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# Planning Committee (North)

**Tuesday, 3rd September, 2019 at 5.30 pm**  
**Conference Room, Parkside, Chart Way, Horsham**

Councillors:	Karen Burgess (Chairman) Liz Kitchen (Vice-Chairman) Matthew Allen Andrew Baldwin Tony Bevis Toni Bradnum Alan Britten Peter Burgess Roy Cornell Christine Costin Leonard Crosbie Brian Donnelly Ruth Fletcher Billy Greening Frances Haigh Tony Hogben	Richard Landeryou Gordon Lindsay John Milne Colin Minto Christian Mitchell Godfrey Newman Louise Potter Stuart Ritchie David Skipp Ian Stannard Claire Vickers Belinda Walters Tricia Youtan
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You are summoned to the meeting to transact the following business

Glen Chipp  
Chief Executive

## Agenda

	<b>Page No.</b>
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 12
<p>To approve as correct the minutes of the meeting held on 6 August 2019  <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i></p>	
3. <b>Declarations of Members' Interests</b>	
<p>To receive any declarations of interest from Members of the Committee</p>	

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/19/1149 - Christs Hospital School, The Avenue, Christs Hospital** 15 - 58

Ward: Southwater North

Applicant: Christs Hospital Foundation

7. **DC/19/0905 - Upper Bottle House, Stane Street, Slinfold** 59 - 70

Ward: Itchingfield, Slinfold and Warnham

Applicant: Mr Michael Chambers

8. **Urgent Business**

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

# Agenda Annex

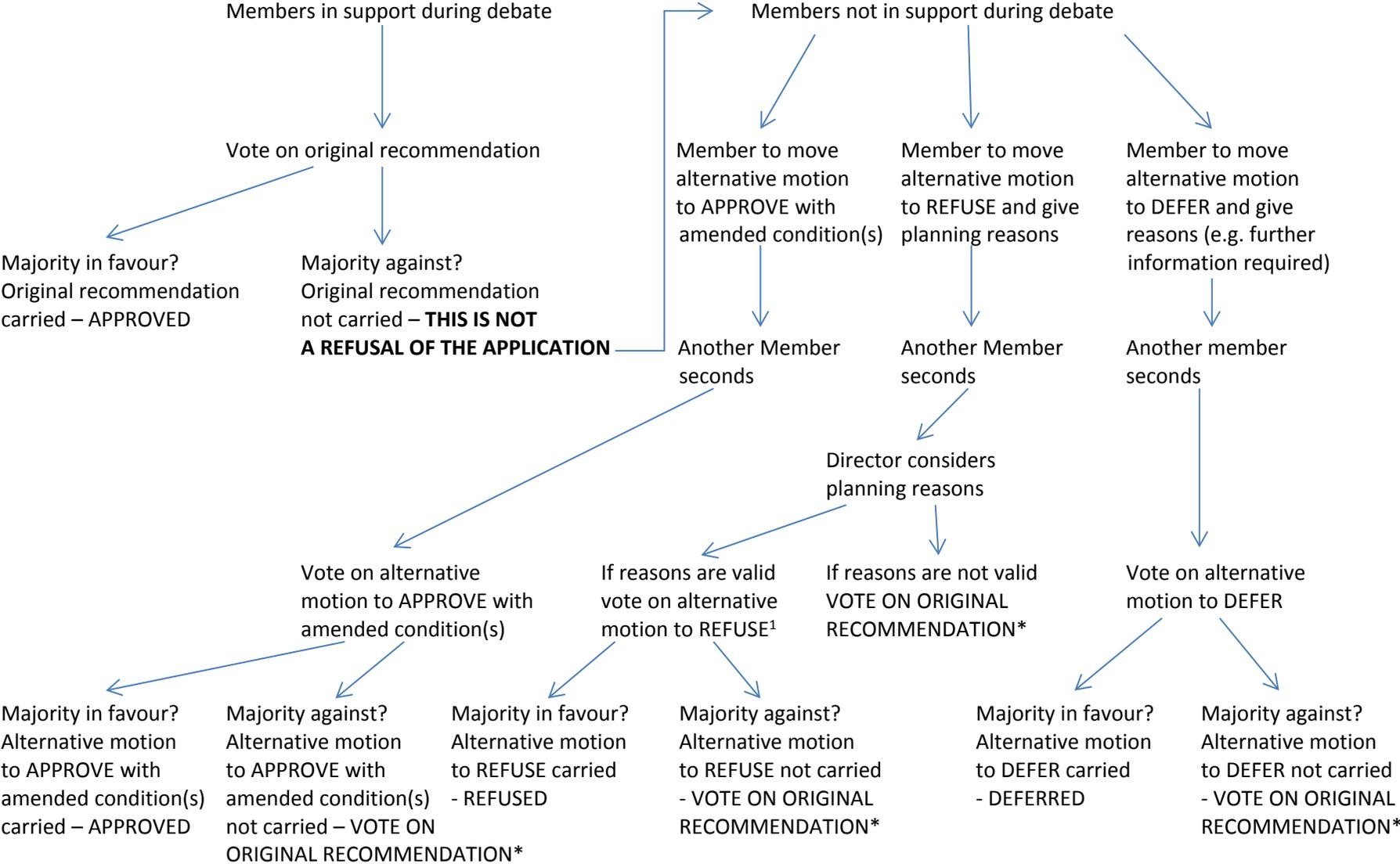
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

**Original recommendation to APPROVE application**



\*Or further alternative motion moved and procedure repeated

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

**Original recommendation to REFUSE application**



\*Or further alternative motion moved and procedure repeated

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

**Planning Committee (North)**  
**6 AUGUST 2019**

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, Toni Bradnum, Alan Britten, Peter Burgess, Roy Cornell, Christine Costin, Leonard Crosbie, Brian Donnelly, Ruth Fletcher, Billy Greening, Frances Haigh, Tony Hogben, Richard Landeryou, Gordon Lindsay, John Milne, Colin Minto, Godfrey Newman, Louise Potter, David Skipp, Ian Stannard, Claire Vickers and Belinda Walters

Apologies: Councillors: Christian Mitchell, Stuart Ritchie and Tricia Youtan

PCN/20 **MINUTES**

The minutes of the meeting of the Committee held on 2 July 2019 were approved as a correct record and signed by the Chairman.

PCN/21 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/18/2687 - Councillor Andrew Baldwin declared a Personal and Prejudicial Interest as he is a Member of the West Sussex County Council.

DC/18/2687 - Councillor Elizabeth Kitchen declared a Personal and Prejudicial Interest as she is a Member of the West Sussex County Council.

PCN/22 **ANNOUNCEMENTS**

There were no announcements.

PCN/23 **APPEALS**

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

PCN/24 **DC/18/2687 - FORMER NOVARTIS SITE, PARSONAGE ROAD, HORSHAM**

*Councillor Elizabeth Kitchen was not present for this item. Councillor Andrew Baldwin spoke after the officer presentation and then left the meeting for the remainder of this item.*

The Head of Development reported that this application sought outline planning permission for the erection of up to 300 dwellings, including i the conversion of existing office buildings, up to 25,000 square metres of employment floor spaces, and some flexible commercial/community space. An equipped play area would be included in the main open space area of the site.

Up to 308 residential parking spaces and up to 872 spaces in the employment area were indicated. These would include two multi-storey parking courts. The proposal included improvements to pedestrian and vehicular accesses from Parsonage Road and Wimblehurst Road, and new cycle/pedestrian accesses from Parsonage Road. All matters were reserved except for access.

The application site was located in the built-up area of Horsham, south of Parsonage Road and east of Wimblehurst Road and had been used by Novartis Pharmaceuticals until 2014. Railway lines lay along the south and west boundaries. Construction of 160 dwellings north of the site was underway.

North Horsham Parish Council and neighbouring Denne Neighbourhood Council both raised concerns mostly related to traffic issues and pedestrian safety. There had been 60 public consultation responses objecting to the application. Wimblehurst Road Residents Group, Horsham District Cycle Forum and the Horsham Society had all objected to the application. County Councillor Peter Catchpole raised concerns regarding traffic volumes. Two public consultation responses had been in support of the proposal.

3 members of the public spoke in objection to the application. The applicant and the applicant's agent addressed the Committee in support of the proposal. A representative of North Horsham Parish Council, Denne Neighbourhood Council, and Forest Neighbourhood Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the character and visual amenity of the locality; highway and pedestrian safety, including vehicular and pedestrian access; dwelling type and tenure mix; the amenity of neighbouring occupiers; impact on heritage, nature conservation, flooding, land contamination and archaeology.

Members raised concerns regarding potential Highway issues that could arise within the site and the surrounding area should this application be approved. It was proposed that this application be refused.

#### RESOLVED

That the application be referred to Full Council as the Director of Place deemed that the Committee was minded to make a decision that could result in significant costs to the Council. This decision was made in accordance with Paragraph 3.6.2(d) of the Horsham District Council Constitution.

#### PCN/25 **DC/18/0363 - DEERSWOOD, SOUTHWATER STREET, SOUTHWATER**

The Head of Development reported that this application sought retrospective permission for the erection of a two-storey house, detached triple garage with

store and BBQ area, detached carport, new highway access and associated landscaping. The application followed permission DC/15/2127 for two dwellings known as Deerswood and Stags Leap. The triple garage had been approved under DC/17/1368. Stags Leap was adjacent to the site and was subject to a similar application (DC/18/0464), which was also being considered by this Committee.

Conditions attached to the original permission, including landscaping, boundary treatments, bin/cycle storage and footpath, had not been discharged. There were also a number of irregularities regarding the construction of the dwelling and garages. The current application sought to regularise the breaches to conditions and amendments to the dwelling and garages.

The application site was located within the built-up area of Southwater on the north of Southwater Street. The site had been part of a landscape buffer between Oakhurst Business Park to the north and dwellings to the south, west and east.

In response to the original public consultation, the Parish Council had raised concerns regarding the material used for the driveway and the development's impact on the bunds. There had been twelve responses, from eight households, objecting to the proposal. A further two responses had been received in response to amended plans. One further objection and one further letter of support had been received in responses to the most recent set of amended plans. There had been two consultation responses supporting the proposal as first submitted.

3 members of the public 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; its impact on the character and appearance of the streetscene; the privacy and amenity of neighbouring properties; noise attenuation; highway safety; drainage; and the enforceability of the recommended conditions.

#### RESOLVED

That planning application DC/18/0363 be granted subject to the conditions as reported.

#### PCN/26 **DC/18/0464 - STAGS LEAP, SOUTHWATER STREET, SOUTHWATER**

The Head of Development reported that this application sought retrospective permission for the erection of a two-storey house, detached carport, new highway access and associated landscaping. The application followed permission DC/15/2127 for two dwellings known as Deerswood and Stags Leap. Deerswood was adjacent to the site and was subject to a similar application (DC/18/0363), which was also being considered by this Committee.

Conditions attached to the original permission, including landscaping, boundary treatments, bin/cycle storage and footpath, had not been discharged. There were also a number of irregularities regarding the construction of the dwelling and carport. The current application sought to regularise the breaches to conditions and amendments to the dwelling and carport.

The application site was located within the built-up area of Southwater on the north of Southwater Street. The site had been part of a landscape buffer between Oakhurst Business Park to the north and dwellings to the south, west and east.

In response to the original public consultation, the Parish Council had raised concerns regarding the access path. There had been eight responses, from seven households, objecting to the proposal. A further four responses had been received in response to amended plans. One further objection and one further letter of support had been received in responses to the most recent set of amended plans. There had been two consultation responses supporting the proposal as first submitted.

3 members of the public 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; its impact on the character and appearance of the streetscene; the privacy and amenity of neighbouring properties; noise attenuation; highway safety; drainage; and the enforceability of the recommended conditions.

#### RESOLVED

That planning application DC/18/0464 be granted subject to the conditions as reported.

#### PCN/27 **DC/19/0821 - HUNTERS OAK, FAYGATE LANE, FAYGATE**

The Head of Development reported that this application sought permission for the removal of a domestic storage barn and the erection of a 3-bedroom timber-framed dwelling.

The application site was located outside the built-up area to the west of Faygate Lane. The barn was in a relatively large plot that included a dwelling, commercial buildings and outbuildings. Durrants Retirement Village was to the south and there were some dwelling to the north and woodland to the west.

The Parish Council raised no objection to the application. There had been one public consultation response raising concerns regarding the loss of trees.

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; its impact on the character and

appearance of the surrounding countryside; the privacy and amenity of neighbouring occupiers; and highway safety and parking.

RESOLVED

That planning application DC/19/0821 be granted subject to the conditions as reported.

PCN/28 **DC/19/0419 - ELENGE PLAT, GROUSE ROAD, COLGATE**

The Head of Development reported that this application sought permission for the demolition of unused piggery buildings and stabling building and the erection of a two-storey detached dwelling.

The proposals involved excavation of the sloping land so the dwelling would appear to be single-storey when viewed from the access to the north. The design was U shaped with a flat green roof, solar panel and timber cladding. Three parking spaces were proposed, along with significant landscaping works.

The application site was located in the High Weald Area of Outstanding Natural Beauty, southeast of Grouse Road and was surrounded by fields and woodland. It was east of Elenge Plat, a large detached property that had a 'chauffeur's dwelling' and workshop in its curtilage. There were a few other properties along Grouse Road.

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 of the proposal; impact on the character and appearance of the countryside and the AONB; the privacy and amenity of nearby residents; and highway safety and parking.

Members noted that planning permission to convert the piggery buildings into a single storey dwelling had been granted in 2016.

RESOLVED

That planning application DC/19/0419 be granted subject to the conditions as reported and to reference being made in the materials condition to the High Weald AONB design guidance document.

PCN/29 **DC/19/0741 - WILLOW COTTAGE, 21A CEDAR CLOSE, HORSHAM**

The Head of Development reported that this application sought permission for the felling of two Cypress trees and one section of a Sycamore. The application also sought surgery to a Cypress hedge along the western boundary of the property.

The application site was located in a residential area within the built-up area of Horsham. The trees grew close to the southern boundary of the property near

the boundary fence with properties in Springfield Park Road. The hedge ran along the western boundary adjoining 32 and 33 Springfield Crescent.

The Neighbourhood Council had not commented on the application. There had been nine responses to the public consultation objecting to the application.

Members considered the officer's assessment which included: the history of trees on the site and surrounding area; the poor health of the trees subject to this application; and the scale of the conifer hedge that required trimming.

RESOLVED

That planning application DC/19/0741 be granted subject to the conditions as reported.

*The meeting closed at 7.54 pm having commenced at 5.30 pm*

CHAIRMAN

## Planning Committee (NORTH)

Date: 3<sup>rd</sup> September 2019

Report on Appeals: 25/7/19 – 21/8/19



**Horsham  
District  
Council**

### 1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/18/2614	Land Adjacent To Elm Cottages Worthing Road Southwater RH13 9DT	12-Aug-19	Non-determination (application would have been refused)	N/A

### 2. Live Appeals

The following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
EN/18/0170	Windacres Farm Development Site Church Street Rudgwick West Sussex	Written Representation	05-Aug-19	Notice served	N/A
EN/18/0398	Windacres Farm Development Site Church Street Rudgwick West Sussex	Written Representation	05-Aug-19	Notice served	N/A
DC/19/0041	Gardeners Cottage Hammerpond Road Horsham West Sussex RH13 6PJ	Fast Track	19-Aug-19	Application Refused	N/A
DC/18/1742	3 Chalice Walk High Street Rusper Horsham West Sussex RH12 4FA	Fast Track	21-Aug-19	Application Permitted	Application Refused
DC/18/2440	Hoes Farm Coolham Road Shipley Horsham West Sussex RH13 8PF	Written Representation	21-Aug-19	Application Refused	N/A

### 3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/18/2697	202 Crawley Road Horsham West Sussex RH12 4EU	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/0120	Morelands Barn Naldretts Lane Rudgwick Horsham West Sussex RH12 3BU	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/1128	Ivy Cottage The Haven Billingshurst West Sussex RH14 9BS	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/1130	Ivy Cottage The Haven Billingshurst West Sussex RH14 9BS	Written Representation	Appeal Dismissed	Application Refused	N/A



**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 03 September 2019

**DEVELOPMENT:** Proposed two storey extension to the existing sports centre to provide two new swimming pool, spa facilities, two class studios, a fitness suite and cafe. Construction of a six-lane, all-weather running track with eight-lane sprint track and ancillary athletic facilities and floodlighting. Construction of a 3G artificial grass pitch with floodlighting. Relocation of spoil on land to the east. Creation of an unlit outdoor adventure area with 15 stations east of the new track. Associated car parking for 272 cars, and a new permanent access to Christ Hospital Road, closure of the existing Infirmary Drive access with conversion of disused section of drive to a sprint track. Erection of associated equipment store, fencing and lighting

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

**WARD:** Southwater North

**APPLICATION:** DC/19/1149

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

- REASON FOR INCLUSION ON THE AGENDA:**
1. More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.
  2. By request of Local Member
  3. By request of Parish Council

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

**1. THE PURPOSE OF THIS REPORT**

- 1.1 To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.2 The application is a re-submission of application DC/18/1268 which was refused by the Council in January 2019. The reasons for refusal of DC/18/1268 were the following:

- (1) The proposal results in significant landscape harm in a countryside location which is not outweighed by the benefits of the development; and
- (2) The development would result in an adverse effect upon the amenity of the neighbouring residents by virtue of noise and light.

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

- 2-storey extension to the Bluecoats Sports Centre, containing a new four lane teaching and leisure pool with viewing gallery, associated spa facilities and changing rooms; 2x new class studios; a fitness suite, new WC's, and enlarged café;
- Six lane all-weather running track (and 8-lane sprint track) with floodlighting and ancillary athletics facilities;
- Athletics equipment store;
- Outdoor exercise area ('Adventure Trail') with 15 'activity stations'
- Downgrading and closure of part of the existing Infirmary Drive to sprint track;
- 3G artificial grass pitch for rugby and football, with floodlighting;
- Car parking for 272 cars (236 formal spaces and 36 overflow);
- New permanent access road from Christ Hospital Road;
- Use of land to the east to relocate spoil;
- Associated landscaping, planting, fencing and lighting/flood lighting.

1.3 The **key differences** between the current application and the previously refused application (DC/18/1268) are as follows:

- Adventure Trail has been relocated away from Christ Hospital Road, and has been reduced in scale;
- Athletics track has been lowered into the ground by 0.5 metres;
- Spectator seating to the athletics track has been scaled down;
- 3G pitch has been moved 6.5 further south;
- Floodlighting columns for the athletic track reduced from 18m to 17m;
- Floodlighting system has been revised to minimise light spill, and to be fully controllable;
- Floodlighting luminaires have been reduced;
- 2.5km running trail has been removed;
- Individual tree removal has reduced from 26 to 18;
- Tree replanting proposals have been enhanced;
- Hard surfacing quantum reduced;
- SUDS ponds removed;
- Noise assessment is more detailed, and includes additional noise surveys;
- A Community Use Agreement proposes restrictions on large events;
- Large events proposed to be capped at 1000 people;
- Large events proposed to be limited to 4 per year and will require an Event Management Plan; and
- A full Travel Plan is included within the Transport Assessment.

In addition, the applicant has agreed to fund a Traffic Regulation Order (TRO) to reduce the current speed limit on Tower Hill and Christ's Hospital Roads (60mph) down to 30mph, as well as traffic calming measures on roads to the west of the site. The TRO application process for this has started, but this sits separately from the planning application process.

### *Detailed Description of the Proposals*

- 1.4 The extension to the sport centre would be located to the west of the existing building, over part of the existing car park. The extension would create around 4,000m<sup>2</sup> of additional floorspace over 2 floors, and would have flat roofs of various heights ranging from 8.7m to 11.5m. The extension would consist of a mix of external materials including limestone wall cladding, dark grey and red brick cladding, dark grey curtain wall cladding, fascia's, canopies and soffits; blue aluminium window panels, sand coloured render, glass balustrade, and dark grey window and door frames. A new curved timber-clad feature is proposed at the front elevation to screen an outdoor plant and storage area, and to be used to mount new sport centre signage. The existing main entrance would be relocated to relate to the new parking area to the north, and an area of hardstanding is proposed around the perimeter of the sports centre extension to enable pedestrian access from various locations.
- 1.5 The proposed all-weather running track with ancillary athletics facilities would be located on land to the north of the existing Bluecoats Sports Centre. The track would be a full-sized six-lane, 400m facility, with eight 100m sprint lanes fronting a (scaled down) stepped seating area for spectators. Due to level changes and the requirement for the track to be flat, the track would be set into the ground by approximately 2m at the southern end, which requires retaining walls, ramps and banked grass mounds (also to be used for informal spectator seating). The revised scheme proposes to lower the whole track 0.5m further into the ground than the previous scheme. Ancillary athletics facilities would include a long/triple jump track, pole vault track, and areas for high jump and shotput. The grassed centre of the track would provide areas for other field events such as discus, hammer and javelin; as well as doubling-up as a rugby training pitch in the winter season. Ten 17m high floodlighting columns are proposed around the athletics track, and 1.2m black mesh fencing would circulate the perimeter of the track.
- 1.6 The proposed athletics equipment store would be located to the north of the track, and would be fronted by a 3.5m wide area of hardstanding which links the store to the school's main entrance road (Main Drive) to provide vehicular access. The store would be a single storey sloping roof structure, with a green roof, measuring 22.3m in length, and 4.6m maximum height. It would contain 4 sets of double doors on the main elevation for access and storage of athletic and sports equipment, and 4 small high-level window openings at the rear elevation. The end elevations would each contain additional door openings. The building would be clad with horizontal red cedar wood cladding, with aluminium louvres, fascias, soffits and door rails, and a green roof (an amendment from the original scheme which has resulted from pupil input). In total, the building would provide 150m<sup>2</sup> of storage.
- 1.7 The outdoor 'Adventure Trail' area would be located to the north east of the track and to the south of Infirmary Drive (an amendment from the original scheme). The Adventure Trail would be unlit, and would consist of 15 exercise stations linked by a porous polymeric track. The stations would provide various climbing and jumping challenges to test strength, balance, fitness and agility. As part of the Adventure Trail area, a portion of the current Infirmary Drive access road is proposed to be downgraded, and converted to a 100m inclined sprint track, which would involve the closure of the existing Infirmary Drive access onto Christ's Hospital Road.
- 1.8 The proposed 3G artificial grass pitch would be used for football and rugby. This pitch would formalise an existing grass pitch in the same location (to the west of the proposed athletics track and main entrance drive). The 3G pitch would be fully fenced with 3m perimeter fencing, and would include spectator seating and 8no. floodlighting columns. An area of hardstanding would surround the southern end of the pitch to enable pedestrian access.

- 1.9 In order to avoid the need to transport excavated material to landfill, the land to the east of the main site (the 'Eastern Fields') is proposed to be used as a site to accommodate around 24,000m<sup>3</sup> of excess spoil excavated from the proposed development. The spoil is proposed to raise the land by an average of 0.5m, across the 4.5Ha site. The topsoil of the spoil mounds will re-seeded with grass.
- 1.10 The car parking on site is proposed to be reconfigured, due to the extension to the sports centre which would result in the loss of the 114 existing spaces. Two new car parking areas are proposed to the north and east of the sports centre containing a total of 236 parking bays. An addition 36 spaces are also proposed in a separate overflow area. The new car parking area will be served by a new access road linked directly from Christ's Hospital Road thereby separating vehicular access arrangements for users of the sports facilities and the school. The new access road is a formalisation of the already permitted temporary access road permitted under DC/17/2635.
- 1.11 A full scheme of soft landscaping and planting is proposed. To facilitate the development, 18 individual trees across the site are proposed for removal (in addition to one hedgerow, and several groups of trees which amounts to a total of 157 trees for removal). The individual trees proposed for removal include 5x A Grade (high quality), 4x B Grade (moderate quality), and 6x C Grade (low quality), and 3x U Grade trees. Compensatory tree planting is proposed as follows:
- 5x Heavy standard English Oak trees (12-14cm girth / 3.5-4.25m height);
  - 101x Native trees (10-12cm girth / 3-3.5m height);
  - 48x Ornamental tree species (10-12cm girth / 3-3.5m height);
  - 50x Native understorey tree species (1.5-1.75m, feathered);
  - 5,700x understorey, native and ornamental shrubs (20cm – 1.2m height).

## DESCRIPTION OF THE SITE

- 1.12 Christ's Hospital School is located approximately 3km to the south-west of Horsham, and approximately 1.5km to the south-west of the small settlement of Tower Hill. The settlement of Christ's Hospital largely comprises the school campus, and a small cluster of housing to the north and west (adjacent to the railway line). The housing cluster is contained within a defined built-up area boundary (BUAB), but the school campus lies outside this boundary, therefore classified as located within the countryside. The specific application site is within the school campus, but is not within the BUAB. Access to Christ's Hospital from the east is gained from the B2237 (Worthing Road, Horsham) via Tower Hill / Christ's Hospital Road; from the south via the Bax Castle and Two Mile Ash Road; or from Itchingfield to the west via Christ's Hospital Road. Access can also be gained from Christ's Hospital train station which is located approximately 700m to the north-west of the school campus.
- 1.13 Christ's Hospital School is an independent day and boarding school originally founded in London in 1552. The school moved to its current location in 1902. The school's founding charter established it as a charitable school meaning that bursaries are awarded to most students to enable pupils from all backgrounds to attend and receive a private education.
- 1.14 The Bluecoats Sports Centre opened in its current location in 1990, and has been operated by the Bluecoats Sports charity since 2002. The current centre is used by both the school and members of the public, and has a 25-metre pool, a fitness suite, squash courts and a sports hall. Existing outdoor sports facilities include 15no. tennis courts, 24no. grass football and rugby pitches, 10no. cricket squares (to the south of the main campus), and 2no. all-weather pitches. A 400m grassed athletics track is marked out in the summer season on an area to the north-west of the sports centre. The existing facilities are used both by the school and local clubs and organizations. Bluecoats Sports has a fluctuating external membership, which averages at about 3,000 people.

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

## **2. INTRODUCTION**

### **2.1 STATUTORY BACKGROUND**

The Town and Country Planning Act 1990.

### **2.2 RELEVANT PLANNING POLICIES**

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

#### **National Planning Policy Framework (2019)**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

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

#### 2.4 SUPPLEMENTARY PLANNING GUIDANCE

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

#### 2.5 RELEVANT NEIGHBOURHOOD PLAN

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

#### 2.6 PARISH DESIGN STATEMENT

Southwater Parish Design Statement (2011)

#### 2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/1268	Proposed two storey extension to the existing sports centre to provide a new swimming pool, spa facilities, two class studios and a fitness suite. Construction of a new all-weather running track with ancillary athletic facilities and an outdoor exercise area. Construction of a 3G artificial grass pitch. Use of land to the east of Infirmary Drive to relocate spoil and create an unlit running trail. Creation of car parking for 272 cars, and a new permanent access to Christ Hospital Road. Closure of the existing Infirmary Drive access, and conversion of the existing Infirmary Drive to form a sprint track. Erection of associated equipment store, fencing and lighting.	Application Refused on 10.01.2019
DC/17/2635	Erection of temporary road for construction traffic for the duration of the development of previously permitted catering facilities (DC/17/1216 ).	Application Permitted on 29.01.2018
DC/17/1216	Proposed demolition of existing catering building and erection of replacement catering building, including office, classrooms, associated soft and hard landscaping and new sub-station area. (Full planning)	Application Permitted on 04.09.2017

### 3. OUTCOME OF CONSULTATIONS

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

#### 3.1 INTERNAL CONSULTATIONS

**HDC Landscape Architect:** Comment (Conditions Suggested)

[Summary] Following the refusal of DC/18/1268, a further pre-application meeting was held to agree representative public viewpoint positions to assess and demonstrate the level of visual harm arising from the proposals. Whilst it is recognised that some landscape and visual harm will still arise from the revised scheme, the changes to the layout are considered to mitigate some of the harm identified in DC/18/1268.

The site forms part of the landscape setting of the school and its heritage assets. The proposals are considered to change the character of the area, however with the changes to the revised scheme (such as setting the athletic track lower into the ground by 50cm, retention of more of the existing trees, and importantly the removal of the proposals close to the road resulting in the open grassland field being retained); the harm is considered to be largely mitigated. The proposed development retains the sense of openness and vistas through the school grounds towards the Water Tower which positively contribute to the rural setting of the school and of Christs Hospital Road.

The main issue with the proposals from a landscape perspective it has always been the athletics track lighting and fencing, increased car park and level of activity in the countryside. Leaving the field between the road and the proposals untouched is considered to be a significant improvement to the proposals and how the openness and distance will affect the experience of the school grounds from Christ Hospital Road both with regards character and visual amenity.

In summary, there is some harm identified as a result of the revised proposals, however these will be seen in the context of the school grounds and now that some of the rural experience is retained, overall the harm is considered to be of an acceptable level. Suggested conditions include: (1) finished floor levels; (2) hard and soft landscaping; and (3) landscape management plan.

**HDC Leisure Department:** No Objection

*'I support this application from a strategic leisure perspective. There is a deficit in swimming provision in the district and this pool extension will go some way to addressing this. Additionally the new all-weather running track/athletics facility will both service the school's requirements and provide opportunities for community use. The inclusion of 3G pitch space at the site will also help towards reducing the deficit identified in both the 2014 Sport and Open Space and Recreation Assessment and more recent studies.*

*The overall proposal is sensible in ensuring the sustainability of the leisure offer at Christ's Hospital whilst also providing a balance between public and membership based opportunities for our residents. This extended leisure provision will enhance the sporting and recreation opportunities of a significant number of residents and key local sports clubs'.*

**HDC Environmental Health: No Objection (Conditions Suggested)**

[Summary] *'The additional information submitted with respect to the proposed lighting demonstrates that there should be no direct illuminance of residential facades. Provided the scheme is installed as detailed in the submitted documents and the proposed curfew of 9:00pm is maintained, it is considered that there will be no direct loss of amenity arising from the sports pitch lighting. However, the issue of sky glow will remain and this can only be fully addressed by limiting the hours the lighting is operated'. Condition suggested.*

*'Noise from sporting events is generally a combination of noise from spectators and noise from amplified sound such as public address announcements and amplified music. Given the relatively small size of the stand for the athletics and the limit on the number of large events it is considered unlikely that spectator noise will be a source of significant disturbance'.*

*'The information provided with respect to use of the public address system is not sufficiently detailed and further information on the siting and use of the system should be provided'. Condition suggested.*

**HDC Conservation Officer: No Objection (Conditions Suggested)**

[Summary] *'I am satisfied the revised proposals will result in no greater impact than the initial scheme, DC/18/1268. My view of that scheme remains relevant to this revision. Although some harm will result this should be balanced against the benefits to the school as an important education institution and employer'. Suggested conditions are in relation to the proposed athletics equipment store, and include: (1) submission of samples and specifications of external materials, and (2) submission of drawings at a scale of 1:5 describing roof details.*

**HDC Drainage Engineer: No Objection (Condition Suggested)**

[Summary] No overall objection to the proposed drainage strategy, subject to a condition to secure the submission of a drainage strategy for foul and surface water.

**HDC Strategic Planning: No Objection**

[Summary] Previous comments in relation to DC/18/1268 remain applicable to this scheme (which raised no objection). It is noted that an appropriate Community Use Agreement would further support the application's accordance with Policy 43.

**HDC Economic Development: No Objection**

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

**HDC Tree Officer: No Objection**

[Summary] *'I have examined the plans pursuant to this application, and do not consider that there are any material changes that would counter [my previous] view. As it happens, this proposal will result in the removal of fewer trees than the previous scheme (13.8% less). I am not of the view that there are any trees on the site of such exceptional importance as to justify refusal. The replacement planting scheme appears robust and commensurate to the number of trees being lost. Moreover the details set out within the Arboricultural Report regarding the protection of retained trees are satisfactory. I can accordingly advise that I register NO OBJECTION to this application'.*

## 3.2 OUTSIDE AGENCIES

### **WSCC Highways: No Objection (Conditions Suggested)**

[Summary] The Highway Authority did not object to the previous application (DC/18/1268). A TRO application has been made to request a 30mph speed limit on Tower Hill and traffic calming measures to the west of the site (the draft Order is not a planning requirement and has been developed separately). The submitted Technical Note indicates that membership at Bluecoats has reduced since September 2018 after the opening of 2 new gym facilities within a ten minute drive from Bluecoats. As such, the membership number projections have been revised downwards and the traffic impact for the new facilities is stated to be below the level in the original transport assessment. Using the original road traffic projections, the Highway Authority accepts that the impact of the proposal will be equivalent to that stated in DC/18/1268. In order to ensure that traffic impact is minimized, the authority still requires a Green Travel Plan to be conditioned. It is recommended that the highways conditions applied to the original application are included in this application, including: C3 Phasing Plan; C4 Construction Environmental Management Plan; C17 Event Travel Management Plan; C18 Travel Plan, C19 Access from Christs Hospital Road; C20 Closure of Infirmary Drive; and C22 Signage on Two Mile Ash Road and Christs Hospital Road.

### **Ecology Consultant: No Objection (Conditions Suggested)**

[Summary] *'The proposals would not have any likely impact on Sparrow Copse LWS and small losses of Priority hedgerow habitat will be compensated for on site. We consider that with mitigation, the development is not likely to impact the ancient woodland. We consider that the mitigation measures proposed are appropriate, and likely to be effective in controlling impacts from development. We note that the biodiversity metric calculations demonstrate that the enhancements will deliver net gain in line with para 170d of the NPPF. Furthermore, we welcome the applicant's commitment to incorporate additional ecological enhancements into the scheme'*. Conditions suggested include: (1) measures to be carried out in accordance with the Ecology Assessment; (2) submission of a biodiversity CEMP; (3) submission of a biodiversity enhancement layout; (4) submission of a wildlife sensitive lighting design scheme; (5) submission of a Landscape and Ecological Management Plan.

### **Sport England: No Objection (Conditions Required)**

[Summary] *'Sport England does not wish to raise any significant issues in relation to the amended scheme, as with the previous application DC/18/1286, it is considered to bring benefits to sport which outweigh the harm caused by the loss of playing field. However, we would like further information and clarification on the proposed community use agreement/plan. Good community use of the facilities are required in order for our E5 exception policy to be met: The absence of an objection is subject to the following conditions: (1) submission of detailed design and layout of new facilities, and (2) submission of a Community Use Agreement prepared in consultation with Sport England'*.

### **WSCC Flood Risk Management: No Objection (Conditions Suggested)**

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

**WSCC Rights of Way: No Objection**

[Summary] *'It's understood that the proposed development will not impact upon any public right of way and, therefore, I have no comment to make'.*

**Southern Water: No Objection (Conditions and Informatives Suggested)**

[Summary] 'An existing public foul sewer runs across the site. If this is diverted, a condition is required to ensure Southern Water agree the proposed measures to protect the public sewer. With regards to any landscaping proposals, reference should be made to Southern Water publication "A Guide to Tree Planting near water Mains and Sewers". Southern Water requires a formal application for a connection to the public or foul sewer to be made by the applicant. The planning application makes reference to drainage using SUDS. The applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities in perpetuity. The application contains a proposal for a swimming pool, which would need to be discharged to the public foul sewer. The details of this would have to be agreed with SW, and the applicant is advised to discuss the matter further with SW's Trade Effluent Inspectors'. A conditions is suggested to secure details of foul and surface water sewerage disposal.

**Southwater Parish Council: Objection**

[Summary] *'Recommend strong objection, not sufficient changes to the original application and due to highways/traffic concerns, SPC would like to make representation at the HDC planning meeting on this application'.*

**Horsham District Cycle Forum: Objection**

[Summary]: Little mention of cycle provision for a development that is promoting health. No mention of cycling in the Planning Statement or Design and Access Statement. None of the submitted plans show any cycle facilities. All plans must be revised to show this provision. Only 26 cycle spaces proposed compared to 272 car parking spaces. No effort to improve cycling environment. Cycle parking needs to be secure, lit, accessible, close to main entrance and covered by CCTV. HDCF request for a detailed cycle strategy to be submitted alongside the application which should encourage access to and from the Downs Link, Southwater and CH Railway Station.

### 3.3 PUBLIC CONSULTATIONS

A total of **116** representations have been received in connection with this application comprising **79** objections, and **37** which support the proposed development:

The following summarises the main reasons for objection:

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

The following summarises the main reasons for support:

- Promotion of wellbeing and healthy lifestyles
- Social, cultural and economic benefits
- Improvements to indoor facilities (pool/gym etc.)
- Benefit to local clubs and schools

- Provision of better and more accessible opportunities for the local community
- Suitable replacement for loss of the BBH facility
- Will increase opportunities for Membership and access to classes
- Much needed facilities for the school and local community

### 3.4 MEMBER COMMENTS

Cllrs Vickers has requested this application be decided at Planning Committee.

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

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

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

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

## 6. PLANNING ASSESSMENTS

The main considerations of this assessment are:

- The Principle of the Development
- Assessment of Benefits
- Landscape Impact and Trees
- Design/Layout/Specification of Proposed Facilities
- Heritage Impact
- Highways Impact
- Amenity Impact
- Drainage
- Ecological Impact
- Planning Balance

### The Principle of the Development

- 6.1 The site is located outside of the Christ Hospital built up area boundary (BUAB), and does not form an allocation for development within Horsham's adopted development plan (comprising the Horsham District Planning Framework (HDPF) or a 'Made' Neighbourhood Development Plan). As a result, the site is considered to be located within the countryside where development is more tightly controlled. Policy 26 of the HDPF (Countryside Protection) states that outside BUAB's, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Policy 26 requires that any development proposal must be 'essential' to its countryside location, and must meet at least one of 4 criteria including providing for quiet informal recreation use, or enabling the sustainable development of rural areas. Policy 26 also requires that any development must be of a scale appropriate to its countryside character and location, and must not lead to a significant increase in the overall level of activity in the countryside.

- 6.2 In addition to Policy 26 which seeks to protect the District's valuable countryside character; the provisions of HDPF Policy 43 (Community Facilities, Leisure and Recreation) are also relevant to this application. Policy 43 supports the provision of new or improved community facilities, particularly where they meet an identified need. Whilst as a whole Policy 43 prioritises new facilities in locations that accord with the HDPF Development Hierarchy; 43(2) specifically supports the development of new facilities located outside built-up area boundaries where this is the '*only practicable option*' and where a suitable site, '*well-related to an existing settlement*' exists. HDPF Policy 43 accords with the aspirations of Chapter 8 of the National Planning Policy Framework (NPPF, 2019) which promotes healthy lifestyles through the provision of sports facilities (para 91c), as well as requiring Local Planning Authorities to give great weight to the need to expand or alter schools (para 94a).
- 6.3 Whilst it is not considered that the proposed sporting facilities directly accord with the criteria required by Policy 26 (i.e. being *essential* to a countryside location); it is appreciated that the site is located within the existing school grounds, immediately adjacent to the existing school sports facilities and linked to the existing Bluecoats Sports Centre. By virtue of the proximity of the school close to the built-up area of Christ's Hospital which is immediately to the north and west, it is considered that the exceptions test within HDPF Policy 43 (i.e. that this site is well-related to an existing settlement, and that the location is practicable) are met to some degree. Given these particular circumstances, and having regard to the aspirations of HDPF Policy 43 and NPPF Chapter 8 to promote healthy lifestyles by expanding sporting provision, it is considered that the principle of providing additional sporting facilities on this site is acceptable, subject to an appropriate assessment of the benefits of the development, and full consideration of the impacts of the proposals on heritage, landscape, ecology, the surrounding highway network, and neighbouring amenity; as set out in the following paragraphs.

### **Assessment of Benefits**

- 6.4 In accordance with the thrust of Chapter 8 of the NPPF, Policy 43 of the HDPF promotes general support for the provision of new or improved community facilities and services. Whilst Policy 43 goes on to state that the support of these facilities is given '*particularly where they meet the identified needs of local communities*', a demonstration of need is not a necessary requirement for Policy 43 to continue to endorse this support. As such, it is considered that the proposal for additional leisure and sporting facilities at Christ's Hospital School would accord with Policy 43 even without a demonstration that the facilities will meet a specifically identified local need.
- 6.5 Despite this, in order to assess the degree to which the proposed development accords with HDPF Policies 43 (Leisure and Recreation) and 26 (Countryside Protection); an assessment of the extent to which the development meets any locally identified needs is useful to understand. In addition, in order to justify the acceptability of the development against any harm resulting from the site's countryside location, an understanding of the benefits that the facilities will bring is important to inform the overall planning balance.
- 6.6 In the first instance, when considering the extent to which there is a need for the leisure facilities proposed, it is important to identify where this need arises from (private aspirations, or public requirements), who it seeks to benefit, and whether this is considered to justify the scale and nature of the proposed development in a countryside location.
- 6.7 The proposal has been driven by the desire of the school (as an independent, private organisation) to make improvements to their existing leisure offer in order to develop the physical health and wellbeing of their pupils. The need for this development, therefore, comes from the school's aspirations to improve their existing facilities for the primary benefit of their pupils. The link between the school and Bluecoats Sports Centre (which is a private Members club, operating as a charity since 2002) means that the proposed leisure

improvements would naturally benefit both the school pupils and existing and future club Members. In addition, the proposed facilities including the 3G pitch and athletics track would also be available for community use and club hire meaning that there would be a wider public benefit to the overall scheme beyond just pupils of the school and members of the Bluecoats Sports Centre. At present, 32 external clubs and groups currently use the site, and the applicant considers that the improved facilities is likely to encourage other local clubs to relocate.

- 6.8 In general terms the NPPF is supportive of proposals that improve and add to existing stock of sporting and leisure facilities, as well as supporting the principle of expanding or altering schools to meet the needs of existing and new communities, and to widen the choice in education (para 94). Paragraph 96 of the NPPF notes the importance of enabling access to a network of high quality sporting facilities in order to benefit the health and wellbeing of communities.
- 6.9 In accordance with paragraph 97 of the NPPF, Sport England has a statutory responsibility to ensure that development does not lead to the loss of any land used as playing fields, and if it does will only be acceptable if it falls within one of five exceptions categories. In the case of this proposal, part of the development is proposed to be on land currently used as informally marked out grass playing pitches, therefore consultation with Sports England is a statutory requirement. Having reviewed the proposals, Sports England have confirmed that (subject to conditions), the proposal meets 'Exception 5' of the Sports England Playing Fields Policy as it is considered to provide '*sports facilities of sufficient benefit to the community so as to outweigh the loss of playing fields*'.
- 6.10 Whilst it is clear that there is overarching support from government (via the NPPF and Sport England policy) for sport and leisure developments such as this; as the facilities are intended to be used by school pupils, club Members and the wider community, it is useful to understand if a wider community need for these facilities exists, and if so, the extent to which these facilities would address that need. If a wider leisure need is considered to be addressed by this proposal, this would add weight to an approval of a sports facility in a countryside location when considering the overall planning balance.
- 6.11 The Council's most recent studies into the District's need for replacement and additional recreation facilities are the 2014 Sport, Open Space and Recreation Assessment (SOSRA), which was prepared in support of the HDPF; and the Sport and Physical Activity Strategy (the 'Sport Strategy') which is a 5-year development strategy published in 2016. The 2014 SOSRA undertook analysis of all existing facilities within the Horsham District, and identified any deficiencies in provision. Paragraph 5.55 of the SOSRA lists the needs and opportunities for additional or improved leisure facilities within the District, which at the time included up to five 3G pitches and a four-court indoor tennis facility. Swimming pool provision and fitness facilities were also explored but it was concluded that no further provision was required at that time. Since the publication of this document, two additional 3G pitches have been provided within the District (at Shooting Field, Steyning and at Horsham Football Club). As such, there still remains a requirement for an additional three 3G pitches within the District, which the proposed facilities would contribute to.
- 6.12 The SOSRA discusses the condition of the existing Broadbridge Heath (BBH) Sports Centre site, describing both the indoor centre and outdoor athletics track as 'showing its age'. The document describes the Council's intention to redevelop the site, including the demolition and rebuild of the sports centre, and potential closure and relocation of the existing outdoor athletics track. Since the publication of the 2014 SOSRA, the BBH sports centre has been closed, and a new leisure centre (The Bridge) adjacent to the old site was opened in October 2018. At present, whilst the existing outdoor athletics track at Broadbridge Heath is 'showing some signs of age' it remains open, and in use as a community facility. As such, the proposed facility at Christ's Hospital School would provide for another running track in the District. Whilst no explicit need for an additional running

track in the district is identified, Policy 43 of the HDPF supports *'the provision of new or improved community facilities'*, therefore an identification of need is not considered to be necessary for the development to successfully accord with Policy 43.

- 6.13 It is proposed that the new facilities at Christ's Hospital School are primarily being provided for the use of the school (pupils and staff) and Members of Bluecoats Sports Centre. However, in line with existing arrangements that exist between the school and other external local sports clubs and societies (32 in total), it is proposed that the new facilities will continue to be made available for use by external organisations who will enjoy improved and state of the art sporting facilities. In addition, whilst Bluecoats is a private member's club, it is acknowledged that non-members are welcome to use the facilities as a 'pay as you go' manner which does not restrict use of the facilities to Members only, but opens it up to the wider public. The extension of the use of the new facilities to external clubs and societies and to non-members of Bluecoats; contributes to the wider leisure and recreation offer to the local community, as well as to the overall public benefit, which is afforded weight in the planning balance.
- 6.14 Sport England have confirmed that the proposed facilities will offer sufficient benefit to the community, such that it meets the exceptions tests within 'Exception 5' of the Sports England Playing Fields Policy. Accordingly, Sport England do not object to the scheme, providing that an appropriate Community Use Agreement is completed to ensure that the community benefit provided by the new facilities is appropriately achieved in line with the exception policy. In order for Sport England's support for the proposed development to stand, an appropriate level of community use and benefit must be achieved. The Community Use Agreement (required to be submitted by condition) must be approved in consultation with Sport England, thereby offering assurance that an acceptable level of community benefit is achieved in order to satisfy Sport England's exceptions policy.
- 6.15 In order to demonstrate the extent of availability for non-school use of the proposed athletics track, the applicant has submitted an indicative timetable (Appendix 3 of the Planning Statement) which shows that within term time, club and community use of the athletics track is made available in the evenings from around 5pm to 10pm (Monday-Friday), and all day at weekends. Outside term-time, the school would not require use of the facilities, so club and community use would be available all day, every day. Whilst the precise details of the overall management and timetabling of the new facilities have not been finalised at this stage, it is considered that the indicative scheduling for the track shown in the indicative timetable demonstrate an appropriate split between use by the school (generally midweek, during the day) and club/community use (generally in the evenings and weekends, and at all times outside of term time).
- 6.16 The applicant has provided a draft Community Use Agreement (CUA) in support of the planning application to show the intent for this facility to be used for both the school and the wider public. Whilst precise management details cannot be known at present, a CUA would describe the principle arrangements and timetabling for community use of the sporting facilities for local sports clubs, organisations and casual users. If as part of future plans to re-locate the existing athletics track at BBH, the Council decided that Christ's Hospital was an appropriate site for the relocation of this facility; then any CUA would need to fully reflect the needs of the District and its community at that time, and would be re-drafted to ensure these needs are accommodated appropriately. As well as providing a level of certainty to the Council and local community that the proposed facilities will be available for wider use (i.e. beyond just being used for the school's pupils and staff), the requirement for a CUA and the details contained within it have been requested by Sport England as a condition of their 'no objection', and as such, the submission of a completed CUA will be secured by condition.
- 6.17 The Council's Leisure Services team has reviewed the draft CUA and are satisfied that the proposed arrangements to share the facilities between the school and external groups

would enable the facilities to be used to their maximum potential thereby making this a viable and sustainable proposition, resulting in a good level of public benefit. The completion of a Community Use Agreement will also provide certainty that clubs and community groups would have fair use of the new facilities.

- 6.18 In summary, it is considered that the provision of additional sporting facilities at Christ's Hospital School would enhance the existing leisure offer within the District by providing a range of high quality and state of the art facilities for use by both pupils of CH School, and the wider public. Subject to agreed timetabling via a completed Community Use Agreement (as required by Sport England to demonstrate that appropriate community use is offered in accordance with 'Exception 5'), it is considered that the facilities will be capable of fulfilling the aspirations of the school to improve sporting facilities for the benefit of their staff and pupils; as well as enabling a continuation of use by external clubs and societies that currently use facilities within the school grounds. In addition, the proposed 3G pitch which will be made available for public use, contributes to meeting a leisure need identified in the 2014 SOSRA. As a result, the enhanced leisure offer that would be provided, both for the school and the wider public, leads to the conclusion by Officers that the proposal would offer a demonstrable benefit to the public in terms of additional, state of the art, high quality sporting facilities that would be available for daily use by local clubs and individuals. As such, the weight afforded to the public benefit that will result from this development is considered by Officers to be significant, and this is an important factor in the overall planning balance that will be made within this report.

## **Landscape Impact and Trees**

### *Landscape*

- 6.19 Following concerns raised by the Council's Landscape Architect with regard to the landscape harm identified in connection with the previous proposal (DC/18/1268), the amended proposals have been reviewed in light of the changes made to address the concerns raised previously. In support of the current proposals, the applicant has undertaken a detailed landscape appraisal which includes an analysis of visual impact demonstrated by the inclusion of seven public viewpoints along Christ's Hospital Road and Kind Edward Road. The specific viewpoint locations were agreed with the Council's Landscape Architect prior to undertaking the study.
- 6.20 As before, the Landscape Architect has confirmed that the principle of the extension to the sports centre and the siting of the new 3G pitch is supported, and it is considered these elements have been positioned and designed appropriately to avoid significant harm to the landscape character of the area. The Landscape Architect has confirmed that the conclusions drawn from the applicant's Landscape Visual Appraisal are largely agreed with, with the visual harm assessed from the agreed viewpoints initially expected to be 'low adverse' or 'low to moderate adverse', reducing to 'low moderate' harm once vegetation has matured over a 15 year period.
- 6.21 The application site is recognised historically as being part of the school grounds, and forms part of the landscape setting of the school and its heritage assets. By virtue of the introduction of additional development within the school grounds, the Landscape Architect acknowledges that the proposals are likely to change the character of the area. However, the revisions to the scheme as presented in the current proposals (including the setting of the athletics' track lower into the ground by 50cm, the retention of more existing trees, and the repositioning of the Adventure Trail proposals away from Christ's Hospital Road); the harm is considered by the Landscape Architect to be largely mitigated.
- 6.22 As a result of the relocation of the Adventure Trail further away from Christ's Hospital Road; the sense of openness and vistas through the school grounds towards the Water Tower

would be retained, which is welcomed by the Landscape Architect who notes that this would positively contribute to the rural setting of the school and of Christ's Hospital Road. Contrary to the applicant's proposal to allow the existing hedgerow along Christ's Hospital Road to grow up to 1.8m high (higher than at present); the Landscape Architect considers that maintaining a lower hedgerow height (as existing) will retain views into the open field thereby reinforcing the rural character of the road and rural setting of the school grounds. Confirmation that this will be achieved will be sought within the Landscape Management Plan which will be secured by condition.

- 6.23 The main issue with the proposals from a landscape perspective has always been the athletics track and its associated lighting and fencing, increased car park and general level of activity in the countryside. As discussed above, leaving the field between Christ's Hospital Road and the development proposals untouched is considered to be a significant improvement to the previous scheme, as the increased openness and distance will improve the experience of the school grounds from Christ Hospital Road, both with regards to rural landscape character and visual amenity.
- 6.24 In summary, the Landscape Architect has noted that whilst it is recognised that some landscape and visual harm will still arise from the scheme by virtue of additional development in the countryside, the changes to the layout (particularly the repositioning and downscaling of the Adventure Trail) are considered to mitigate some of the previously identified harm. The Landscape Architect notes that the proposals will be seen in the context of the school grounds, and given that key elements of the rural experience are retained; the overall harm is considered to be of an acceptable level.
- 6.25 Officers acknowledge that the combination of existing and proposed development in this countryside location (including the existing sports courts, proposed 3G pitch and athletic track with floodlighting and fencing, adventure trail, parking and extension to the sports centre) will result in an urbanising effect within the site, and is likely to increase the prominence of the school grounds from nearby roads. However, taking into account the comments from the Council's Landscape Architect, in conjunction with an understanding of the site context and benefits resulting for additional sporting facilities for the school and local community; it is considered that whilst the proposed development will result in a change to the landscape character in this area, the site is relatively well contained within the wider context of the school grounds and existing sporting facilities. As a result, the level of landscape harm identified across the site is considered on balance to be acceptable.
- 6.26 In order to ensure that the scheme is developed to the highest quality possible, the Landscape Architect has also suggested that the applicant submits a number of details relating to soft and hard landscaping. These details include finishes and colours of hard surfacing across the site, treatments and design of other ancillary features, and site management details – all of which are considered to be acceptable to secure by way of condition.

#### *Trees*

- 6.27 The application site contains several examples of high-quality, mature trees within and adjacent to the site, particularly along roadsides and at the site boundaries. It should be noted that none of the trees on site are protected by Tree Preservation orders, nor is the site located within a Conservation Area where the removal of trees is controlled to some extent.
- 6.28 A revised Arboricultural Report has been submitted in support of the current application. The report identifies a total of 18 individual tree specimens for removal in order to facilitate the development (in addition to one hedgerow, and several groups of trees which amounts to a total of 157 trees proposed for removal). The proposed tree removal represents 13.8% less tree removal than the previous proposal.

- 6.29 The individual trees proposed for removal include 5x A Grade (high quality), 4x B Grade (moderate quality), and 6x C Grade (low quality), and 3x U Grade trees. It is acknowledged that an attractive belt of trees (A and B Grade) is proposed for removal to facilitate the athletics track. Whilst the removal of these trees is disappointing, it is appreciated that it is required to enable the development to be constructed, and compensation in the form of an enhanced and comprehensive tree planting scheme is proposed elsewhere within the site. Compensatory tree planting is proposed as follows:
- 5x Heavy standard English Oak trees (12-14cm girth / 3.5-4.25m height);
  - 101x Native trees (10-12cm girth / 3-3.5m height);
  - 48x Ornamental tree species (10-12cm girth / 3-3.5m height);
  - 50x Native understorey tree species (1.5-1.75m, feathered);
  - 5,700x understorey, native and ornamental shrubs (20cm – 1.2m height).
- 6.30 The Council's Arboricultural Officer has confirmed that the revised proposals present no material change (with regard to trees) that would counter his previous views for DC/18/1268. As such, the Arboricultural Officer has re-confirmed that whilst the loss of mature trees is regrettable, the specimens in question are not of any particularly high level of interest, and some of the older trees earmarked for removal are in poor health and structural condition. The Arboricultural Officer retains his opinion that there are no trees within the site [proposed for removal] that are of such exceptional importance so as to justify refusal of the development proposals put forward, and notes that the compensatory planting scheme is robust and commensurate to the number of trees being lost. As such, there is no technical objection raised by the Arboricultural Officer with regard to the proposed tree removal.
- 6.31 Officers consider that the proposed tree removal is regrettable (particularly the attractive belt of trees that are currently in the location of the proposed athletics track); but it is acknowledged that the trees are not protected, and are not specimens of any especial merit to warrant protecting. In addition, the trees in question are contained within the private grounds of the school, therefore their amenity value is not readily appreciable from public views. As such, officers consider that the loss of trees to facilitate the development is acceptable, and the enhanced compensatory planting scheme proposed will create a pleasant environment that appropriately mitigates for the loss of existing trees.

### **Design/Layout/Specification of Proposed Facilities**

- 6.32 The proposed layout is considered by Officers to be well designed within the existing context of the site and with respect to constraints including existing vegetation, roads, historic buildings and topography. The 3G pitch has been moved 6.5m further south than the previous proposal, which distances it further from residential properties to the north, thereby lessening any identified impact. The 3G pitch is considered to be appropriately located, adjacent to two existing synthetic pitches, which contains the impact of these larger pitches to one location. The positioning and orientation of the athletics track has not changed from the original proposal, and has retained its position close to the sports centre and car park. The track is set on a lower ground level than its surroundings, and as part of the revised proposals has been sunk into the ground by a further 0.5m than the previous proposal. This reduces its prominence with the wider countryside setting, historic setting and neighbouring amenity; as well as the urbanising influence when viewed from Christ's Hospital Road. The adventure trail (which remains unlit and naturalistic in design and appearance) has been scaled back, and is now contained on land to the south of Infirmary Drive. This has enabled the existing grassed section of land between Infirmary Drive and Christ's Hospital Road to remain as such, thereby respecting the rural character of Christ's Hospital Road and woodland beyond. Overall, Officers consider that the amendments to the overall layout of the application site to be a welcomed improvement which has sought

to address previous concerns raised by Members with regard to neighbouring amenity and landscape character.

- 6.33 The extension to the existing Bluecoats Sports Centre has not changed since the previous proposal, and has been designed to make best use of the available land, whilst respecting the architecture of the existing building and the historic setting to the south. The extension, whilst somewhat different in appearance to the existing building, retains a similar overall height (11.5m maximum) and continues to vary roof heights to offer some articulation and interest to the building when viewed as a whole. The external appearance incorporates extensive glazing which gives a modern impression and quality to the building, and enables the interior to benefit from natural sunlight and views out towards the proposed athletics track. For a contemporary appearance, the dominant facing material is proposed to be a dark grey wall cladding; but in order to tie-in with the existing red brick and blue fascia building, and to better relate to the more functional appearance of the existing leisure centre, a light red brick cladding with elements of blue aluminium panelling have been incorporated. In summary, it is considered that the scale and appearance of the sport centre extension is appropriate within the context of its setting, and is therefore acceptable.
- 6.34 The proposed car park provides a sufficient number of marked parking spaces (236), and has been designed to include an island strip of shrub and tree planting in the centre which softens the appearance of the car park when viewed immediately from the entrance/exit of the sports centre. Other tree planting at the end of parking rows and along the external boundaries of the car park will help to screen the parking from the approach road, and separates it from the running track and spectator seating to the north-west. A condition has been suggested to secure the details of hard surfacing within the car park, as well as a condition to ensure the proposed parking is marked out and ready for use prior to the first use of any of the facilities permitted as part of this application. 'Grasscrete' is proposed to be laid over the overflow parking area to enable cars to easily access this section, whilst retaining a natural external appearance.
- 6.35 The 3<sup>rd</sup> Generation (3G) synthetic pitch is full sized, and the applicant states that it conforms to the dimensions and specifications set by the Rugby Football Union and World Rugby. This includes the size of the principal playing area, run-offs, spectator areas and fencing systems. In addition, other requirements have been design into the proposed 3G pitch including additional goal recesses for cross-play use (i.e. rugby and football), equipment storage areas, as well as pedestrian and maintenance gated access. As a statutory consultee, Sport England (SE) have been consulted on this application, and whilst they raise no overall objection the proposed scheme; with regard to the 3G pitch, they have identified several uncertainties with the detailed design of the pitch that they wish to be clarified by way of condition (including fence heights, run-off distances, line marking etc.) As a result, SE require that as a condition of their 'no objection', full details of the proposed 3G pitch facility are to submitted and approved by the Local Planning Authority (in consultation with SE) prior to the commencement of development. This condition is included within this recommendation.
- 6.36 The applicant states that the athletics track will be constructed in accordance with UK Athletics / International Athletic Federation guidance. The multi-functional nature of the facility means that a range of sports can be accommodated, and built to governing body dimensions. Sport England have confirmed that they raise no overall objection to the track specification, subject to the submission of final detailed design for the athletic facilities by condition. The 8-lane sprint track / 6-lane running track will be surfaced with a porous polymeric (moss green) finish which is common for tracks in the United Kingdom where large amounts of rainfall is common. The surface water is designed to infiltrate into the ground below which is then collected by a series of underground drains leading to a main drain. The Council's Drainage Engineer has confirmed that the proposed drainage strategy for the site is acceptable.

- 6.37 As previously mentioned, as a condition of their 'no objection', Sport England also require a Community Use Agreement (CUA) to be submitted and approved by condition. The agreement is required to be prepared in consultation with Sport England and is to include details of pricing policy, hours of use, access by non-school users, management responsibilities, and a mechanism for review. The applicant has already submitted a draft timetable of use for each of the athletics track, and a template for a CUA, however in order to accord with Sport England requirements the applicant must have an approved CUA document prior to the commencement of any development. This condition is included within this recommendation.
- 6.38 A storage shed for athletics equipment is located in close proximity to the track and within easy access to the main entrance road. The store has been designed to accommodate equipment associated with the athletics track, and as such, includes access doors to the front and side elevations. The dimensions of the store conform to Sport England guidance. The store has been amended since the previous proposal to now include a 'green roof' which is a result of pupil input. The sloping green roof (with a maximum height of 4.6m) raises the building to the rear which would give the impression of a smaller building from the front elevation. The building has no especial design merit, but on the whole, is relatively well obscured by trees to its north and south, and is proposed to be clad with red cedar boarding which helps to blend the building into its rural and natural surrounds. Overall, the store, whilst relatively large in footprint (150m<sup>2</sup>), is considered to have been designed to an acceptable standard. The Council's Conservation Officer has made comment with regard to the proposed store, and its position within the setting of a Grade II\* listed building. The Conservation Officer considers that the building reflects twenty first century design, and as it will be experienced on its own it will not be inter-visible with the historic buildings to the south. As such, the Conservation Officer is satisfied the store would not harm the setting of the listed buildings.
- 6.39 The proposed 'adventure trail' area has been scaled down since the previous proposal by moving it away from Christ's Hospital Road and reducing the overall area by 4,000m<sup>2</sup>. The trail has been designed to integrate into the overall sport landscape by connecting the athletics track to a more naturalised area of pathways and outdoor physical activity stations. This design is based on similar facilities seen in Denmark known as 'exploritoriums' which seek to integrate traditional athletics with a more contemporary and unique type of physical movement training for both adults and children. This would be the first known example of such a facility in the UK. The pathways are proposed to be laid with gravel for a more natural appearance, and they would lead to a number of obstacles and activity stations which are designed to challenge agility and balance etc. The activity stations are proposed to be built into the existing topography, and would use natural materials such as stone and timber. The detailed design of the activity stations has not been provided so a condition has been recommended to secure these details. The trail includes the former Infirmary Drive access, which is proposed to be closed off and converted to a sprint track (with its alignment, width and surfacing unaltered). Both the Landscape Architect and Conservation Officer are supportive of this proposal as it retains the historic location of the road, as well as the existing features such as the tree lined avenue.
- 6.40 The adventure trail area has been designed to respect the surrounding landscape by retaining the majority of existing trees (including the well-established avenue trees) and supplementing this with additional tree and shrub planting (including approximately 53x new trees). The redesign of the adventure trail has resulted in the retention of the grassed area to the south of Christ's Hospital Road, and the additional planting within the part of the site allow for ecological enhancements by enabling biodiversity and habitats to thrive in new woodland environments. The set-back position of the adventure trail and its unlit and largely green nature will help to retain a rural character along Christ's Hospital Road, which in turn will help to screen the more formalised development beyond. Subject to a condition to secure the details of each activity station, the proposed activity area is considered to link

well to the proposed athletics track and will provide a unique additional training facility which will not significantly harm the rural and historic setting of the site.

### **Heritage Impact**

- 6.41 The Council recognises that the historic environment is an irreplaceable resource which should be conserved for its own sake for the benefit of future generations. Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.
- 6.42 Paragraph 196 of the NPPF state that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*'. This paragraph is key when determining whether the changes proposed within the setting of any listed building would be acceptable. Given the Grade 2\* listing of the school, both the built structure and its setting are considered to be an irreplaceable heritage asset that under s.66 of the Act, Chapter 16 of the NPPF and Policy 34 of the HDPF is required to be preserved and sustained. Where appropriate, changes to heritage assets and their settings may be considered to be acceptable provided that the changes proposed preserve and/or enhance the special character of the asset through appropriate siting, scale, form and design; including the use of appropriate materials and design in order to positively enhance the building and its setting to ensure its long term survival.
- 6.43 Given the significance of the Grade 2\* listed school, and the proximity of the application site to the main school building, the Council's Conservation Officer has undertaken a site visit, and has thoroughly assessed the supporting documentation including the Heritage Statement undertaken by Beacon Planning.
- 6.44 As per comments pursuant to the previous proposal, the Conservation Officer has not raised an objection to the scheme, but has identified that the proposed development will result in some level of harm to the setting of the listed building due to the development of what currently appears as managed parkland, and the proposed floodlighting which is considered to be an incongruous feature within the landscape context. However, it is acknowledged by the Conservation Officer that it is not unusual for these features to be present within the grounds of large schools, and some concession is acceptable as the site was always intended as a school. Officers are therefore satisfied that despite the dilution of the current setting, the school will remain recognisable in a rural setting.
- 6.45 Although glimpses of the existing school buildings are possible from the northern boundary of the application site (near Christ's Hospital Road) and from the sports centre, the only part of the historic school building that is readily visible from this area is the water tower. The proposed sports centre extension and additional athletics facilities will not conceal principal elevations, thereby preventing an understanding or appreciation of the special interest of the listed building, and are therefore acceptable. Early concerns regarding the removal of Infirmary Drive have been alleviated by the retention of this as a pedestrian route and the retention of the tree belts either side. The proposed athletics equipment store, whilst relatively modern in design, is likely to be experienced on its own and will not be intervisible with the historic buildings to the south; and therefore Officers are satisfied this building will not harm the setting of the listed buildings.

- 6.46 In summary, whilst fairly significant development within the setting of the Grade 2\* listed building is acknowledged, the impact this would have on the context and appreciation of the buildings is considered to be minimal impact resulting in 'less than substantial harm'. In accordance with paragraph 196 of the NPPF, the public benefit the proposed leisure facilities would bring to both the school pupils, staff and members of the public is considered to weigh in favour of the minor harm to the setting of the listed school buildings.

### Highways Impact

- 6.47 Chapter 9 of the NPPF describes the government's aspirations for the promotion of sustainable transport, and details how transport and highways implications arising from development proposals should be considered in planning terms. Paragraphs 108 to 111 of the NPPF are particularly relevant when assessing the appropriateness of a proposal in highways terms. Paragraph 108 requires that appropriate opportunities to promote sustainable transport modes should be considered, and that safe and suitable access to the site can be achieved for all users. In addition, it requires that any significant impacts from the development on the transport network or on highway safety can be effectively mitigated. Paragraph 109 is of key importance when determining whether a proposed development is acceptable, and requires that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or, the residual cumulative impacts on the road network would be severe*' [emphasis added].
- 6.48 As a result of the improved range and quality of facilities, the proposed development will naturally lead to an increase in overall usage of the on-site facilities by both the school and members of the public. As a result of the extension and improvements to the sports centre, the aspiration of Bluecoats is that these improvements will attract additional members and would lead to an increase in membership numbers, with a target of around 5000. Currently, membership numbers fluctuate throughout the year, but averages at around 3000. The additional outdoor facilities will encourage more intensive use of the site by enabling year-round use of the athletics track and 3G pitch, as well as being able to accommodate larger ad-hoc events and hosting of sporting competitions.

### Transport Assessment (TA)

- 6.49 The Transport Assessment (TA) submitted in support of the previous proposal (dated October 2018) has been re-submitted in support of this application, and as before, includes a Stage 1 Road Safety Audit (RSA) and a Travel Plan (TP). In addition, to supplement the original TA, a 'Transport Technical Note' has also been submitted which references the amendments to the proposed scheme and the resulting highways implications. The Technical Note acknowledges that despite some amendments to the scheme, the scale of the overall proposal has not changed. The Technical Note sets out the projected changes in membership numbers and provides clarity on the content of the Transport Management Plan (TMP) which seeks to address concerns previously raised.
- 6.50 Whilst the proposed Traffic Regulation Order (TRO) sits separately from the planning application process, and does not form a material planning consideration in this case; the Technical Note also explains the recent commitment of Christ's Hospital School to fund a 30mph speed limit TRO for a 1.3km section of Tower Hill and Two Mile Ash Road (between the Boar's Head pub and the A24 bridge), and a traffic calming scheme to the west of the school to maintain slow traffic speeds on Christ's Hospital Road and King Edward Road. This process is currently underway, and statutory consultation (initiated by WSCC) is expected to commence soon.

- 6.51 The original TA (October 2018) was assessed by WSCC as part of the previous proposal (DC/18/1268). After a number of amendments were made to address concerns raised initially, WSCC confirmed that no objection to DC/18/1268 was raised on highways grounds citing (in summary) that traffic generation would not be 'severe' (as per the test cited in NPPF 109), and that there would be no significant highway safety or road capacity issues locally. The same TA has been submitted in support of the current application, and includes the original road traffic projections. The supporting Technical Note explains that since the previous TA was produced, the Bluecoats Membership data '*displays a downward trend*' due to competition arising from the recent opening of two new gymnasium facilities within a 10 minute drive from the application site. As such, the applicant states that the traffic impact for the new facilities is below the level shown in the original TA, although the reduction is not quantified. WSCC have not explicitly accepted or rejected this claim, but nevertheless, have confirmed that the impacts of the proposal are equivalent to that stated in DC/18/1268, and therefore re-iterate that no-objection is raised on highways grounds for the revised proposal.
- 6.52 Whilst in their most recent consultation response, WSCC have reconfirmed that no objection to the development is raised on highways grounds, several shortcomings were identified in their consultation response for DC/18/1268 which remain relevant. Previously, these shortcomings were considered suitable to be addressed by condition, and in their most recent consultation response, WSCC have recommended that the same conditions are attached to any consent granted. The recommended conditions include a requirement to submit a Green Travel Plan, submission of detailed design of the new access onto CH Road, submission of an Event Travel Management Plan, and submission of a Construction Management Plan.
- 6.53 Given that the amendments proposed as part of the revised scheme do not significantly change the overall scale of the development and do not therefore have a significant bearing on highways matters (hence the applicant's re-submission of the original TA), the assessment of highways matters previously undertaken for DC/18/1268 remains relevant. As such, the following paragraphs present the highways assessment and conclusions undertaken for DC/18/1268, and this assessment (as amended where necessary) also applies for the current scheme.

#### *Travel Demand*

- 6.54 Impact on travel demand arising from the expanded sports club has been assessed within the TA by using existing and additional gross floor area and March 2018 survey data (as verified by TRICS). In order to take account of the club's aspirations to increase membership, as well as accounting for the added attractiveness of the new facilities; it is considered reasonable to double the existing trip rate data to produce the most accurate and reliable estimate of trip rates generated by the proposed expansion (originally this assumed that club membership would double, but as part of the revised proposal, projected club membership has been downplayed thereby resulting in lesser increase in trips). WSCC are satisfied that the applicant's travel demand figures fall within the range identified from TRICS, and the estimates are therefore acceptable (i.e. during the busiest hour of 6-7pm, every minute, the proposed sports centre expansion will generate an additional 2.4 inbound vehicle movements from the east, 1.7 outbound movements to the east, 1 inbound movement from the west, and less than 1 outbound movement to the west).
- 6.55 Whilst these figures are considered to be acceptable, WSCC note that the TA does not break down the individual attraction of each element of the proposal, and that the use of the new outdoor facilities and the impact of smaller clubs relocating to the new facilities has not been presented fully. Despite this, it is accepted by WSCC that the method of doubling the club membership/ existing trip movements can reasonably be considered to represent all other elements of the proposal. Officers agree that this is a reasonable method of

estimating future travel demand based on the outdoor facilities proposed, and the aspirations of the club.

#### *Junction Capacity*

- 6.56 The impact on junction capacity at the Tower Hill/Worthing Road (B2237) junction has also been assessed within the TA. This impact has been raised as a significant concern in representations from local residents. The applicant has used Department for Transport 'TEMPRO' modelling to estimate junction capacity using an assumed opening year of 2023, as well as the assumption that all new memberships have been sold in the opening year and that the new development is fully operational. To ensure the accuracy of future road capacity, TEMPRO modelling also takes a broad account of projected regional growth data associated with permitted and allocated developments in the Horsham District. The modelling for this junction in the 2028 scenario shows that the queue time over the peak hours (5-7pm) on the Tower Hill arm is just under 12 seconds greater than the existing scenario, and less than 2 seconds greater for the southbound arm of Worthing Road. Whilst WSCC acknowledge that there would be a measurable effect on traffic queues, they agree that this level of traffic is unlikely to result in a 'severe' impact on the road network, as per the requirements of the NPPF which states at paragraph 109 that '*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'.

#### *Accident Records*

- 6.57 Collision data has also been presented in the TA, extracted from Sussex Safer Roads Partnership website, and indicates that in the previous 5 year period (2013-2018) there were 7 recorded collisions on roads affected by the proposal, with 4 of these on the junction of Tower Hill and Worthing Road (at the Boar's Head pub). The nature of these 4 incidences were that 2 resulted in 'slight' injury and 2 were classified as 'serious'. The TA concludes that the collision incidences in this location are not materially different to other junctions in the wider area, and that there are no intrinsic design faults with the junctions or local road network that are worsening highway safety in this area, nor are there any highway safety design issues that will be worsened by the proposed development.
- 6.58 In response to local concerns about highway safety at the junction of Tower Hill, Two Mile Ash and Christ's Hospital Road; WSCC Highways undertook a safety review and provided a note which states: '*the junction has been in place for over 100 years and is constrained by buildings and boundaries. However the junction is actively managed for modern traffic conditions and has no road traffic collision record*'. It is considered therefore that this junction performs satisfactorily from a road safety perspective, and whilst a standard 'give way' sign is acknowledged as missing, and visibility to the South does not fully comply with the Design Manual for Roads and Bridges; the Highways Authority do not consider that the additional traffic to and from the proposed development will materially increase the risk to road users at the junction. As such, no alterations to this junction are recommended as part of the proposed development, but WSCC have suggested that the developer may wish to investigate whether upgrades to this junction are required, and if so, to initiate the implementation of these improvements. In response to this, Christ's Hospital School have agreed to fund a 30mph speed reduction TRO for Tower Hill between the Boar's Head pub and the A24 Bridge, as well as a traffic calming scheme to the west of the school to maintain slow traffic speeds on Christ's Hospital Road and King Edward Road.

#### *Site Access and Visibility*

- 6.59 The proposal also includes permanent alterations to the site's existing access configuration. Currently, the Bluecoats Sports Club and parking area is accessed through the main school access road. A new access junction from Christ's Hospital road (further to

the east of the main access road) is proposed, which makes permanent the temporary access road already permitted under DC/17/2635 (currently under construction). The existing gated access at Infirmary Drive would be closed and converted to highway verge. The proposed new access road would lead to the new main car park, and would be used for the sports centre and associated sporting facilities; leaving the existing access road for sole use of the main school.

- 6.60 WSCC Highways consider the new access junction onto Christ's Hospital Road to have adequate visibility, and are satisfied that any safety issues have been addressed by the submitted RSA and Designer's Response report. The proposed access road is considered to be beneficial to the scheme as it separates school traffic from sports centre traffic, and given that no technical concern is raised by the highways authority, is considered to be acceptable. Signage is not proposed as part of this application, therefore will require separate permissions at a later date.

### *Special Events*

- 6.61 The Planning Statement and supporting Transport Technical Note (May 2019) confirms in Section 3 that '*larger events without an upper limit of attendees will not be held [on site]*'. The Technical Note states that a maximum attendance of 1000 people (including participants, spectators, and officials) will be the upper limit for events held on site, which is a cap that is proposed to be secured in a Community Use Agreement, and enforced by the school through provisions set out in an Events Transport Management Plan (ETMP). It is proposed that the ETMP would apply to all 'large' events, which are defined as being events that attract between 500 and 1000 people, and would be restricted to a maximum of 4 per annum. The details contained within the ETMP will be required to be submitted and approved by the Council by condition (see proposed condition 13), and the measures it contains must be implemented by the school for every large event hosted on site. The school would be responsible for implementing the provisions within the approved ETMP, including ensuring that events that are expected to attract more than 1000 attendees will not be held at this site.
- 6.62 The Transport Technical Note includes a 'skeleton' ETMP which indicates how the traffic impact of large events would be managed by the school. This includes providing event routing information, event signage, and event Stewards who would be positioned in key locations within the vicinity of the school on event days. The Stewards would keep count of incoming cars and occupants using a clicker device (or similar) and when numbers reach 950, people will be turned away (leaving a buffer to allow only event participants to enter). The principle of securing these measures through an approved ETMP is accepted, but it is acknowledged that the Council has limited control over the precise enforcement of these measures or eventual numbers of people who arrive on site in connection with a large event.
- 6.63 It should be noted that as with most land, this site benefits from Permitted Development (PD) rights under Part 4 Class B of the General Permitted Development Order, which under the '28 day rule' allows use of land for temporary events, so long as they do not amount to more than 28 days with a 12 month period. As a result, planning permission is not likely to be required for most special events held on land owned by the School, but if any permanent structures or engineering works are proposed which are not covered under Part 4 of the GDPO, this may require planning permission separately in order for the Council to assess their impact and acceptability.
- 6.64 Consideration has been given as to whether it would be expedient to seek to remove the Permitted Development right to hold these types of events given potential impacts on highway capacity and local amenity, by way of a condition. Such a condition would be required to meet the conditions tests set out in paragraph 55 of the NPPF (of being necessary, reasonable, related in scale and kind to the proposal, and enforceable). In this

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

- 6.65 Other smaller-scale events and gatherings are also anticipated at this site, organised by schools and local sports clubs. Triathlons, running races and other gatherings are already held at Christ's Hospital utilising their existing facilities, and are therefore not considered to be new trips on the local road network. The improved facilities are likely to increase the frequency of these smaller events, but as they are usually held at the weekend when the sports club has fewer members and the local roads are quieter, WSCC Highways has not raised specific concerns.

#### *Parking Provision*

- 6.66 Parking provision for 236 formally laid car parking spaces has been provided (including 8x disabled bays), with an addition 36 spaces in an overflow area laid with 'grasscrete'. This is an increase on the current provision of 109 car parking spaces. The car parking demand resulting from the expansion to the Bluecoats Sports Club indicates that an average of 195 car parking spaces are required on a day-to-day basis. The provision is therefore considered to be appropriate, and the overflow area will accommodate fluctuations in car parking demand when the site hosts special events. WSCC have raise no concern with regard to car parking provision on site. It is noted in the Travel Plan that 20 cycle parking spaces are provided for Member's and a further 6 for staff at the 'rear of the club'. The precise location and specification of these cycle parking facilities is not clear, and as such, a condition has been drafted to secure these details prior to the first use of any of the new facilities.

#### *Sustainable Travel*

- 6.67 Policy 40 of the HDPF requires development proposals to demonstrate that they represent a sustainable form of development by improving and integrating existing transport networks and by promoting a variety of different transport modes. A Travel Plan has been submitted in support of this application (located in Appendix 15 of the Transport Assessment), which remains unchanged from the Travel Plan submitted in support of DC/18/1268. In their previous detailed comments on the Travel Plan, WSCC agreed that there is limited scope for members to use public transport to access the facilities, but highlighted that the site does have good access to a regular rail service, and that access from the Southwater direction is possible via the National Cycle Network (route 223). WSCC considered that there are likely to be more opportunities to encourage staff to coordinate travel, and that improvements to the existing rights of way may help to encourage access by foot or bicycle. In short, WSCC require the Travel Plan to be enhanced, and have requested that a full Travel Plan is secured by condition for submission and approval prior to the first use of any part of the development.
- 6.68 In their most recent consultation response, WSCC Highways re-iterated their previous request for a Travel Plan to be submitted, which is required to accord with the WSCC Development Travel Plans Policy. This includes a requirement for developments to achieve

a 12-hour weekday vehicle trip rate that is 10% lower than predicted in the accompanying TA. In addition, WSCC suggest that an Events Management Plan should be included as an appendix to the TP, and that reference should be made in the Travel Plan about how members and staff will be incentivised to use non-car modes of transport or car shares. Importantly, it is suggested that the Travel Plan should include a section covering remedial action(s) that would apply should the vehicle trip rate target not be achieved within 5 years (i.e. introducing pay and display parking etc.) Officers agree that it would be appropriate to condition the submission of a full Travel Plan (written in accordance with the WSCC Development Travel Plans Policy), and a condition has been drafted as such.

### *Summary*

- 6.69 In summary, it is acknowledged that the proposed development will increase the usage of sporting and leisure facilities at Christ's Hospital School, and in turn, will result in more trips to and from the school – largely via car from the Tower Hill road. WSCC highways have thoroughly assessed all relevant supporting information submitted with this application, and whilst a more detailed Travel Plan is required (which can be secured by condition); no overall objection has been raised. The hosting of large events on site up to 4 times per annum is likely to generate an influx of vehicles to the site during these occasions, however this is proposed to be managed through provisions set out within an Event Transport Management Plan which will seek to manage event traffic within the vicinity of the site. WSCC accept that the estimated trip generation and traffic impact is unlikely to result in a 'severe' impact on the local road network, nor that there would be an unacceptable impact on highway safety; therefore in accordance with NPPF para 109, cannot recommend refusal on highways grounds. Officers agree with this conclusion, and subject to the conditions suggested, are of the view that the highways impact associated with the proposed development is acceptable.

### **Amenity Impact**

- 6.70 The application site is located in relatively close proximity to a number of residential dwellings, some within the ownership and control of the school, and others privately owned. The three dwellings located in closest proximity to the application site ('Porters', 'Cornerways', and 'Hollowcroft') are within the ownership of the school, but a number of dwellings approximately 100m to the north-west of the site (in Bluecoats Ponds) are privately owned. Several representations made against this (and the previous) application expressed concern with regard to an increase in noise disturbances (from additional traffic movements, participation in sports, and noise associated with ad-hoc events/competitions), and light disturbance from additional floodlighting connected to the athletic track and 3G pitch. Concerns from Members with regard to the adverse effect of noise and light upon local residential amenity led to the second reason for refusal of the previous proposal (DC/18/1268).

### *Noise*

- 6.71 In support of this application, and following the refusal of the previous proposal, a more detailed Noise Statement has been submitted. As per the previous Noise Statement, the revised document assesses the predicted noise levels likely to be generated by the new external sports facilities, but the updated statement also includes an additional noise survey which has been undertaken to measure the existing noise levels from typical activities taking place at the existing sports facilities. The noise survey took measurements from 4 monitoring locations, 3 of which were in close proximity to nearby residential dwellings in Bluecoats Ponds, Barnes Wallis Avenue and King Edward Road. The survey results show that the main source of noise perceptible at the residential dwellings in closest proximity to the site is traffic related, but some increase in noise when sporting activities are taking place was also recorded.

- 6.72 The updated noise assessment has used industry standard noise modelling software to predict what the noise levels will be as a result of activities taking place from the proposed development. The worst-case scenario (i.e. all pitches and fields being used simultaneously) has been modelled to present a conservative approach. The modelling revealed that there are two dwellings in close proximity to the application site (within the Christ's Hospital campus) that would be likely to experience external noise levels in excess of the Sport England Guidance level of 50dBA. Whilst the anticipated noise levels for these dwellings (52dB and 56dB) is greater than levels suggested in guidance, it is acknowledged that these dwellings are in the ownership of the school who have full control over who occupies them. The dwellings in question are also in the vicinity of existing sports facilities, therefore it is considered that the additional facilities are not likely to result in a significant difference in noise disturbances already experienced at these dwellings.
- 6.73 The results of the additional noise survey undertaken to assess the existing noise conditions within and adjacent to the site showed that in the measuring locations near Barnes Wallis Avenue there was an increase of 2dB when sporting activities were taking place compared to times of 'no activity'. In other measuring locations there was no measurable increase in noise levels. Modelling of predicted noise levels has shown that the level of noise that will be experienced as a result of the proposed development (combined with existing noise levels) is likely to rise by an additional 1dB at each monitoring location. Changes in ambient noise levels between 0-2dB are typically not subjectively perceptible (as advised by the Institute of Environmental Management), therefore the predicted increase of 1dB is not considered to be a significant rise, and is unlikely to cause unacceptable harm to neighbouring residential amenity (as confirmed by the Council's Environmental Health Officer).
- 6.74 Other than associated traffic noise, it is considered that the main source of noise that is likely to emanate from the proposed development would be related to the external facilities and would include shouting and cheering by players/spectators, whistles from referees, and impact from balls hitting fencing etc. In order to help reduce the sound of balls hitting perimeter fencing, the applicant has proposed the use of rubber washers fitted to the fencing panels. The EHO has noted that the relatively small size of the spectator stand is unlikely to lead to significant noise disturbance from spectators, and to further assist with the reduction in noise disturbance, it is proposed that the use of the new pitches would adhere to the operating terms of existing pitches on site, and will cease use by 9pm. This arrangement is considered by Officers and the Council's EHO to be appropriate and reasonable with regard to the protection of neighbouring amenity. Timeframes for use of the pitches would be secured by condition (see proposed condition 30).
- 6.75 The applicant has noted that the use of a mobile PA system is a required for some competitive events. As such, the applicant has proposed the use of a mobile PA system for occasional use during larger events (which are proposed to be restricted to 4 per annum). Naturally, an amplified system can be expected to produce noise levels in excess of the noise levels generated by 'normal' sporting activities on the pitches. There is no specific guidance on recommended upper limits for sport event PA systems, so the noise statement suggests that the 'Noise Council Code of Practice on the Control of Noise from Concerts' might be a reasonable approach to managing noise from the proposed PA system to reduce disturbance at nearby properties. This code applies a guideline upper limit to average noise level emissions at nearby noise sensitive properties. The noise statement considers that these upper limits will be achievable for the proposed PA system because the PA system will be used intermittently (unlike continuous music), and the site is large so the PA system can be used at different locations and orientated in different directions to direct noise towards the school and away from residential properties. Given the number of large events held on site that may require the use of the mobile PA system will be restricted to 4 per annum, the occurrences of any noise impact from the use of the mobile PA system will be limited.

- 6.76 The Council's Environmental Health Officer has reviewed the Noise Statement and has considered the applicant's justification for a mobile PA system for occasional use on this site. Whilst the principle of a PA system for occasional use is not objected to; the EHO is of the view that the justification within the submitted Noise Statement is not sufficiently detailed to give comfort that full consideration has been made with regard to the siting and use of the system, and the impact this may have on neighbouring amenity. As such, a condition is recommended to prevent the operation of any amplified public announcement system on site until details are submitted to demonstrate precisely when PA system will be in use; where it (including speakers) will be positioned; and details of management responsibilities and control measures (see condition 32). It is also proposed that a condition is imposed to prevent the use of the PA system anywhere on the 'Eastern Fields', and outside the hours of 10am-7pm.

### *Lighting*

- 6.77 The floodlighting proposed to serve the 3G pitch and athletics pitch would be LED lighting and would have a 9pm switch off which will be controlled by condition. The lighting has been designed to directly focus on the sports pitches to minimise light spill and associated harm this may cause to residential amenity and biodiversity. The floodlights proposed would be linked into a control system which allows the effective management of the overall lighting system across the site. In order to comply with the sporting governing bodies' requirements for competitions a certain lighting performance has to be achieved. However, it is not necessary to use competition lighting all the time, so the control system will have 4 settings to be used as appropriate (100%, 50%, 10%, and OFF). For the athletics track, different zones can be operated independently, thereby allowing only the necessary lighting to be used at any one time.
- 6.78 Since the previous proposal, the number of lighting columns proposed for the 3G pitch and the athletics track has not changed (8 and 10 respectively); but the overall height of the columns for the athletic track has reduced from 18m to 17m (in addition to a lowering of the track itself into the ground by a further 0.5m thereby reducing the column heights by 1.5m). The lighting column height for the 3G pitch remains at 16m, but the pitch itself has been moved south by 6.5m which increases its distance (and impact) from residential properties further to the north. Further to this, the number of luminaires has been reduced for the 3G pitch from 28 to 24, and for the athletics track from 56 to 41 which reduces the light intensity, and the physical size of the floodlight lamps have reduced.
- 6.79 The Council's Environmental Health Officer has reviewed the revised lighting proposals, and notes that the additional information submitted demonstrates that there should be no direct illuminance of residential facades. The EHO notes that provided the scheme is installed as detailed in the submitted documents and the proposed curfew of 9:00pm is maintained, it is considered that there will be no direct loss of amenity arising from the sports pitch lighting. However, despite acknowledgment that no direct illuminance of residential facades outside of the school grounds will occur; the issue of sky glow will remain and this can only be fully addressed by limiting the hours the lighting is operated. The EHO recommends that a compliance condition is attached to require verification that the lighting installed is in accordance with the details submitted in order to demonstrate the impact and acceptability of the installed lighting.

### *Summary*

- 6.80 The Council's Environmental Health team have previously confirmed that the existing sports pitches and floodlighting on the site have not given rise to any complaints to the Council from neighbouring residents regarding noise or light intrusion, but acknowledge that the proposed development would result in an increase in facilities and additional floodlighting within the site. Notwithstanding this, the EH team have fully reviewed this

proposal, and (subject to conditions) are content with the noise reduction methods proposed, as well as the wider impact of the proposed floodlighting. In addition to those mentioned, other conditions suggested by EH include provisions to control dust during construction, no burning of materials on site, waste to be removed by a licenced contractor, and time limitations for construction activity. Officers agree that these conditions are reasonable, and would require them to be detailed in a Construction Environment Management Plan (CEMP) to be submitted prior to the commencement of development.

- 6.81 In summary, whilst the proposed development will increase the level and frequency of activity on site, it is considered that there are no significant amenity issues that currently exist on site that would be exacerbated by the additional facilities that would justify a refusal of this application. With the inclusion of conditions to control hours of use of the sports pitches and the use of floodlighting, it is considered that the identified amenity impact can satisfactorily be mitigated to acceptable levels.

### **Drainage**

- 6.82 In support of the planning application, a detailed Flood Risk Assessment (FRA) has been submitted. Due to its inland location and elevation in relation to existing water courses that drain the area, the site is identified as being located within Flood Zone 1 meaning that it is at a very low risk from tidal or river flooding. The main risk of flooding on this site is therefore from surface water, which due to the increase in impermeable or less permeable surfaces (particularly at the sports centre and car park), will require suitable surface water management strategies to be implemented.
- 6.83 The findings of the FRA indicate that due to the ground conditions beneath the site, surface water drainage via ground infiltration is not feasible on this site, therefore connections to the local drainage network are required. The strategy for the site is to control flows into this drainage network, and this is proposed to be achieved by the use of permeable paving laid across the site. Both the Council's Drainage Engineer and the WSCC Flood Risk Management Team have reviewed the FRA and have confirmed that no objection is raised to the proposed strategy, but a condition securing the details and implementation of the foul and surface water drainage strategy has been suggested. Finished floor levels are also proposed to be secured by condition, to show in particular that the area around the sports centre extension will be set a minimum of 250mm below the internal floor level.
- 6.84 Southern Water has a statutory responsibility to provide appropriate infrastructure to enable new developments to connect to the public sewer system. As a result, to ensure the proposed development does not put undue pressure on the existing sewer network capacity, a condition is recommended to secure details of the foul and surface water disposal scheme to be approved by the Council, in consultation with Southern Water.

### **Ecology**

- 6.85 In support of the application, a document containing all Ecological surveys and assessments (dated May 2019) has been submitted. This document includes commentary and results from surveys undertaken for protected species including bats, great crested newts, and reptiles; as well as other species and habitats. The Council's Ecologist has reviewed the submitted document and has confirmed that the proposals would not have any likely impact on Sparrow Copse LWS, and that any losses of priority hedgerow habitat would be compensated for on site. The Ecologist considers that mitigation measures proposed are appropriate, and likely to be effective in controlling impacts from the development. In addition, the Ecologist has confirmed that the biodiversity metric calculations demonstrate that the proposed enhancements will deliver a net gain in biodiversity (in line with paragraph 170(d) of the NPPF). The Ecologist has welcomed the

applicant's commitment to incorporate additional ecological enhancements into the scheme to maximise its value to biodiversity.

- 6.86 In order to ensure that the ecology and biodiversity of the area is safeguarded in accordance with Policy 31 of the HDPF, the Ecologist has advised that the long term management of habitat created (e.g. wildlife meadow), should be secured within a Landscape and Ecological Management Plan (LEMP) by condition. As such, a condition to secure the submission of a LEMP has been drafted, as well as other conditions suggested by the Ecologist including: (1) measures to be carried out in accordance with the Ecology Assessment; (2) submission of a biodiversity CEMP; (3) submission of a biodiversity enhancement layout; and (4) submission of a wildlife sensitive lighting design scheme.

### **Planning Balance and Summary**

- 6.87 In order to establish whether development is acceptable in planning terms, the decision maker must be satisfied that the severity of any harm identified is outweighed by the benefits the development would bring. The benefits of the proposed development have been outlined within this report, which explains that the school (including its pupils and staff) will be the primary beneficiaries of the facilities, with an additional benefit offered to the wider public by the proposed shared use of the state of the art facilities for clubs, organisations and individuals. In their assessment of the proposals, Sport England have confirmed that they consider this development to meet 'Exception 5' of their Playing Fields Policy as the new facilities are considered to provide '*sports facilities of sufficient benefit to the community so as to outweigh the loss of playing fields*'. A Community Use Agreement (which will be required by condition) will ensure that a timetable will be agreed to secure fair use of the facilities for both the school and the wider public. The benefits that the development will bring, are therefore considered to weigh in favour of the proposed development.
- 6.88 An assessment of harm and impact has also been made within this report which concludes that (subject to conditions), no unacceptable harm is considered to arise with regard to highway capacity or safety, trees, ecology or drainage. The impact with regard to neighbouring amenity particularly associated with noise and light intrusion is not considered to amount to significant harm, and can be mitigated to satisfactory levels through details to be secured by condition. This therefore, is not considered by Officers to warrant a reason to refuse the proposed development. As with the previous proposal (DC/18/1268), some harm (albeit minor) has been identified with regard to landscape and heritage.
- 6.89 The impact of the development on the setting of the Grade 2\* listed building is acknowledged, but as the proposed development is linked to facilities that are readily associated with a school; the overall impact is considered to be minimal, thereby resulting in '*less than substantial harm*'. In accordance with paragraph 196 of the NPPF, the public benefit the proposed leisure facilities would bring is considered to weigh in favour of the '*less than substantial harm*' to the setting of the listed buildings; and therefore weighs in favour of the development.
- 6.90 In order to protect the rural character of the District (and in according to HDPF Policy 26), development is usually only acceptable in countryside locations where it is considered to be 'essential'. The nature of the leisure and sporting developments proposed on this semi-rural site (which is not located within a Built up Area Boundary) would, in their own right, not likely to be considered 'essential' to a countryside location (as per HDPF 26). However, the siting of these facilities in the grounds of an existing school, which is well-related to other existing sporting facilities, and in an area with moderately high levels of movement and activity; leads to the conclusion that this is not a wholly unsuitable location for the proposed facilities to be located. In addition, the requirement for the facilities which are for the primary benefit the pupils of the school, would naturally (for practical and sustainable

purposes) require the facilities to be located within the school grounds. This, in the view of Officer's is an acceptable reason for locating the proposed development on this site, despite the acknowledgement that the site is not located within a Built up Area Boundary. Accordingly, the development is considered to accord with HDPF Policy 43(2) insofar as the location of the new sporting facilities in this case, is considered to be a practicable option.

- 6.91 The Council's Landscape Architect has noted that whilst it is recognised that some landscape and visual harm will still arise from the scheme by virtue of additional development in the countryside, the changes to the layout (particularly the repositioning and downscaling of the Adventure Trail) are considered to satisfactorily mitigate some of the harm identified with the previous scheme (DC/18/1268). The Landscape Architect notes that the proposals will be seen in the context of the school grounds, and given that key elements of the rural experience are retained; the overall harm is considered to be of an acceptable level. As such, Officers do not consider that landscape harm warrants a reason to refuse the proposed development, particularly given the recognised benefits of the development which are considered to outweigh this harm in the planning balance.
- 6.92 The wider impact on the local road network with regard to an increase in traffic movements and pressure on road capacity resulting from the predicted increase in users of the site, is a concern that has been the subject of several representations to the Council. The confirmation from WSCC Highways that the proposed development will not result in a 'severe' impact on the local road network and that there would be no unacceptable impact on road safety; leads Officers to conclude that no unacceptable harm arises from a highways perspective, and that a refusal on highways grounds cannot be justified (in accordance with NPPF paragraph 109).
- 6.93 In respect of the semi-rural, countryside location; the urbanising influence of the development and the subsequent impact on the surrounding landscape character, historic setting and neighbouring amenity is acknowledged; but the benefits the facilities would bring to the school, club Members and the wider public (including many local sports clubs, organisations and schools) as discussed in paragraphs 6.4 – 6.18 are considered to weigh in favour of the proposed development.
- 6.94 Overall, having assessed the benefits that the scheme would bring to pupils of the school, current and future Members of Bluecoats Sports Centre, and various local community groups, clubs and individuals; it is considered on balance, that the wider benefits gained from new facilities would outweigh the impact identified. The proposed development therefore, is considered to accord with the provisions of HDPF Policy 43, as well as the aspirations of the NPPF (Chapter 8) and Sport England policy which seeks to support the addition and renewal of sport and leisure facilities, in order to increase access to sporting opportunities and to promote the ongoing health and wellbeing of communities.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
All Other Development	4023	0	4023
		<b>Total Gain</b>	
		<b>Total Demolition</b>	

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

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

## 7. RECOMMENDATIONS

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

### Conditions:

1. **Plans List**
2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

### Pre-Commencement Conditions

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

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

4. **Pre-Commencement Condition:** No development shall commence (including demolition pursuant to the permission granted, ground clearance or bringing equipment, machinery or materials onto the site) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:
  - i. An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location;
  - ii. Details of how local residents and facility users will be advised of site management contact details and responsibilities;
  - iii. Detailed site logistics arrangements (shown marked on a site plan) including; location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials;

- iv. Details of topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice;
- v. Details regarding parking for site operatives and visitors, deliveries, and storage;
- vi. The method of access to and from the construction site;
- vii. The arrangements for public consultation and liaison prior to and during the demolition and construction works (newsletters, fliers etc.);
- viii. Details of any floodlighting used for the purpose of demolition and/or construction, including location, height, type and direction of light sources, hours of operation and intensity of illumination;
- ix. Locations and details for the provision of wheel washing facilities and dust suppression facilities;
- x. Confirmation that Construction activities should be limited to: 08:00 – 18:00 Mondays to Fridays, 08:00 – 13:00 Saturdays; and no working on Sundays, Bank or Public Holidays;
- xi. Confirmation that materials will not be burned on site;
- xii. Confirmation that a licensed waste removal contractor shall remove all clearance debris and construction waste from site.
- xiii. Details of measures to avoid or reduce the impact of biodiversity and habitats during construction.

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

*Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers, highway safety, and biodiversity during construction and in accordance with Policies 31, 33 and 40 of the Horsham District Planning Framework (2015).*

5. **Pre-Commencement Condition:** No development shall commence (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved Tree Protection Plan ref [D2487.REV3.3-A1.TPP REV 3.3], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

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

6. **Pre-Commencement Condition:** No development of the relevant external sports facilities (including the 3G pitch and athletics track) shall commence until details of the design and layout of that facility have been submitted to and approved in writing by the Local Planning

Authority (in consultation with Sport England). The new facilities shall not be constructed other than in accordance with the approved details.

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

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

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

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

*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).*

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

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

10. **Pre-Commencement Condition:** Prior to the commencement of the athletics equipment store, the following details relating to the equipment store building shall have been submitted to and approved in writing by the Local Planning Authority. The relevant works must not be executed other than in complete accordance with these approved details, and maintained as such thereafter:
- a) Samples or specifications of external materials and surface finishes (including specific details relating to the green roof);
  - b) Drawing to a scale not smaller than 1:5 fully describing the roof details including sections through the eaves and verges.

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

#### **Pre-Commencement (Slab Level) Condition**

11. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of the sports centre extension hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building, have been submitted to and approved by the Local Planning Authority in

writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

### **Pre-Occupation Conditions**

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

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

13. **Pre-Occupation Condition:** Prior to the first use of any of the facilities (excluding the new car park or overflow car park) hereby permitted, an Event Transport Management Plan shall have been submitted to and approved by the Local Planning Authority in writing. The Event Transport Management Plan shall set out details in relation to the management of large, events (defined as events that are expected to attract between 500 and 1000 people) using the facilities on site (excluding the new car park and overflow car park), to include but not limited to: stewarding, directional signage, traffic management, overflow parking arrangements and management. All such events must be carried out in accordance with the approved management plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Reason: To ensure a satisfactory development that is sympathetic to the landscape character of the surroundings, and in the interests of visual amenity and biodiversity*

*enhancement in accordance with Policies 25, 31 and 33 of the Horsham District Planning Framework (2015).*

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

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

23. **Pre-Occupation Condition:** Prior to the first use of any of the facilities hereby permitted, a Landscape Management and Maintenance Plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscape areas (existing and proposed) shall have been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

24. **Pre-Occupation Condition:** Prior to the first use of any of the facilities hereby permitted, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

*Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015); and to allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981.*

25. **Pre-Occupation Condition:** Prior to the first use of any of the facilities hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include (but not be limited to) the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

*Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015); and to allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981.*

### **Post-Occupation Conditions**

26. **Post-Occupation Condition:** Within 6 months of the first use of the 3G pitch or athletics track hereby permitted, a detailed lighting assessment (showing, in particular, the impact of the artificial lighting in the winter months when trees offer less screening) shall have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light, and shall have been designed by a suitably qualified person. All recommended mitigation shall be carried out within 3 months of the date of approval of the lighting assessment, and the mitigation shall be retained as such thereafter.

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

### **Regulatory Conditions**

27. **Regulatory Condition:** All ecological mitigation & enhancement measures and works shall be carried out in accordance with the details and recommendations contained in the Ecological Survey and Assessment [CHR101.R001 V5, May 2019]. This may include the appointment of an appropriately competent person (e.g. an ecological clerk of works (ECoW)) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

*Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015); and to allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981.*

28. **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Report (including Arboricultural Impact Assessment and Method Statement) reference [D2487.REV3.3.TS.AIA.AMS, 08 May 2019].

*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).*

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

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

30. **Regulatory Condition:** The external sports facilities (including pitches, athletics track and adventure trail) hereby approved shall not be used except between the hours of 08:00 hours to 21:00 hours Monday to Sunday.

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

31. **Regulatory Condition:** The floodlights hereby permitted shall not be illuminated outside the hours of 16:00 and 21:00 hours Mondays to Saturdays and 16:00 and 18:30 hours Sundays, Public Holidays and Bank Holidays unless otherwise agreed in writing with the LPA.

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

32. **Regulatory Condition:** No externally located fixed or mobile loudspeakers shall be operated until a scheme of noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be written by a suitably qualified person and shall include but not be limited to;

- i. A plan of all locations at which fixed or mobile external loudspeakers are to be sited, including for large events;
- ii. Details relating to the number of occasions in any 12 month period when fixed or mobile external loudspeakers are to be employed;
- iii. Details of management responsibilities during use of the external loudspeakers;
- iv. Details of proposed control measures, including monitoring, that will be implemented to ensure noise and disturbance to local residents is managed and minimised;
- v. Details of a complaint recording and management plan.

The scheme shall not rely on BS4142 as the metric for compliance and must take due account of the bass frequency characteristics and the likely resulting noise levels within adjoining or close by residential properties. The approved scheme shall thereafter be maintained and adhered to for the duration of the use hereby permitted.

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

33. **Regulatory Condition:** No amplified public announcement system shall be operated on land known as the 'Eastern Fields' (defined as land to the east of the New Link Road shown on proposed block plan reference [(08)003 A22]).

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

34. **Regulatory Condition:** No amplified public announcement system shall be used anywhere on the site outside of 10:00 hours to 19:00 hours Monday to Sunday unless otherwise agreed in writing with the LPA.

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

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

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

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

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

37. **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).*

## INFORMATIVES

### Conditions to be Discharged

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

### Southern Water

Please note that Southern Water require a formal application for connection to the public sewer and to the public water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). Please also read the New Connections Services Charging Arrangements documents which are available to read via the following link <https://beta.southernwater.co.uk/infrastructurecharges>.

### Southern Water

The application contains a proposal for a swimming pool for commercial/public use. If the pool produces filter backwash water this would need to be discharged to the public foul sewer. The rate and times of discharge of this water to the sewer, and of the contents of the pool, if these need to be drained to the sewer, would have to be agreed with Southern Water. The applicant is advised

to discuss the matter further with Southern Water's Trade Effluent Inspectors. Please see <https://www.southernwater.co.uk/trade-effluent> for further information.

#### Landscape Management and Maintenance Plan

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

#### Landscape Details

The applicant is advised that full details of the hard and soft landscape works (pursuant to the details required by Condition 23) include the provision of, but shall not be necessarily limited to:

- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc.) Such details to include cross sections where necessary
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

#### Background Papers:

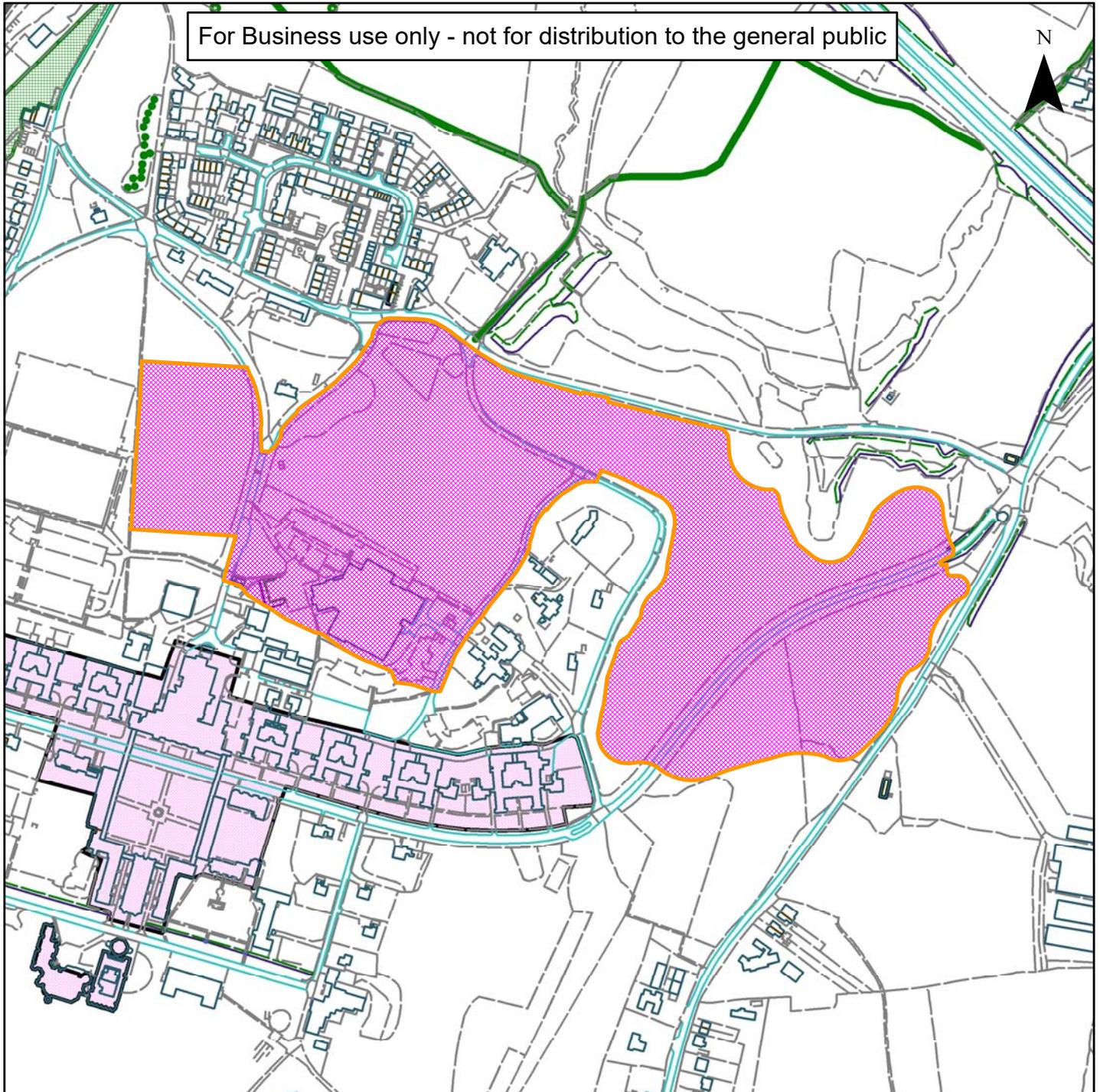
- DC/19/1149 (Current Proposal)
- DC/18/1268 (Refused Proposal, January 2019)

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Christs Hospital School

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Organisation	Horsham District Council
Department	
Comments	
Date	19/08/2019
MSA Number	100023865

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**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 3 September 2019

**DEVELOPMENT:** Demolition of existing agricultural building and erection of a detached two storey dwelling and stables building.

**SITE:** Upper Bottle House Stane Street Slinfold Horsham West Sussex RH13 0RE

**WARD:** Itchingfield, Slinfold and Warnham

**APPLICATION:** DC/19/0905

**APPLICANT:** **Name:** Mr Michael Chambers **Address:** Upper Bottle House Stane Street Slinfold Horsham West Sussex RH13 0RE

**REASON FOR INCLUSION ON THE AGENDA:** More than 8 persons in different households have made written representation raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

**RECOMMENDATION:** To refuse planning permission.

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

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 Full planning permission is sought for the removal of an existing barn type structure and the erection of a two storey, 2-bed dwelling with associated parking and landscaping works. The proposals also include the erection of a stables building.

1.3 The proposed dwellinghouse would be served by an existing access point from Stane Street to the east and would be designed in an 'L' shaped configuration. It would include a sitting room, kitchen/dining room, study, and WC facilities at ground floor level and 2no bedrooms and 2no bathrooms at first floor level. The proposed dwellinghouse would have an overall width of approximately 8.5m and an overall depth of 11.25m and would have an overall height to the ridge of 5.6m. The proposal would incorporate dormer windows and a gabled roof design. The proposed floorspace of the proposed dwelling would measure approximately 130sqm.

- 1.4 The proposed stable structure would measure 8.89m by 10.3m and would have an 'L' shaped configuration. The stables would incorporate a traditional truss roof design as would provide 3no individual stables boxes, a tack room and a store. The proposed stable structure would have a maximum height of 3.9m to the top of the truss roof. The proposed stable building would be positioned within an existing grassed area located to the south of the proposed dwelling and would incorporate a small hardstanding area to provide appropriate access to the stable building. The stables would be used by the applicants. The scheme includes an area to be used as a paddock adjacent the new house and Stane Street.

#### DESCRIPTION OF THE SITE

- 1.5 The application site comprises a detached dwellinghouse and associated land on the western side of Stane Street (A29) some 1.6km north of Five Oaks and 1.6km from Slinfold. The site comprises a dwelling and incidental curtilage with surrounding land within the same ownership. The site as a whole comprises a number of detached outbuildings in both ancillary residential and agricultural use. The site is outside of any settlement boundary, is not within a conservation area. A listed building lies to the north of the site at Lower Bottle House. . Given the location of the site outside of any defined built up area boundary, it is considered to be located within the countryside. A public right of way is located to the north and west of site.
- 1.6 Planning permission has been granted for a day nurse building to the rear of the Upper Bottle House, the main dwelling on the wider site, under planning reference DC/17/2886. The wider site also benefits from a barn type structure which appears to house livestock and an area of grazing land to the west of the main dwelling.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

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

#### 2.3 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development.

Policy 2 - Strategic Policy: Strategic Development.

Policy 3 - Strategic Policy: Development Hierarchy.

Policy 4 - Strategic Policy: Settlement Expansion.

Policy 15 - Strategic Policy: Housing Provision.

Policy 16 - Strategic Policy: Meeting Local Housing Needs.

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

Policy 26 - Strategic Policy: Countryside Protection.

Policy 29 - Equestrian Development.

Policy 32 - Strategic Policy: The Quality of New Development.

Policy 33 - Development Principles.

Policy 40 - Sustainable Transport.

Policy 41 - Parking.

## RELEVANT NEIGHBOURHOOD PLAN

- 2.5 The Slinfold Parish Neighbourhood Plan 2014-2031 was 'made' in June 2018. The following policies and strategic objectives are of particular relevance:  
Strategic Objective: Protect and enhance the rural character, heritage assets and biodiversity of the Parish.  
Policy 4: Conserve and Enhance Biodiversity  
Policy 5: Development Principles

## PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 The following applications are the most recent and relevant applications relating to the application site:

DC/17/2752	Demolition of existing garage and garden structures and erection of replacement detached single storey residential outbuilding to rear of main dwelling. (Certificate of Lawful Development - Proposed)	Application Refused on 14.02.2018. Subsequent appeal dismissed.
DC/18/1017	Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 4m, and for which the height of the eaves would be 2.5m	Prior Approval Not Required on 22.06.2018
DC/17/2886	Outline application with all matters reserved for erection of nursery building and associated change of use from agricultural land to nursery (Use Class D1).	Application Permitted on 05.11.2018

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

### INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No objection. Conditions recommended in relation to the hours of working and waste removal.
- 3.3 **HDC Heritage Officer:** Verbal Comments – No objections raised

### OUTSIDE AGENCIES

- 3.4 **WSCC Highways:** No objection. 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. If the stables are to be used for commercial WSCC would need to be re-consulted. Conditions and a note to applicant recommended relating to parking, cycle parking and turning.
- 3.5 **Southern Water:** Comment. No public foul sewer in the vicinity of the site. Alternative means of foul sewage disposal to be explored.

## PARISH COUNCIL

### 3.6 **Parish Council Consultation: Objection.**

- Contrary to Policy 4 of the HDPF.
- Dwelling put forward as providing a smaller dwelling in the parish however the applicant is to move into the property.
- Proposed stable building is much larger than the existing building.
- Agricultural use of the site.
- Design of dwelling unsympathetic to rural surroundings.
- Overdevelopment of the site.
- Urbanisation of a property in a sensitive rural area.

## PUBLIC CONSULTATIONS

### 3.7 12 letters of support were received from 12 separate households. The nature of these supporting letters can be summarised as follows:

- The existing building is unsightly.
- The new dwelling would improve the site and setting.
- The proposal would help with housing provision.
- Additional stabling would be beneficial.

### 3.8 1 letter neither supporting or objection to the proposal was also received. The nature of this letter can be summarised as follows:

- Proposed nursery building in this location was refused as the site is agricultural.
- If principle of new dwelling is acceptable, a nursey building on the site should be revisited.
- Conditions recommended relating to use of the stable 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 development and the visual amenities of the street scene.
- The amenities of the occupiers of adjoining properties.
- Highways impact and other material considerations.

### **Principle of development**

### 6.2 The application site lies in the countryside outside of the defined built-up area of any settlement. Given this location, the initial principle of the proposal needs to be considered in the context of Paragraph 79 of the NPPF and policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (HDPF).

- 6.3 Paragraph 79 of the NPPF seeks to promote sustainable development in rural areas and advises that new isolated homes in the countryside should be avoided unless there are special circumstances. On the basis of the available information, it is not apparent that the schemes architectural quality would be sufficient to significantly enhance its immediate setting, and the proposed dwelling, by virtue of its design, size and positioning, would be a clearly noticeable feature in the landscape, which currently benefits from an open feel and undeveloped nature. It is not therefore considered that the proposal could be regarded as a special circumstance under Paragraph 79 of the NPPF that would allow the construction of an isolated dwelling in the countryside to be supported.
- 6.4 Policies 3 and 4 of the HDPF set out that development will be permitted within the towns and larger villages in the District which have defined built up areas, and outside of these areas, the expansion of settlements will be limited to those sites that are, amongst other criteria adjoining a settlement edge and allocated in either the local plan or a neighbourhood plan. Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The application site is located within the countryside, outside of any defined settlement, and is not allocated in the HDPF or the Slinfold Parish Neighbourhood Plan. The proposal for the construction of a new dwelling in this location does not therefore meet the aims of these policies.
- 6.5 The site is situated outside of any of the defined settlement as categorised under Policy 3 of the HDPF. The principle of the proposed development outside of any defined built-up area boundary is contrary to the overarching spatial strategy and principles of the NPPF and HDPF. As the site lies outside of any defined built up area, it is therefore considered to be within a countryside location in policy terms. In this countryside location, the site is required to be considered against Policy 26 of the HDPF which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale, whilst in addition meeting one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas. The proposed development does not meet any of the criteria set out in the policy, nor is it considered to be essential to its countryside location.
- 6.6 The application site is located approximately 1.6km away from the built up area boundary of Slinfold to the north. As such, it is considered that there is a clear separation and a significant difference in character when comparing the application site and its immediate surrounds with the built up area of Slinfold. The application site would not be well related to the defined settlement of Slinfold, with future occupiers of the dwelling likely to be highly dependent on the use of private vehicle in order to access services and facilities.
- 6.7 Recent appeals decisions have backed up this approach where sites outside of built up area boundaries, but in some case close to settlements, have been considered to be contrary to the locational strategy policies of the HDPF and result in an unsustainable form of development.
- 6.8 It is considered that the scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements as set out in the HDPF. The proposal for a new building dwelling on the site is not considered to be essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development in this location. Additionally, the site has not been allocated for housing development with the 'made' Slinfold Neighbourhood Plan and was therefore not deemed to be appropriate for housing at a local level.
- 6.9 It is noted that the applicant considers that a potential fall-back position exists as the existing building/structure to be removed could benefit from permitted development rights for conversion to residential under Class Q of The Town and Country Planning (General

Permitted Development) (England) Order. In order to benefit from permitted development rights under Class Q, the proposal would need to meet a number of criteria, including the use of the building for agricultural purposes and the building being convertible to residential without significant structural works being undertaken.

- 6.10 A structural survey submitted in support of the application details that the building could be upgraded and made structurally sound, with the roof temporarily supported by scaffolding with the structural columns concreted into a new foundation slab. It is noted that the structure is of a simple timber construction, with the timber poles supporting the roof and walls. Whilst the findings of the submitted structural report are noted, and the building may be appropriate for conversion to a dwelling with structural works, there is concern that the level of the works required to enable its conversion to residential would go beyond that considered to be reasonably necessary and permitted under Class Q.
- 6.11 In addition, in order to benefit from permitted development rights under Class Q, a building needs to have been used solely for an agricultural use as part of an established agricultural unit for a specified period of time; this being either on 20 March 2013, for a period of at least 10 years if the site was brought into an agricultural use after March 2013, or in the case of a vacant building in March 2013, when it was last in use. From aerial mapping available to Officers it appears that the building was installed/erected on the site at some point between 28 August 2013 and 26 September 2018, at which point the surrounding land had also been subdivided to form various paddocks, although it is noted that some form a historic footings were present on the site prior to this date. The building does not therefore appear to have been present on 20 March 2013 and cannot benefit from permitted development rights under Class Q for a period of 10 years from the date the building was constructed.
- 6.12 Additional information has been provided by the applicant with regards to the building purporting that it was indeed in situ on the appropriate date to be able to benefit from permitted development rights. It is noted that there does appear to be some sort of frame present from Street View Images from 2010, however this is not clear and does not indicate conclusively that this is the existing building in question. Notwithstanding this, given that these images simply show a frame, Officers contend that it would appear that the existing building on site is a complete new build when compared to the historic images available.
- 6.13 Further, from an Officer site visit undertaken to the site, there is concern as to the use of the building, and whether it is being used solely for agricultural purposes as part of an established agricultural unit, and it appeared that that the building was being used more so for the housing of a number of animals more akin to a hobby farm use.
- 6.14 Given that there are doubts raised with regards to the condition of the building, the level of works required to facilitate its change of use to residential, and the length of time that it has been present on the site, it is considered that there is no fall back position on which to rely on to justify the construction of a new residential property in this location.
- 6.15 The proposal also includes the construction of a new stable building providing 3no individual stables boxes, a tack room and a store. Policy 29 of the HDPF states that equestrian related development will be supported provided that it can be demonstrated that the re-use of existing buildings on site for related equestrian use is not appropriate; before new or replacement buildings are considered; that the proposal would be appropriate in scale and level of activity, and be in keeping with its location and surroundings, and where possible is well related to existing buildings; and that the proposal should, where possible, be well related to a bridleway network. The proposed stables would be for the private use of the applicant. If recommended for approval, a condition could be imposed limiting their use for private ancillary use only and not for commercial purposes. Subject to materials, the stables are also considered appropriate in terms of their design and are appropriate for this countryside location.

- 6.16 For the reasons set out, it is considered that the proposed development would not accord with the core principles of sustainable development, contrary to policies 1, 2, 3, 4, 15 and 26 of the Horsham District Planning Framework. It is also considered that the proposed development would not be of such exceptional quality or innovative design as to meet the tests of Paragraph 79 of the National Planning Policy Framework. It is therefore recommended that the application is refused on the grounds that the proposed dwelling is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted neighbourhood plan, and that the need for a stable building has not been adequately justified, and therefore the proposal represents unsustainable development contrary to policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015) and guidance within the NPPF.

### **Character and appearance of the proposal and visual amenities of the street scene**

- 6.17 Policy 32 of the HDPF requires high quality design that complements the locally distinctive character of the district and contributes a sense of place in the way they integrate with their surroundings. Policy 33 of the HDPF sets out the Council's development principles in order to conserve and enhance the natural and built environment. The policy, amongst other criteria, requires proposals to ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views and be locally distinctive in character and respect the character of the surrounding area.
- 6.18 The proposed dwelling would consist of waney edge timber boarding to the external walls, natural slate tiles to the roof and aluminium framed fenestrations. The proposed dwellinghouse would be designed in an 'L' shaped configuration and would incorporate a shallow pitched roof design, high eaves and 2 shallow pitched roof dormers. It is considered that the resultant dwelling would result in an inappropriately designed dwellinghouse which would have an urbanising effect on this rural countryside location. Whilst the use of timber cladding and natural slate would be acceptable, the overall design would not be in keeping with the surroundings and would result in an incongruous addition within this rural setting. Paragraph 131 of the NPPF states that – "Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is considered that the proposed dwelling would not represent good design and would therefore be contrary to this section of the NPPF.
- 6.19 Looking at the existing dwelling on site, and neighbouring properties to the north, it is considered that the proposed design of the new dwelling would not be in keeping with this neighbouring development. The existing properties in the vicinity generally consist of a steeper pitch in terms of roof form and the shallower pitch proposed for the new dwelling would not be in keeping with this design feature. The proposed flat roof dormers and high eaves would also form unsympathetic features and would not relate appropriately when viewed against existing development. It is noted that there is a Public Right of Way (PROW) located to the north and west of the site. The proposal would be visible from this vantage point as well as the public Highway to the east. The proposal would therefore not accord with Policy 5 of the Slinfold Neighbourhood Plan, or the aims of the HDPF or the NPPF with regards to design.
- 6.20 Details have been provided with regards to the curtilage to be created for the dwelling. The plans indicate that a relatively small curtilage would be provided to serve the dwelling with the parking located just outside this curtilage. A plan has also been provided outlining the various uses of the land within the red line, the majority of which would be equestrian in connection with the proposed stables building. No information has been included with regards to the boundary treatments of hard and soft landscaping, however, if the application is recommended for approval this information can be required via a suitable condition.

- 6.21 It is therefore considered that the proposal as submitted is contrary to policies 26, 32 and 33 of the HDPF (2015), Policy 5 of the Slinfold Neighbourhood Plan (2018) and paragraph 79 of the NPPF which seek to protect the character of areas, ensure that development is sensitively designed and is of a high quality.
- 6.22 The proposed dwelling is set a significant distance from the listed building at Lower Bottle House to the north. With this separation the proposed house and stables would not affect the setting of the listed building and the Council's Heritage Officer has not raised any objections in this regard.

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

- 6.23 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. Given the relationship of the proposed dwelling and stable building with neighbouring properties, and the distances maintained, it is considered that the proposals would not have a detrimental on the amenities of neighbouring properties, in accordance with Policy 33 of the HDPF (2015).

#### **Quality of the resulting environment for future occupiers**

- 6.24 It is considered that the proposed development would provide adequate indoor and outdoor living space for future occupants. Suitable distances would be preserved to neighbouring development to ensure that there would not be any harmful overlooking and other properties would not appear as overbearing on the proposed dwelling. As such, it is considered that there would be an appropriate quality level of environment for the future occupiers of the proposed dwelling in accordance with Policy 33 of the HDPF (2015).

#### **Parking, transport and highways implications**

- 6.25 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users. The proposed dwelling and stables would be served by an existing access point from Stane Street which also serves the existing dwelling at Upper Bottle House. 2no parking spaces would be provided to serve the proposed dwelling. This would be in-line with WSCC Parking Standards 2019 in this rural location. The driveway would also be used by the approved nursery to the rear. Following consultation with WSCC Highways, who raised no objection to the proposal on highways or parking grounds, it is considered that the proposal would be acceptable in this regard, and therefore accord with policies 40 and 41 of the Horsham District Planning Framework (2015).
- 6.26 Notwithstanding the above, the application site is located within a rural location outside of any built up area boundaries. As such, any future occupants of the dwelling would be heavily reliant on the private car for transportation to and from the site. It is therefore considered that the site is an unsustainable location for new housing provision and would not be acceptable in this regard.

#### **6.27 Other Considerations**

##### **Ecology**

- 6.28 Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. From a case officer site visit and inspection of the existing site and the existing building to be removed, no apparent ecology concerns are raised and it is considered that the proposals would have a low ecological impact and overall the proposals are considered to be acceptable in this regard.

## Drainage

- 6.29 The site is located within Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. Southern Water have commented that there is no public sewer in the vicinity of the site. If recommended for approval, a condition could be imposed requiring the submission and approval of details relating to the proposed means of foul and surface water drainage for the site prior to commencement of development.

## Proposed use of the land for a paddock

- 6.30 As part of the proposals in relation to the erection of the stables building, the application includes the change of use of a section of land to the southern corner of the site, which would be used as a paddock area. Whilst this area of land is in close proximity to the eastern boundary of the site which adjoins the public highway, it is considered that the use of this land for equestrian purposes would be acceptable and would not be uncommon within this rural setting, in accordance with Policy 29 of the HDPF.

## Conclusion and planning balance

- 6.31 It is considered that the scheme, for the construction of a new dwelling with associated stable building, would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements as set out in the HDPF. The proposal for a new building dwelling on the site is not considered to be essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development in this location. Additionally, the site has not been allocated for housing development with the 'made' Slinfold Neighbourhood Plan and was therefore not deemed to be appropriate for housing at a local level. As outlined, the applicant's fall back argument regarding the potential to convert the barn to residential use under Class Q is disputed. The proposal is also considered inappropriate in terms of its design and would stand out in this location as an unsympathetic addition.

## Community Infrastructure Levy (CIL)

- 6.32 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.
- 6.33 **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	130	0	130
		<b>Total Gain</b>	
		<b>Total Demolition</b>	<b>59</b>

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

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

## **7. RECOMMENDATIONS**

7.1 It is recommended that planning permission is refused for the following reasons:

### Reasons for Refusal:

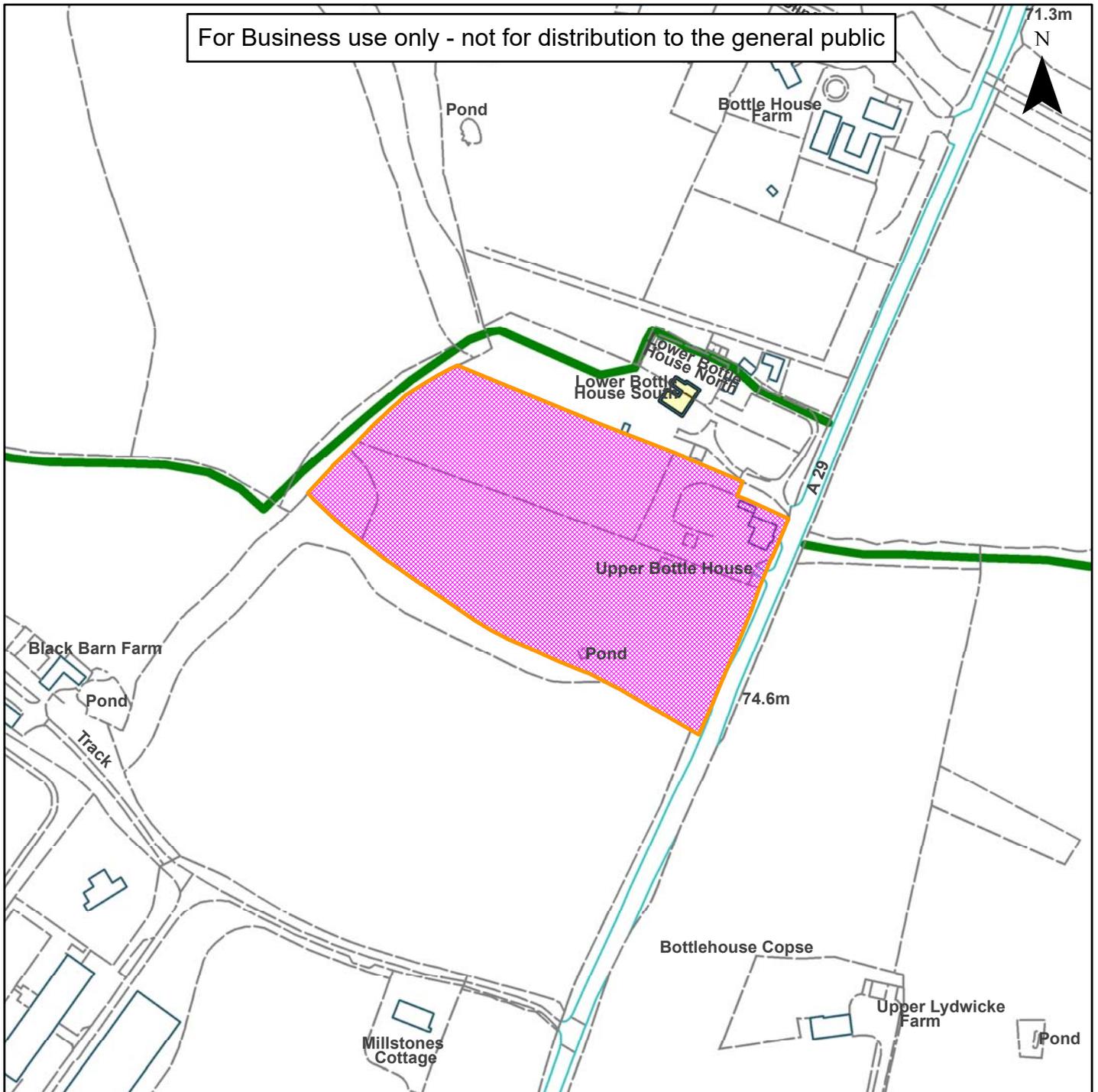
1. The proposed dwelling is located in a countryside location, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework or an adopted neighbourhood plan. The Council is able to demonstrate a 5-year housing land supply and consequently the proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District. Furthermore, the proposed development is not essential to its countryside location. Consequently, the proposal for a new dwelling on the site represents unsustainable development contrary to policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015), Policy 5 of the Slinfold Neighbourhood Plan (2018) and guidance within the National Planning Policy Framework (2018).
2. The proposed dwelling, by virtue of its design and appearance, would result in an unacceptable addition within the site which would result in an urbanising effect on the countryside. The proposed dwelling would represent an incongruous, unsympathetic and unacceptable design which would not be in keeping with the rural character of the countryside location and would be insensitive and harmful to the open setting of the site. The proposal is therefore contrary to policies 26, 32 and 33 of the Horsham District Planning Framework (2015), Policy 5 of the Slinfold Neighbourhood Plan (2018) and policies within the National Planning Policy Framework (2018).

Background Papers: DC/19/0905



Upper Bottle House, Slinfold

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Comments	
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