

Planning Committee (South)
16 APRIL 2019

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

Apologies: Councillors: Karen Burgess, Jonathan Chowen and Paul Marshall

PCS/85 **MINUTES**

The minutes of the meeting of the Committee held on 19 March were approved as a correct record and signed by the Chairman.

PCS/86 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/19/0461 – Councillor Michael Willett declared a prejudicial interest in this item because he was the applicant. He withdrew from the meeting during the determination of this item.

DC/19/0461 – Councillor Tim Lloyd declared a personal and prejudicial interest in this item because the applicant was a fellow Parish Councillor and social friend. He addressed the committee in support of the proposal and then withdrew from the meeting during the determination of this item.

DC/19/0461 – Councillor Gordon Lindsay also declared a personal and prejudicial interest because he considered the applicant to be a personal friend. He withdrew from the meeting during the determination of this item.

DC/18/2122 – Councillor Nigel Jupp declared that he was a County Councillor for Southwater.

PCS/87 **ANNOUNCEMENTS**

The Committee gave Councillor David Jenkins a round of applause in acknowledgement of his longstanding service as a District Councillor. He was not standing for re-election in May, and the Cabinet Member for Finance & Assets thanked David for his hard work and expertise over the years both as a Cabinet Member and Chairman of Planning Committee South.

The Chairman thanked members of the Committee for their support and work over the current administration. The Cabinet Member for Planning & Development also thanked the Chairman, on behalf of the Committee, for chairing the committee so well.

PCS/88 **APPEALS**

The list of appeals lodged and appeals in progress, as circulated, was noted. There were no appeals decisions to report during the relevant period.

PCS/89 **DC/18/2122 - LAND NORTH OF HILLAND FARM, STANE STREET, BILLINGSHURST**

The Head of Development reported that this was a hybrid application comprising two phases: Phase 1 sought full planning permission for up to 4,998sqm of business and industrial use floor-space, roundabout access junction from the A29 (Stane Street), access, parking, servicing areas and associated landscaping; Phase 2 sought outline permission for up to 14,075sqm of business and industrial use floor-space, petrol filling station with ancillary retail offer and drive through coffee unit, with all matters reserved except for access.

An addendum to the report had been circulated which included details of: additional representations; an additional regulatory condition required to ensure no buildings or structures were outside specified areas in order to protect the landscape character and the amenities of the public right of way and dwellings to the east; and some minor corrections to the report.

The application site was an undeveloped field approximately 140 metres north of the built-up area Billingshurst, east of Stane Street and south of New Road, a narrow rural road. A Public Right of Way ran along the eastern boundary. There was some ancient woodland approximately 130 metres north. Cables from an electricity pylon route crossed the southwest portion of the site. The site was close to the strategic development for 475 houses to the south that was currently under construction.

The Parish Council raised no objection to the application. Chichester District Council raised no objection. There had been 17 public consultation responses objecting to the proposal and two in support of it as set out in the report. The addendum to the report gave details of two additional letters of support and two further letters of comment, which had been received since publication of the report. One member of the public spoke in objection to the application and the applicant and the applicant's agent both addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development and the assessment of need; impact on landscape; highways considerations; retail impact; layout and amenity; design and appearance; and drainage and flood risk. It was noted that whilst the proposal was contrary to the development strategy of the HDPF because the site was in the countryside, a departure from this strategy could be justified should benefits weigh in favour of the proposal.

Members welcomed the economic benefits of the proposal that would meet the current shortfall in employment floor-space and weighed these against the conflict with policy.

In response to concerns, officers agreed to amend Condition 20, requiring an air quality mitigation scheme, to ensure that charging points for electric vehicles were located at the petrol filling station as well as the commercial units.

RESOLVED

- (i) That a legal agreement be entered into to secure associated highways infrastructure improvements on the A29.
- (ii) That on completion of (i) above, planning application DC/18/2122 be determined by the Head of Development, in consultation with local Members, with a view to granting permission subject to appropriate conditions, including Condition 62 as set out in the addendum, and an amendment to Condition 20 to secure charging for electric vehicles at the petrol filling station.
- (iii) In the event that the legal agreement is not completed within three months of the decision of this committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

PCS/90 **DC/18/2594 - ABINGWORTH NURSERIES, STORRINGTON ROAD, THAKEHAM**

The Head of Development reported that this application sought permission for external and internal alterations to a building, which is currently a village shop with one 2-bedroom flat above, to include a village shop, ancillary café facilities and a veterinary practice on the ground floor, and two flats with separate accesses on the upper floor. Members were advised that the opening hours of the veterinary practice as stated in paragraph 6.23 of the report should read 08.00 – 17.00 hours (not 18.00 hours).

The application site was located in Thakeham, east of High Bar Lane and northeast of Abingworth Hall Hotel, and was part of the Abingworth development site for 159 dwellings with community facilities granted under DC/10/1314 and amended through a number of minor material amendments.

Members were advised that an additional condition was recommended to address concerns regarding the impact of external lighting for the veterinary surgery and shop on the amenity of nearby residents.

The Parish Council raised no objection to the application. There had been 101 representations objecting to the application, as printed in the report. Members

were advised that four additional letters had been received objecting to the application on the grounds of lack of evidence and robust marketing to justify the loss of the larger retail unit, the lack of a need for the veterinary surgery, the amenity impact of the proposal, unsustainability, breach of covenants and that it was contrary to the neighbourhood plan. These letters were partly in response to the additional evidence submitted by the applicant.

Most notably, a copy of a letter from the proprietor of Londis in Southwater had been received. The letter stated that he was interested in the retail unit. This appeared to be contrary to the evidence submitted by the applicant as outlined in the report. However, it should be noted that the letter stated that his interest was based on the length of lease, rent and incentives. Without knowing what these requirements were, such as the incentives, the Planning Officer could not say whether this was a reasonable offer. Additionally, the letter suggested that they would be interested in a smaller retail unit as well and not the larger unit as originally proposed.

Three members of the public spoke in objection to the application. The Applicant's agent addressed the Committee in support of the proposal. A representative of the Parish Council also spoke in support of the application. The prospective tenant of the proposed shop and the prospective tenant of the proposed veterinary practice both spoke in support of it.

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

A Local Member considered that further independent evidence regarding economic viability of the smaller shop unit should be sought, and moved that the application be deferred for one cycle. Members voted on this motion and it was dismissed. Members noted that the applicant had failed to find a tenant for a larger retail space and concluded that the smaller unit and café would meet the needs of the community.

RESOLVED

That planning application DC/18/2594 be granted subject to the conditions as reported, with an additional condition regarding external lighting:

Pre-Occupation Condition: Prior to occupation of either the veterinary surgery or the retail unit hereby permitted, details of any external lighting for the relevant use shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the agreed details and thereafter retained as such.

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

PCS/91 **DC/18/2616 - LAND OFF LITTLE EAST STREET, BILLINGHURST**

The Head of Development reported that this application sought permission for the erection of two detached 4-bedroom dwellings in place of one of the three dwellings permitted under DC/17/1502 (Minute No PCS/8 (19.06.18) refers).

Members were advised that an additional condition was recommended to secure obscured glazing on the first floor windows facing east on Plot 4 and west on Plot 3. This was to prevent overlooking and safeguard the amenity of neighbouring residents.

The application site was located outside but adjacent to the built-up area of Billingshurst, northeast of Little East Street and used to be private allotments. It lay between the residential development of Billingshurst to the west and a development site currently under construction to the east. There was a public footpath along the southern boundary. The site is within Billingshurst Conservation Area.

The Parish Council strongly objected to the application. Seven representations from five households objecting to the proposal had been received. The applicant's agent spoke in support of the application.

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

Members concluded that the layout and scale of the proposal were acceptable and there were no planning grounds for objecting to the application.

RESOLVED

That planning application DC/18/2616 be granted subject to the conditions as reported, with an additional condition regarding the first floor windows facing east on Plot 4 and west on Plot 3:

Pre-Occupation Condition: The dwellings hereby permitted shall not be occupied until the windows at first floor level (facing east on Plot 4 and west on Plot 3) on Plans J1422-02 & 03 have been fitted with obscured glazing. No part of those windows that are less than 1.7 metres above the floor of the rooms in which they are installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

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

PCS/92 **DC/19/0260 - MILL HOUSE, BROOKLANDS FARM, COUNTRYMAN LANE, SHIPLEY**

The Head of Development reported that this application sought retrospective permission to regularise works to the dwelling. These included: a new dormer window and reconfiguration of rooflights on the northern side; the removal of a dormer window on the southwest side; and changes to the dormer window to create additional headroom on the southeast side. There were changes to the internal layout, and re-cladding in natural cedar on external walls was also proposed.

There was an amendment to Condition 2, as printed in the report, relating to the fitting of obscured glazing to the enlarged dormer window to clarify which panels should be obscured.

The application site was located outside the built-up area and was a converted warehouse that was part of a residential complex made up of converted outbuildings. The site was accessed from a private driveway north of Countryman Lane that served these dwellings. A public footpath ran along the driveway and along the northern boundary of the site.

The Parish Council objected to the application. A total of 17 representations objecting to the application had been received. These included six from one neighbouring household and seven from addresses outside the district. Two members of the public spoke in objection to the application. Both applicants and the applicants' architect spoke in support of the proposal.

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

After careful consideration Members concluded that the enlarged dormer window on the south elevation was an inappropriate design and out of character with the existing building. Members also concluded that the increased size of the dormer window would have a detrimental impact on the amenity of the neighbouring property.

RESOLVED

That planning application DC/19/0260 be refused for the following reasons:

- 01 The enlarged dormer to the south facing elevation is excessive in size and is inappropriate in terms of its design. The dormer is harmful to the existing character of the building. The proposal is therefore contrary to Policies 28 and 33 of the Horsham District Planning Framework (2015).
- 02 The dormer results in overlooking of the front and rear garden of the adjacent property to the south. The proposal is therefore contrary to Policy 33 of the Horsham District Planning Framework (2015).

PCS/93 **DC/19/0461 - NASH GRANGE FARM, HORSHAM ROAD, STEYNING**

The Head of Development reported that this application sought permission for the erection of a single storey side extension with a pitched gabled roof. External materials matching those of the existing building were proposed.

The application site was located a short distance north of the built-up area of Steyning and was a converted barn featuring black stained weatherboarding. There was a contemporary extension of sympathetic design on the west side of the dwelling. The site was within a small group of dwellings with access along a shared private driveway off Horsham Road.

The Parish Council raised no objection to the application, and no public representations had been received. The Local Member spoke in support of the proposal and then left the meeting during the determination of the item.

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

RESOLVED

That planning application DC/19/0461 be granted subject to the conditions as reported.

The meeting closed at 4.54 pm having commenced at 2.30 pm

CHAIRMAN