, firstly, agricultural use of land to the north west of the application site and, secondly, the continued upkeep of land and buildings accessible from the proposed access. As observed during the officer's site visit a 0.65ha field north-west of the application site is currently utilised for the grazing of livestock with a modest herd of sheep present on the land.
- 6.8 The existing policy basis would provide for a general presumption in favour of development designed to support the needs or growth of agricultural enterprise. The proposed access would have a clear association with the land it serves and would promote current uses of land that are beneficial to the wider rural economy of the District. Notwithstanding the low level of current agricultural activity, it is considered that the existing policy basis would, in principle, support the creation of a new agricultural access track, subject to detailed considerations.

Character and Appearance:

- 6.9 Policies 32 and 33 of the Horsham District Planning Framework (HDPF) (2015) stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.10 Policy 34 of the HDPF addresses development involving heritage assets or affecting the setting of heritage assets. The policy requires proposals to be of a design and/or scale which preserve or enhance the special character and appearance of the area, to utilise building materials and techniques that are appropriate within the local context, to avoid harm to significant views, and restore or retain traditional features.
- 6.11 Policy 6 of the Thakeham Parish Neighbourhood Plan to 2031 requires development to be reflective of surrounding buildings and the wider area in terms of architectural characteristics, scale, density, massing, height, landscape design, layout and materials.
- 6.12 Policy 7 of the Thakeham Parish Neighbourhood Plan to 2031 stipulates that development within the Thakeham Conservation Area will be supported provided that any harm to the

historic significance of the Conservation Area will be less than substantial and that any harm is outweighed by the provision of a clear and sustained community benefit.

- 6.13 The proposed agricultural access would adjoin perpendicular to the existing highway access of Martins; being situated to the immediate rear of an existing stone pier and 4.1m forward of the main gravelled parking area of Martins. The main width of the access would span 3m, in contrast to the 6.5m width of Martins' principle access. Existing Laurel hedges are to be retained to either side of the proposed access at the point of entry/exit. The proposed trackway would consist of compacted Hoggin, resulting in an informal earthen tone for the proposed access. While this is not particularly characteristic of an agricultural access track the material is considered suitable in this instance given the immediate setting and the resulting relationship with Martins.
- 6.14 It is considered that the composition, siting and lesser width of the proposed access would ensure a subservient relationship to the adjacent entrance of Martins, with a previously proposed pier now omitted from the scheme following comments from the Council's Conservation Officer. Whilst acknowledging the application site no longer shares any formal association with the neighbouring dwelling it is understood to have shared a historic connection with the adjacent Listed Building and continues to be understood in this context.
- 6.15 From public perspectives on The Street the proposed access would appear as a secondary utility access that would not detract from a clear recognition of the formal, and more obvious, perceived primary access to Martins. A sufficient degree of separation (12.5m) would be maintained between the proposed access and common boundary with Martins to prevent the undesirable introduction of parallel hardstand tracks and to avoid any direct harm to the setting of the Listed Building.
- 6.16 It is, therefore, considered that the proposed access would be of an appearance and composition appropriate to its immediate setting and would sufficiently preserve the special interest of proximate Grade II Listed Buildings and the wider Conservation Area. The proposal, therefore, would accord with policies 32, 33 and 34 of the HDPF in addition to policies 6 and 7 of the Thakeham Neighbourhood Plan to 2031.

Landscape Character

- 6.17 Policy 25 of the HDPF seeks to protect the landscape character, landform and development pattern of the District's countryside. Development will be supported that protects, conserves and enhances the landscape and townscape character, including individual settlement characteristics.
- 6.18 Policy 10 of the Thakeham Neighbourhood Plan to 2031 stipulates that proposals will be supported that protect the landscape of the Parish, including sunken lanes, prominent ridges and hedgerows.
- 6.19 Sunken lanes are a distinct feature of the settlement of Thakeham, as recognised under policy 10 of the Thakeham Neighbourhood Plan. A general policy objection therefore exists in relation to the erosion of existing embankments, albeit that the impact of a proposed development on Thakeham's sunken lanes as a landscape/townscape characteristic would need to be considered on a case by case basis.
- 6.20 The embankment subject to this application, as predominantly retained by an existing dwarf wall, measures some 90cm in depth, with its visual impression enhanced by the Laurel hedge which sits above the embankment. There is a pre-existing sense of openness at the point of highway exit/entry onto The Street, with public views towards Martins along its associated driveway possible to the direct north. This is directly contrasted with the 3m steep embankment found at the southern extent of the site against Dukes Hill and The Street, where the sense of enclosure is significantly more pronounced. In this respect it is

considered that the embankment specifically affected by the current proposal makes a minor contribution to the significance of Thakeham's sunken lanes as a feature of the local landscape character.

- 6.21 It is considered, therefore, that there is a significant distinction between the unauthorised access and that now proposed. The unauthorised access to the south is readily perceived as a sunken lane, as primarily derived from a sense of enclosure, with the extent of excavation detrimental to the aesthetic quality and understanding of a distinct landscape characteristic. As indicated on the submitted plans, the proposal would involve the removal of 90cm of earth at a point where the natural lay of land is higher. As such, the impact of the proposal would be substantially lesser.
- 6.22 Furthermore, it is noted that an impression of The Street as a sunken lane increasingly diminishes beyond Martins to the west as embankments lessen in height and are interrupted by regular openings in the form of private accesses/driveways. It is recognised, therefore, by avoiding a direct access onto The Street, that the proposal is consistent with the general pattern of local development.
- 6.23 It is therefore considered that, whilst the proposal would not enhance the sunken character of The Street, the proposed works are not of a nature or extent that would adversely influence the quality of this valued landscape feature, or interrupt a public understanding of its overall significance. The proposal would, then, comply with policy 10 of the Thakeham Neighbourhood Plan to 2031 and policy 25 of the HDPF.
- 6.24 As identified by the Council's Arboricultural Officer, the proposal would not involve the removal of any trees of any particular significance to the visual amenities of the street scene or Conservation Area. Furthermore, the positioning of the proposed track would avoid works in the relevant root protection areas of category A and B trees, and as such would not compromise healthy specimens worthy of retention.

Neighbouring Amenity:

- 6.25 Policy 33 of the HDPF provides that development will be required to ensure a design that avoids unacceptable harm to the occupiers/users of nearby property and land.
- 6.26 The proposed access track would be situated 12.5m south of the common boundary with the neighbouring property Martins. By virtue of its ground level composition the built form of the proposed trackway would not constitute an overbearing form or result in overshadowing that may adversely influence the residential amenities of Martins. It is acknowledged that vehicular movements along the proposed access track would result in a certain degree of noise and disturbance to the occupiers of Martins. Given the nature and intensity of likely agricultural activity on land to the north west, vehicular movements are not anticipated to be more than occasional, and as such, any resultant disturbance would not amount to unacceptable harm.
- 6.27 The access track is expected to be visible within the outlook of neighbouring properties immediately adjacent to the application site, however, is considered to be of an appropriate colour, texture and appearance. No unacceptable degree of visual intrusion would therefore arise from the proposal.
- 6.28 The proposal does not incorporate any form of illumination or lighting for the proposed access track, consequently, no disturbance to neighbouring occupiers is envisaged in this respect. A condition is recommended to control the subsequent creation of lighting, in order to secure the amenities of neighbouring occupiers.

Highway Operation:

- 6.29 Policy 41 of the HDPF *inter alia* stipulates that proposals must provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and for the delivery of goods.
- 6.30 The proposed agricultural access would adjoin to a pre-existing access onto the publicly maintained highway serving the neighbouring dwelling of Martins. The Local Highways Authority considered that the proposal would not result in a severe increase in vehicular movements and further highlights that there is no evidence of unsafe operation for the existing access serving Martins. It is therefore considered that the proposal would provide a suitable access onto the publicly maintained highway that would not exasperate an existing highway safety concern or jeopardise the wider operation of the highway network.

Conclusion:

- 6.31 The principle of an agricultural access is deemed compliant with the relevant policies of the HDPF. The agricultural access would be of an appropriate design, appearance and scale that would sufficiently preserve the significance of relevant heritage assets, the prevailing landscape character and avoid detrimental impact on the amenities of neighbouring occupiers and operation of the highway network.

7. RECOMMENDATIONS

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

1 **Plans**

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

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

- 3 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Tree Schedule (dated 31.10.18, ref LLD1573 00).

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

- 4 **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).

- 5 **Regulatory Condition:** The materials to be used in the trackway hereby permitted shall strictly accord with those indicated on the proposed site plan (plan number 2727/201A), unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

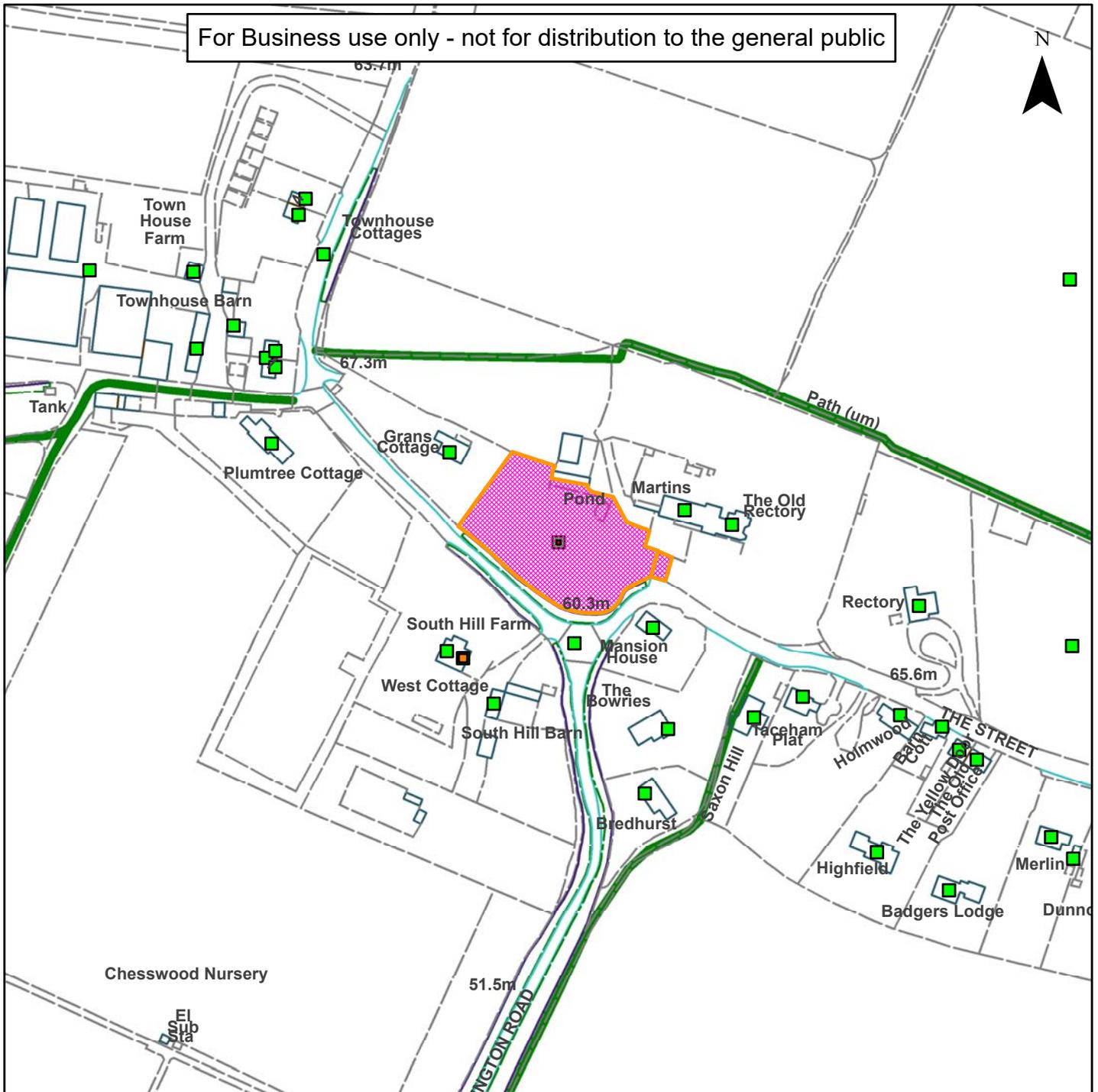
Background Papers: DC/18/1962

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**Horsham
District
Council**

**PLANNING COMMITTEE
REPORT**

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Change of use from detached barn (to rear of Hobjoins) to a residential dwelling along with the creation of a new vehicular access to the north of Hobjoins and laying of permeable hardstanding to provide a parking space in association with Hobjoins.

SITE: Hobjoins Hyde Street Upper Beeding Steyning West Sussex BN44 3TG

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/18/0450

APPLICANT: **Name:** Steve Black **Address:** Hobjoins Hyde Street Upper Beeding Steyning West Sussex BN44 3TG

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period with a view contrary to the recommendation

RECOMMENDATION: To grant planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks consent for the conversion of a barn to the north of Hobjoins which is a Grade II Listed Building. The proposed conversion would entail an increase in the height of the roof; the addition of glazing, mainly to the northern elevation; and the construction of a new staircase to create first floor space on the eastern side of the property (whilst still keeping the single storey aspect of this elevation); the addition of a pitched roof over the existing rear protrusion (currently flat roofed).
- 1.2 The proposal would create a four-bedroom dwellinghouse with three upstairs and one downstairs with an ensuite; one 'snug'; an open plan kitchen, dining room and lounge with two sets of staircases to the other stairs areas of the properties. The two smaller upstairs bedrooms have a shared shower room, and the larger upstairs bedroom will have to use one of the other rooms in the house for washing etc. The single storey aspect on the Eastern side of the property will contain a study, utility room and bathroom.

DESCRIPTION OF THE SITE

- 1.3 Hobjoins is a detached Grade II listed building situated on the North-Eastern side of Hyde Street within the Upper Beeding Conservation Area. The site comprises a large irregular

plot with the dwelling located to the south-west, fronting Hyde Street, a detached 'barn' building running across the centre of the site, and a three-bay garage to the northern section. The garage and barn are accessed from a single-width hardstanding and drive sited between Hillview Cottage and Amber Cottage.

- 1.4 The application relates to the central 'barn' building, which is a timber structure with corrugated metal roof. The building extends across the full width of the plot and features limited articulation, with the key feature double door openings to the north elevation (fronting the garage block and hardstanding).
- 1.5 The barn to the north of Hobjoins appears on the late nineteenth century editions of the Ordinance Survey so was here at least by that time. The building itself gives very little indication of its real age as it is a recycled building. Many of the timbers had been used in other buildings before being recut to create the timber frame for this barn. It has lost its roof timbers and is roofed with modern soft wood framing and metal sheets. It has also had one of its tiebeams cut which has resulted in the wall plate snapping and the building has a precarious bulge along its north wall.
- 1.6 The lawful use of the barn building is ambiguous, with previous historic applications refused for an ancillary outbuilding (see paragraph 2.5) and no planning history for commercial use of the building. At present the building appears to be used for informal (non-commercial) storage in connection with the residential use of Hobjoins.

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 17 - Exceptions Housing Schemes
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 37 - Sustainable Construction
Policy 41 - Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

No 'made' plan.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

UB/55/90

Conversion of barn to ancillary residential accommodation

Application Refused on 28.11.1990

DC/16/2159	Conversion of existing roof space to residential use (Householder)	Application Permitted on 23.01.2017
DC/16/2160	Conversion of existing roof space to residential use (Listed Building)	Application Permitted on 23.01.2017

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Conservation:** No objection, following revisions to the scheme the conversion and alteration of the barn is acceptable and will not harm the special interest of the listed building. The proposed parking arrangements for Hobjoins is also acceptable in heritage terms.
- 3.3 **HDC Environmental Health:** No objection, recommend conditions and informatives.

OUTSIDE AGENCIES

- 3.4 **WSCC Highways:** The applicant has submitted a revised plan indicating that the existing triple garage will solely serve the proposed new dwelling, and in addition to this, three parking spaces will be provided on site for the proposed dwelling. This parking provision is anticipated to be sufficient for a dwelling of this size and location.
- 3.5 In response to the request for further information, the applicant has amended the proposed new vehicular access to serve Hobjoins. The applicant proposes to provide two parallel parking spaces adjacent to Hobjoins. These spaces appear to meet the minimum requirements of 2 x 6m per parallel parking space. The applicant proposes to construct the parking spaces from gravel, in this case a gravel trap or area of block paving, or other bound material, must be provided at the point of access onto Hyde Street (on land within the applicant's control; not within the publically maintained highway). The LHA advises that construction of the parking spaces in a hardbound material is preferable to avoid overspill of gravel into the public highway.
- 3.6 The site is located within walking distance of a variety of local amenities within Upper Beeding including a small parade of shops, a petrol station and pubs. Bus stops providing access to Pulborough, Burgess Hill, Storrington and Steyning are within a few minutes' walk. The applicant has not indicated secure and covered cycle storage for the new dwelling, this could be accommodated with the triple garage – details of this can be secured via condition.
- 3.7 The LHA does not consider that the proposal for a single dwelling would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.
- 3.8 **Ecology Consultant:** No comments, any comments will be reported at the Planning Committee meeting.
- 3.9 **Southern Water:** The exact position of the foul sewers must be determined on site by the applicant before the layout of the proposed development is finalised. Should any sewer be found during the construction works, an investigation of the sewer will be required to

ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

PARISH COUNCIL

- 3.10 **Upper Beeding Parish Council:** Object, the proposal is an overdevelopment of the site, and is unsympathetic to the historical value of the property.

PUBLIC CONSULTATIONS

- 3.11 24 representations were received objecting for the following reasons:-

- The barn is within a conservation area with the proposal an overdevelopment on a backland site.
- The application will not be change of use, because the barn will need to be demolished and rebuilt.
- The proposal will involve the demolition of an ancient flint wall.
- The area is prone to flooding.
- Tranquil area being turned into a car park is destroying a piece of green open space.
- Nearby listed buildings will be harmed.
- The barn is a historic listed building, there should be an application for listed building consent.
- The site has archaeological merit.
- The existing barn has a 'lean-to' at its Eastern end and the 'lean-to's' sloping roof sites on Hobjoin's boundary wall, which appears to have no foundation. Some of the rafters have rotted and the sloping roof overhangs a neighbouring garden. There is no gutter for the collection of rain water from the 'lean-to's' roof.

- The construction process would cause noise and major disturbance.
- Neighbouring property who give access to the Eastern side of the barn for repair and maintenance will give no access for building purposes related to the barn conversion.
- Domestic noise could become a problem as neighbouring properties have windows close to the barn.
- Dust from construction will cause harm to neighbouring amenity.
- Increased noise from traffic movements.
- Overshadowing due to the increased height proposed within the amended plans.
- No flues are shown on the plans, but if any flue were to exit the property from the east end.

- The application site is a known bat habitat.

- Increased level of traffic movement is entirely inadequate with regard to vision splays and pedestrian safety.
- The proposed new driveway will have a detrimental impact upon the conservation area and its potential as an additional traffic hazard.
- The road is 20mph, and use by many horse riders, cyclists, walkers and small children.

- Once vehicular access and parking have been taken into account it is difficult to establish how any green space could be provided for the benefit of the development.

- Concerns over use of the garages to the North of the barn.
- The property Hobjoins frequently changes ownership, and is the subject of constant planning applications.

- 3.12 3 representations were received from (3 addresses) supporting the application for the following reasons:-

- Pressure on housing in the village and this will help local residents who wish to find somewhere to live within the village or allow others to move into the village.
- The barn is in a secluded location, not visible from the road or to people passing by therefore its status as a barn or residence makes little difference to the character or nature of the village.
- If the barn is left as it is, it will gradually become dilapidated.
- The barn has very few original components left standing, apart from the internal timber structure – which in time would need replacing.

3.13 2 representations were received from the Beeding and Bramber Local History Society and a neighbour resident making the following comments:-

- No objection to the conversion of the building on two conditions:
 - A full survey is undertaken to make a record of the building before any changes are made.
 - The most significant aspects of its construction are conserved:
 - The high doorway
 - Main posts
 - Tie beams
 - Weather-boarding
 - Examples of ancient pegged joints
 - Carpenters' marks etc.
- The roof would originally have been thatched. The existing roof is not original, consisted of sawn-cut timbers covered in corrugated iron sheets. Although re-thatching is unlikely, perhaps some improvement on corrugated iron sheets can be recommended.
- Objection to the proposals for the new driveway because of the detrimental effect on the street scene in the conservation area and its potential to be an additional traffic hazard.
 - Involves demolishing part of the flint wall which fronts Hyde Street and is an essential part of the street scene and character of this part of the conservation area.
 - Despite its name, Hyde Street is actually an old sunken lane, as evidenced by the high banks still remaining along some parts of the street, and is too narrow to have footpaths on either side. The new drive will have to rise steeply from the road making it a difficult entry and exit for vehicles and a potential traffic hazard.

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

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) sets out the hierarchy of settlements within the District in regards to where development should be focused. Bramber and Upper Beeding lie within the “Small Towns and Larger Villages” category, which is the second tier in the hierarchy, just below “Main Town” (Horsham). The application site falls within the Built-Up Area Boundary of Upper Beeding and is of an appropriate scale to the settlement. It is therefore considered that the principle for development in this area is acceptable subject to detailed considerations.
- 6.2 The existing building has no specific planning history and its re-use as a barn is highly unlikely given it no longer forms part of a functioning farm and has largely lost its original setting with modern housing development to the north and east. The building appears historically to have been used for purposes incidental to the use of Hobjoins as a dwellinghouse, with any alternative commercial use not benefitting from the required planning permission. The conversion of an incidental residential building to a dwellinghouse would not conflict with any specific policies within the HDPF, again, subject to detailed considerations.

Character and Appearance

- 6.3 The application site is situated on the Northern end of the Upper Beeding (Hyde Street) Conservation Area and adjoins a number of Grade II Listed Buildings, including Hobjoins and 1 & 2 Hobjoins Cottages. Policy 34 of the HDPF relates to Cultural and Heritage Assets, and aims to preserve, sustain and enhance heritage assets in the historic environment through positive management.
- 6.4 In addition, policy 32 of the HDPF relates to improving the quality of new development. It states that permission will be granted for developments which ensure the scale, massing, and appearance of the development is of a high standard of design which relates well to the host building, and adjoining neighbouring properties. Policy 33 also seeks to ensure that development proposals make efficient use of land, cause no harm to amenity, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 6.5 The existing building has been significantly altered in the past, with evidence that much of the timbers formed part of other buildings before being ‘recycled’ to create the timber frame for the current barn. At some point the roof timbers to the building have been removed and metal sheet roofing added, and the building shows evidence of a precarious bulge along the northern wall. The proposed conversion, and use as a dwellinghouse, would ensure the repair and ongoing maintenance of the building which would be supported in heritage grounds.
- 6.6 The conversion would require a significant amount of building and repair works but in principle there are no reasons why this could not be undertaken in a sensitive manner in order to preserve the existing historic interest of the building. The resulting form, scale and detailing of the building would feature traditional proportions and the resulting form is appropriate to the character and style of the building. The Council’s Conservation Officer has raised no objections subject to a number of conditions to secure appropriate detailing to the works and eventual buildings. It is considered that subject to these conditions the proposed scheme would provide a meaningful use for the building and would preserve the character and appearance of the building, wider Conservation Area, and the setting of adjoining Listed Buildings.

- 6.7 The proposal includes the formation of new parking spaces within an existing (raised) grass verge parallel with Hyde Street. While frontage / street parking in areas of historical character is often not ideal it is an expected circumstance and necessary for many residents of such areas. In this instance the proposed parking arrangement would not result in the loss of any significant historical fabric and the presence of parked cars would not have an adverse impact on the special interest of the listed building, and would preserve the prevailing character and appearance of the conservation area.
- 6.8 The proposed scheme for the conversion of the Barn to a residential dwellinghouse is therefore considered to be of an appropriate design, form and scale appropriate to the character and appearance to the character of the surrounding area and conservation area. Further, it is considered that the proposed design will not have detrimental harm upon the nearby heritage assets. The proposal therefore accords with the above policies.

Impacts upon Neighbouring Amenity

- 6.9 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.10 The proposal would result in a higher building height than currently exists in order to improve the existing roof structure, the ridge height would increase by approximately 1.2 metres on the eastern side and 0.9 metres to the western side. The Barn is situated 11 metres from 3 Hobs Acre, 12 metres from Amber Cottage, just over 11 metres away from Hobjoins and 19 metres away from Hill View Cottage. While the increased height would be visible it is considered that the separation distances, which are characteristic of the wider conservation area, would prevent any significantly harmful impacts on occupants of adjoining properties.
- 6.11 The potential for overlooking from the proposed scheme is considered to be limited due to the configuration of the building and nature of window openings, which are either high level (approximately 1.9m above floor level) or directly front the curtilage of the application site rather than adjoining properties. As a result it is considered that the potential for harmful or intrusive overlooking is slight and no significant harm would result in this regard.
- 6.12 The introduction of a further residential unit into an established residential location would not be expected to create potential for harmful levels of noise or disturbance, with the proposal making use of an existing garage and hardstanding. The continued use for parking would represent a neutral impact in amenity terms.

Transport

- 6.13 The converted barn would have sole use of the existing triple garage block, with the proposal making no changes to the layout or access arrangements onto the site. There are no objections to this approach which would provide a sufficient level of parking for future occupants without detriment to the highway network or safety.
- 6.14 In response to concerns regarding the absence of parking to the existing dwelling, Hobjoins, amended plans have been received which provide two off-street parking space parallel with Hyde Street. The Highway Authority has reviewed this provision and advised that the arrangement is acceptable. It is therefore considered that the amended plans have resolved concerns about displaced parking from Hobjoins, and that sufficient provision would be made for both the existing dwelling and that proposed within the converted barn.

Other Considerations

- 6.15 A number of representations raise concerns relating to the disruptions as a result of the proposed scheme being constructed. It is acknowledged that the site is surrounded by existing residential properties and a condition to require a Construction, Environmental Management Plan (CEMP) is therefore recommended. This approach coupled with a further condition to restrict working hours would minimise the potential for such disruption, which in any case would be short-term.
- 6.16 In respect of representations relating to flooding, the application site is not within a flood risk area and a condition is recommended to secure details of foul and surface water drainage.
- 6.17 The application is accompanied by a bat survey which considered the barn had a low/moderate value for roosting bats. The findings of this survey are currently being assessed by the Council's Ecology Consultant and any comments will be reported at Planning Committee.

Conclusion

- 6.18 The proposed scheme is considered to comply with Policies 3, 4, 32, 33, and 34 of the Horsham District Planning Framework 2015. It has been assessed from heritage and highways perspectives as well as impacts upon the wider character of the area and impacts upon neighbouring amenity and is considered to be an appropriate scheme. As such the proposal is recommended for approval as it complies with the Policies set out in the Horsham District Planning Framework 2015.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	190.7	190.7	0
		Total Gain	0
		Total Demolition	0

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 the application be approved subject to the following conditions:-

- 1 **A list of the approved plans**
- 2 **Standard Time Condition:** The development hereby permitted shall begin 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

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 the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:-

- a) Drawings to a scale not smaller than 1:5 fully describing:
 - i. New and replacement windows and external doors. These drawings must show:
 - materials
 - cross section of frame, transom, mullions, glazing bars, etc
 - formation of openings including reveals, heads, sills, etc
 - method of opening
 - method of glazing
- b) Specification, including location drawings and sketches where appropriate, of works to timber framing including extent of work, methods to be used, and the type of any replacement timber.
- c) Samples or specifications of external materials and surface finishes.
- d) A sample panel of brickwork / stonework, not less than 0.8 sq m, constructed on site. Before any further brickwork / stonework is undertaken, the panel must be inspected and approved in writing by the local planning authority. All brickwork / stonework must be executed in accordance with the sample panel, which shall remain on site until the works are complete and the condition discharged.
- e) Specification and/or drawings fully describing method of incorporating thermal, fire and sound insulation, describing the effect on the appearance and fabric of historic and architectural features.

Reason: In the interests of heritage and conservation in accordance with Policy 34 of the Horsham District Planning Framework (2015).

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

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

- 6 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until 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:** The hereby approved dwelling shall not be occupied until construction details outlining measures to prevent gravel overspill from the off-street parking serving Hobjoins have been submitted to and approved in writing by the Local Planning Authority. The off-street parking shall be constructed in accordance with the agreed details.

Reason: In the interests of road safety in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development shall be first occupied until all parking spaces have been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the residential use in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 9 **Pre-Occupation Condition:** No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 10 **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).

- 11 **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

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).

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

Reason: In the interest of visual amenity and preservation of the character of the area, neighbouring listed building and conservation area in accordance with Policies 32, 33 and 34 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** The roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges without Winchester cuts, clay tile or natural slate undercloaks, bonnet hip and valley tiles and hogs back or half round ridge tiles.

Reason: In the interests of heritage and conservation in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 14 **Regulatory Condition:** Rainwater goods (including gutters, down pipes and hopperheads) and external soil pipes shall be of cast iron or cast aluminium.

Reason: In the interests of heritage and conservation in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 15 **Regulatory Condition:** No new plumbing, pipes, soil stacks, flues, vents, ductwork or the like, shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: In the interests of heritage and conservation in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** No new grilles security alarms, lighting, cameras or other like items shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: In the interests of heritage and conservation in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 17 **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.

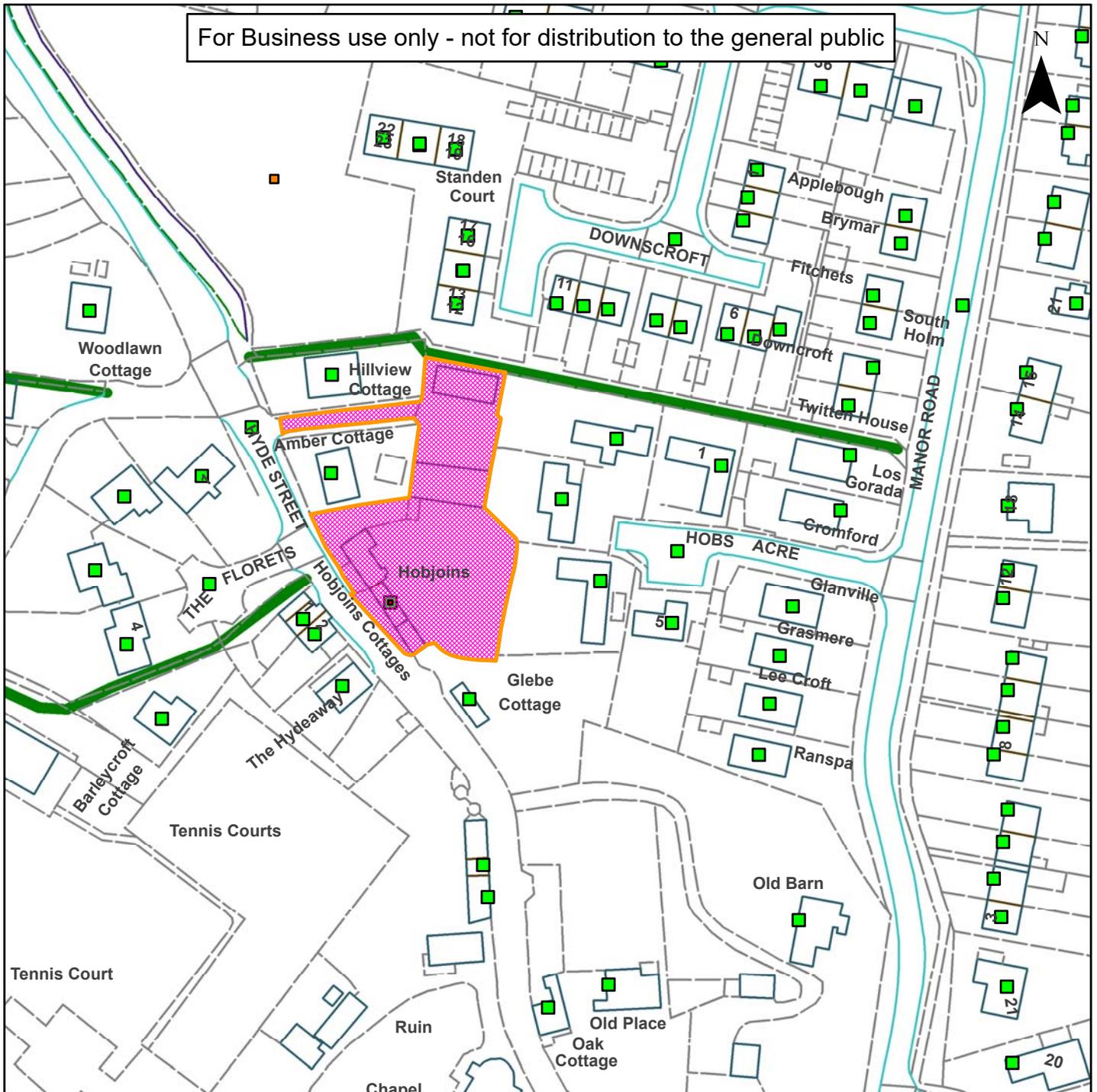
Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/18/0450



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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/12/2018
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 December 2018

DEVELOPMENT: Erection of a two storey rear extension.

SITE: Hope Cottage, Shoreham Road, Small Dole, Henfield, West Sussex BN5 9YG

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/18/1583

APPLICANT: **Name:** Mr and Mrs Powell **Address:** Hope Cottage, Shoreham Road
Small Dole BN5 9YG

REASON FOR INCLUSION ON THE AGENDA: Request by local member

RECOMMENDATION: To grant planning permission.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the erection of a two storey rear extension which will facilitate the creation of extra room space at the rear elevation of this two storey detached property. The proposal will represent an extension which will be 8m wide (in line with the existing footprint of the building), 6.5m high (with an eaves height of 4.7m) and 3m in depth (one half of the rear elevation is to be set back by 1m and it will have a depth of 2m). The application proposes the use of matching materials which would be sympathetic to the visual character of the existing building and the area.
- 1.2 It is proposed to demolish the existing rear elevation which has a first floor dormer and rear wall with windows and bi-fold doors. This will be replaced with a pitched roofed two storey structure that will have a 2m depth to the left half of the rear elevation, at both ground and first floor levels, with the right half having a depth of 3m also at both floor levels. New windows and bi-fold doors will be installed at the rear elevation.

DESCRIPTION OF THE SITE

- 1.3 The application relates to a property located in the built-up area of Small Dole in Henfield. The dwelling is composed of plain tile roofing, brown UPVc windows frames and doors, face brick walls and tile hung on both front and rear dormers. The site benefits from a front driveway/parking area, an existing detached garage and a large garden space to the rear elevation. Properties within the vicinity of the application site are mainly detached with varying architectural form and materials. The adjoining properties to the north and south are

detached and separated from Hope Cottage, with the southern neighbour (Chavey Down) being the furthest as this property has an extensive curtilage. The application property is sited almost in alignment with the northern property (The Sycamores), which staggers slightly east.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework 7** – Requiring Good Design

RELEVANT PLANNING POLICY

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

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

Policy 33 - Development Principles

- 2.4 Neighbourhood Planning Status:- Henfield Parish has been designated as a Neighbourhood Development Area as of January 2014. There is currently no made neighbourhood plan for the parish.

- 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/10/0412	Detached double garage	PER
HF/124/89	Erection of 2 houses with integral garages (From old Planning History)	PER
HF/31/89	Erection of 2 houses with integral garages (From old Planning History)	REF

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk
- 3.2 Henfield Parish Council – Objection due to the impact upon the neighbour, HDPF Policy 33.

PUBLIC CONSULTATIONS

- 3.3 Only one response was received being an objection by the northern neighbour (The Sycamores). The nature of the objections are based on the following –
- Loss of significant levels of daylight and sunlight to the ground floor lounge area because the extension will fill a significant area to the south of the property.
 - Proposed extension will be overbearing, particularly on the first floor. This will block out sunlight to rear decking of property for part of the afternoon.
 - Extension will create a sense of enclosure as a brick wall will be viewed at the side elevation.

- The proposed addition is in contrast with the front of the building and will create an odd looking building.

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

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

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

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

6. PLANNING ASSESSMENTS

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

- The character of the dwelling and the visual amenities of the area
- The amenities of the occupiers of adjacent properties

- 6.2 Policy 33 of the Horsham District Planning Framework relates to improving the quality of new development. It confirms that high quality and inclusive design will be required for all development across the district. Policy 33 also seeks to ensure that development proposals make efficient use of land, cause no harm to amenity, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

Design & Appearance

- 6.3 Policy 33 of the Horsham Development Framework states that permission will be granted for developments which ensure the scale, massing, and appearance of the development is of a high standard of design which relates well to the host building, and adjoining neighbouring properties.

- 6.4 The proposed extension will facilitate the creation of more space for a kitchen/day room on the ground floor and two bedroom spaces on the first floor. As part of the extension, the addition will have a hipped roof structure. The proposed hipped roof would adhere to key criteria set out within the Council's Design Guidance for House Extensions. Windows and doors are proposed to the rear elevation in similar positions to the existing rear elevation. The left half of the rear projection will be set back by 1m, giving it a depth of 2m, while the right half of the rear projection will have a depth of 3m. There are no side windows proposed. The extension will be 8m wide and will have a maximum roof height of 6.5m (4.7m to eaves)

- 6.5 As a result of the proposed rear extension, the space to the side boundaries of adjoining neighbouring properties will not change, as the extension will not be wider than the existing footprint of the property. There will be 1.6m space retained to the north boundary with neighbour (The Sycamores) and 2.9m space retained to the south boundary with neighbour (Chavey Down). A space of 13m will also be retained at the garden area leading to the west boundary.

- 6.6 Although the site is located within a built-up area, the boundary treatment with mature hedges and vegetation in between neighbouring properties creates a unique streetscape for the area. The proposal to use matching materials for the extension will enhance the visual appearance of the existing property and will complement the looks at the front elevation. The extension will balance the design of the application site because the change to the rear elevation will still maintain some aspects of the existing design, pertaining to the positioning of windows and doors. This will therefore not make the extension an incongruous addition or out of character with the existing building but will blend into the existing design.
- 6.7 Overall, it is considered that the proposed development of the property, taking into account the scale of the plot and the varying nature of the properties within the vicinity of the application site, is appropriately designed and scaled and would not have significant detrimental impacts on the surrounding area, in accordance with Policy 33 of the Horsham District Planning Framework.

Impact on Amenity

- 6.8 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. Given the plans submitted, the proposed rear extension has been set back by 1m on the north side featuring a rear projection of 2m on both floors and this leaves the southern half of the rear projection at 3m depth on both floors. This gives consideration to possible lighting impacts on neighbouring The Sycamores, sited to the north of the application site. The set back in structural design will reduce the lighting and overbearing impacts on the adjoining neighbour to the north.
- 6.9 While it is acknowledged that the proposed rear extension could have some lighting impact on this neighbouring property, particularly its rear decking and ground floor lounge area, it is not considered that this lighting impact would be significant. This is because The Sycamores has two roof lights at its south elevation which faces the application site. External lighting in general would not normally need planning permission and is not uncommon within a built up area. Besides this, The Sycamores also has front windows at both ground floor and first floor levels facing east, together with two roof lights on the north elevation which will enable fair access to sunlight during parts of the day.
- 6.10 The siting of the proposed extension and The Sycamores is such that the rear elevation of the Sycamores will still experience some degree of sunlight when the sun is facing west. Neighbouring property Chavey Down to the south is considerably spaced from the proposed extension and is unlikely to suffer any significant detrimental impacts on amenities as a result of the proposal.
- 6.11 There are no side windows proposed to part of the extension facing The Sycamores to the north, and while this neighbour feels the extension would create a sense of enclosure when viewed from their curtilage, this impact will be mutual as a view of the side elevation to The Sycamores from the application site features a brick wall with two roof lights and a chimney, which could also create a sense of enclosure likewise. An assessment of the site also indicates that there is currently a degree of mutual overlooking between both properties and this will be retained after the extension is erected. Therefore, the impact on The Sycamores pertaining to overlooking is mutual.

Conclusion

- 6.12 Taking all aspects of the application into account, the proposed rear extension will not have a significant impact on the adjoining occupiers or neighbouring properties. It is considered that the proposed works would be acceptable on amenity grounds and the rear addition will not detract from the visual harmony or character that exists in the area.

7. RECOMMENDATIONS

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

- 1 A list of the approved plans
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with policy 33 of the Horsham District Planning Framework.

Background Papers: DC/18/1583
Case Officer: Michael Kotoh-Mortty

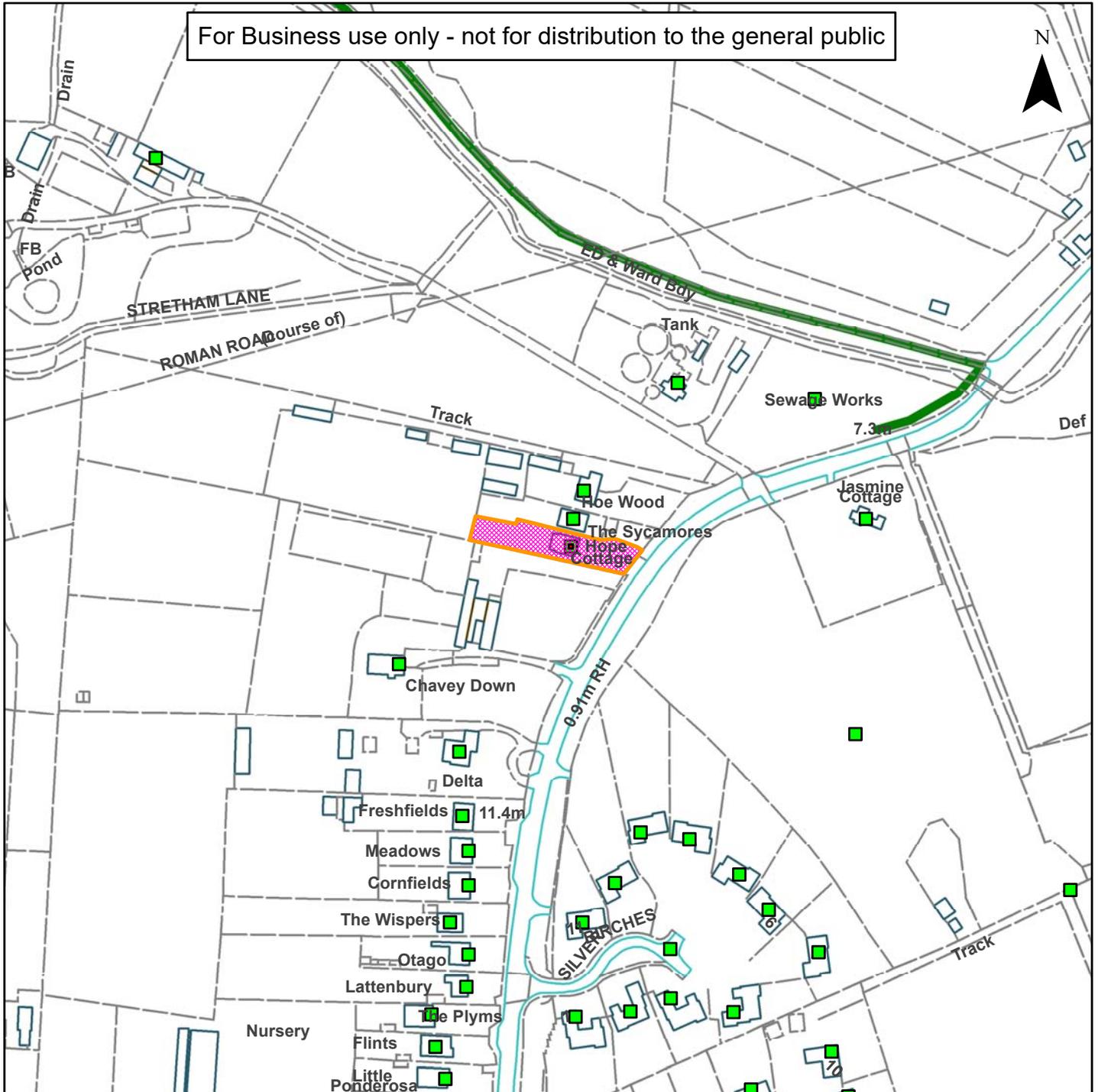
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Organisation	Horsham District Council
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Comments	Not Set
Date	06/12/2018
MSA Number	100023865

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