

Planning Committee (North)
1 OCTOBER 2019

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, Toni Bradnum, Peter Burgess, Roy Cornell, Christine Costin, Brian Donnelly, Ruth Fletcher, John Milne, Colin Minto, Godfrey Newman, Louise Potter, Stuart Ritchie, Ian Stannard, Claire Vickers, Belinda Walters and Tricia Youtan

Apologies: Councillors: Alan Britten, Leonard Crosbie, Billy Greening, Frances Haigh, Tony Hogben, Richard Landeryou, Gordon Lindsay, Christian Mitchell and David Skipp

PCN/36 **MINUTES**

The minutes of the meeting of the Committee held on 3 September 2019 were approved as a correct record and signed by the Chairman.

PCN/37 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/19/1362 and DC/19/0897 – Councillor Stuart Ritchie declared a personal interest because he knew one of the public speakers.

PCN/38 **ANNOUNCEMENTS**

There were no announcements.

PCN/39 **APPEALS**

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

PCN/40 **DC/19/1362 - SUSSEX TOPIARY, NALDRETT'S LANE, RUDGWICK**

The Head of Development reported that this application sought permission for the retrospective change of use of land for the stationing of caravans for four gypsy pitches, along with the formation of hardstanding and four utility/day rooms. There would be on-site parking for 12 vehicles. Hedging and other planting along the north and east of the site was proposed.

The application site was located in a countryside location approximately 850 metres from the built-up area of Bucks Green and over a kilometre from Rudgwick, with access off Naldretts Lane. It was a former horticultural nursery adjacent to paddocks, including the site of application DC/19/0897. There was some sporadic residential development nearby.

Works had already commenced, with hardstanding in place, and one of the day rooms erected. These works were not in accordance with the approved plans attached to permission DC/13/2170 for four gypsy pitches, and an enforcement notice had been served in September.

Officers advised that amendments to conditions 3, 4, 5 and 6 were recommended to ensure that these conditions were discharged within three months of the permission.

The Parish Council objected to the application. The Rudgwick Preservation Society had also objected. There had been 11 representations from eight households objecting to the scheme, including one received after publication of the report. Three members of the public spoke in objection to the application and a representative of the Parish Council also spoke in objection to it. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; landscape character; amenity impacts; impact on highways; and ecology. Members noted that, until a new Gypsy and Traveller policy is adopted, the Council is unable to demonstrate a five-year land supply of deliverable Gypsy and Traveller pitches.

Members noted the concerns of local residents and considered the DC/13/2170 appeal decision to grant four pitches on the site. Members concluded that the benefits of the scheme in contributing towards the five-year supply of pitches outweighed the concerns and the proposal was therefore acceptable.

RESOLVED

That planning application DC/19/1362 be granted subject to the conditions as reported, with amendments to conditions 3, 4, 5, and 6 to ensure that these conditions be adhered to within three months of the date of this decision as set out below:

- 3 **Regulatory Condition:** Within 3 months of the date of this decision a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) shall have been submitted to the Local Planning Authority for its written approval. All materials used in the construction of the development hereby permitted shall conform to those approved.
- 4 **Regulatory Condition:** Within 3 months of the date of this decision full details of all hard and soft landscaping works shall have been submitted to the Local Planning Authority for its written approval. The details shall include plans and measures addressing the following:
 - Details of all existing trees and planting to be retained

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

The landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the written approval from the Local Planning Authority. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

- 5 **Regulatory Condition:** Within 3 months of the date of this decision the parking, turning and access facilities necessary to serve the development shall be implemented in accordance with the approved details as shown on plan 001 and shall be thereafter retained as such.
- 6 **Regulatory Condition:** Within 3 months of the date of this decision details for the storage of refuse/recycling for each pitch shall be submitted to the Local Planning Authority for its written approval. The refuse / recycling facilities shall be provided in accordance with the agreed details within one month of such approval and shall thereafter be retained for use at all times.

PCN/41 **DC/19/0897 - SUSSEX TOPIARY, NALDRETT'S LANE, RUDGWICK**

The Head of Development reported that this application sought permission for the change of use of land for the stationing of caravans for eight gypsy pitches, along with the formation of hardstanding and eight utility/day rooms. There would be two parking spaces for each pitch.

The application site was located in a countryside location approximately 850 metres from the built-up area of Bucks Green and over a kilometre from Rudgwick, with access off Naldretts Lane. The site was a paddock adjacent to the site of application DC/19/1362. There was some sporadic residential development nearby.

The Parish Council objected to the application. The Rudgwick Preservation Society had also objected. There had been 45 representations from 36 households objecting to the scheme, including one received since publication of

the report. One letter of support had been received. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; landscape character; amenity impacts; impact on highways; and ecology. Members noted that, until a new Gypsy and Traveller policy is adopted, the Council is unable to demonstrate a five-year land supply of deliverable Gypsy and Traveller pitches.

Members noted the concerns of local residents, the scale of the proposal and the extent of its impact on the countryside location. Members concluded that the benefits of the scheme in contributing towards the five-year supply of pitches did not outweigh the identified harm.

RESOLVED

That planning application DC/19/0897 be refused for the following reasons:

- 01 The proposed development would be of a number and scale that would result in a significant intensification and increase in the level of activity on the site within a countryside location. The impact of the proposal would therefore result in a level of activity in the countryside which would dominate the sporadic residential development that defines the settlement and would fail to retain the rural character and undeveloped nature of the countryside. The proposal would therefore be contrary to Policies 23 and 26 of the Horsham District Planning Framework (2015) and paragraphs 14 and 25 of the Planning Policy for Traveller Sites.
- 02 The proposed development would be of a scale and extent that would result in a formalised and overtly urban nature of development that would detract from the undeveloped and informal character of the rural locality. The proposal would be of a scale and extent that would result in a significant change to the undeveloped and informal character and ambience of the countryside location, with the proposal eroding the sense of place and failing to protect, conserve, or enhance the key features and characteristics of the landscape character area. The proposal would therefore be contrary to Policies 25, 26, 32, and 33 of the Horsham District Planning Framework (2015).
- 03 Insufficient information has been submitted to determine that the proposed development would not result in harm to protected species and habitat. Therefore an adequate assessment of existing ecological features within the site, and potential ecological habitats, cannot be undertaken, contrary to Policy 31 of the Horsham District Planning Framework (2015).

PCN/42 **DC/19/0394 - LAND NORTH OF 73 PRIMROSE COPSE, HORSHAM**

The Head of Development reported that this application sought permission for the erection of four 4-bedroom detached dwellings, each with an integral garage. The two dwellings to the north of the site would be link-attached. Access from the turning circle at the end of Holbrook School Lane was proposed.

The application site was a private green space located within the built-up area of Horsham, with dwellings to the east and south, and Holbrook Primary School to the northeast.

The Parish Council objected to the application. There had been 15 representations from 10 households objecting to the scheme. One member of the public spoke in objection to the application and the applicant addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; amenity impacts; highways impacts; and ecology. The history of the 1994 Legal Agreement relating to the application site was noted by the Committee.

In response to concerns regarding residential amenity relating to 73 Primrose Copse, it was agreed that an Informative be submitted to the applicant advising that the landscaping scheme required by the Pre-Commencement landscaping condition must include details of enhanced screening along the southern boundary of the application site.

RESOLVED

That planning application DC/19/0394 be granted subject to the conditions as reported, with the following amendments:

- (i) The approval of Pre-Occupation Condition regarding the submission of hard and soft landscaping works to be in consultation with Local Members;
- (ii) The addition of the following Pre-Commencement Condition to secure a Construction Method Statement:

Pre-Commencement Condition: No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i the parking of vehicles of site operatives and visitors
- ii loading and unloading of plant and materials
- iii storage of plant and materials used in constructing the development
- iv the erection and maintenance of security hoarding, where appropriate
- v the provision of wheel washing facilities if necessary
- vi measures to control the emission of dust and dirt during construction
- vii details of working hours

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

The meeting closed at 6.44 pm having commenced at 5.30 pm

CHAIRMAN