



Planning Committee (North)

Tuesday, 3rd December, 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

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
<p>To approve as correct the minutes of the meeting held on 5 November 2019 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i></p>	
3. Declarations of Members' Interests	
<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/19/1603 - Page Court, Livingstone Road, Horsham** 15 - 40

Ward: Forest

Applicant: Mr Ian Bott

7. **DC/19/2008 - 30 Warren Drive, Southwater** 41 - 48

Ward: Southwater North

Applicant: Mr Paul Bulter

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

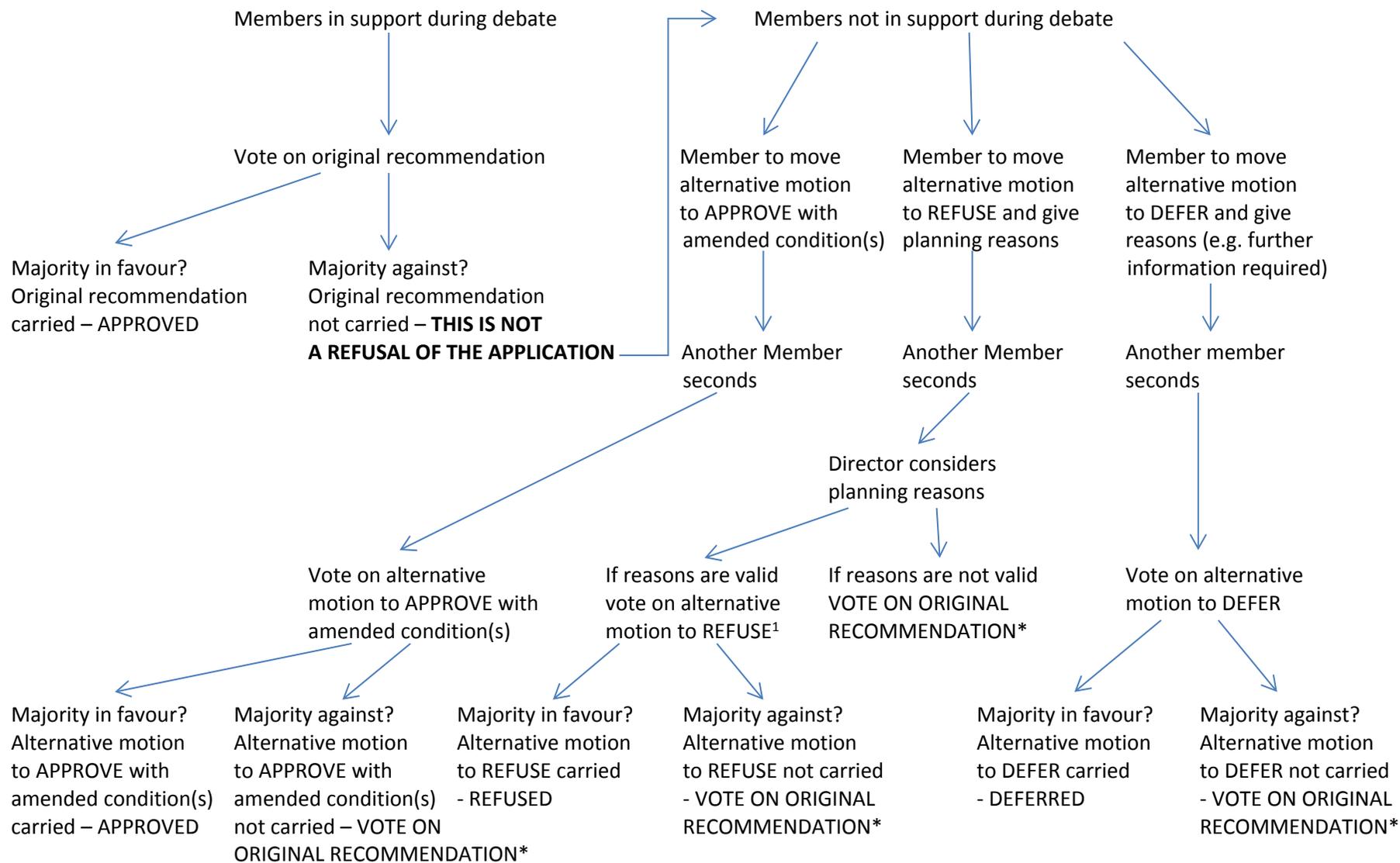
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (North)
5 NOVEMBER 2019

Present: Councillors: Karen Burgess (Chairman), Liz Kitchen (Vice-Chairman), Matthew Allen, Tony Bevis, Toni Bradnum, Peter Burgess, Roy Cornell, Christine Costin, Brian Donnelly, Ruth Fletcher, Billy Greening, Frances Haigh, Tony Hogben, Richard Landeryou, Gordon Lindsay, John Milne, Christian Mitchell, Godfrey Newman, Louise Potter, Stuart Ritchie, David Skipp, Ian Stannard, Claire Vickers and Tricia Youtan

Apologies: Councillors: Andrew Baldwin, Alan Britten, Leonard Crosbie, Colin Minto and Belinda Walters

PCN/43 **MINUTES**

The minutes of the meeting of the Committee held on 1 October were approved as a correct record and signed by the Chairman.

PCN/44 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCN/45 **ANNOUNCEMENTS**

There were no announcements.

PCN/46 **APPEALS**

The list of appeals lodged and appeal decisions, as circulated, was noted. There were no appeals in progress during this period.

PCN/47 **DC/19/1205 - KINGFISHER FARM, WEST CHILTINGTON LANE, BILLINGSHURST**

The Head of Development reported that this application sought permission for a change of use of land for the stationing of 11 pitches for residential purposes to contain 11 static caravans, 11 touring caravans, 11 dayrooms, parking for associated vehicles, hard standing and associated infrastructure.

The application site lay in open countryside, it formed the eastern part of the field, and was linked to West Chiltington Lane to the west by a hard surfaced track along the northern field boundary. The eastern part of the Kingfisher Farm field, which was the part of the field subject to this application, had been developed as a caravan site for use by the gypsy and traveller community.

Since publication of the report Itchingfield Parish Council had submitted a formal objection stating that it considered the District Council should decline to determine this application under Section 70 (c) Town and Country Planning Act 1990 and if the Council were minded to determine it, invited the District Council to refuse permission on the basis that: it is outside the built-up area boundary and it had not been demonstrated that it was essential to its countryside location; the development would have an unacceptable impact on the landscape character of the surrounding area; and the application was not supported by adequate evidence to conclude the development preserved the qualities of the listed Pear Tree Farmhouse.

Members were also advised that the Council's Environmental Health and Compliance officer had visited the site that day and confirmed that seven of the 11 units were provided with the correct specification for drainage.

The applicant's agent addressed the Committee in support of the application. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's recommendation to determine the planning application under Section 70 (c) and then the officer's recommendation on the planning assessment which indicated that the key issues for consideration in determining the proposal were:

- The principle of development
- Effect on the character and appearance of the surrounding area
- Whether the proposal, in combination with other pitches, would dominate the nearest settled community and was reasonably located for schools, shops and other local services and community facilities
- Whether a need for site provision existed locally
- If harm arose, whether it was outweighed by other material considerations including the general need for and provision of sites, the availability of alternatives, and any personal circumstances.

Members also gave consideration to the enforcement and planning history of the site. Members gave consideration that, until a new Gypsy and Traveller policy was adopted by the Council, the Council was unable to demonstrate a five-year land supply of deliverable Gypsy and Traveller pitches.

A Local Member raised concerns regarding the history of the site and considered the proposal to be harmful to the landscape character. It was proposed and seconded that the application be refused. The motion was lost.

It was proposed and seconded that the proposal be subject to a temporary consent for two years. The motion was lost.

A Local Member proposed an amendment to regulatory conditions 2, 3 and 4 to reduce the required timescale for these conditions to 4 months instead of 6 months. The motion was carried.

RESOLVED

That Planning Application DC/19/1205 be granted subject to the amendment to the conditions 2, 3 and 4 to require details / works to be submitted / implemented and completed within 4 months.

PCN/48 **DC/19/1229 - BOREHAM HOUSE, CHURCH STREET, RUDGWICK**

The Head of Development reported that this development sought permission for the erection of two 2-storey detached dwellings with associated parking and garage, landscaping and creation of hard standing. The original application had been amended from three dwellings to two in order to address concerns regarding overdevelopment.

The application site comprised a large detached dwelling known as Boreham House that was located within the built-up area boundary of Rudgwick. The site was adjacent to the Rudgwick Conservation Area.

Rudgwick Parish Council objected to the application on the grounds that the footprint of the dwellings was too large and the resulting overdevelopment was not in keeping with the area.

A total of 47 letters of objection were received from 26 separate households. 38 of these were received prior to the amended plans being submitted, with an additional seven letters received as part of the re-consultation process.

One member of the public spoke in objection to the application and the applicant's agent addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Matters for consideration under this application were:

- Principle of development
- Design and Appearance
- Heritage impact
- Existing trees
- Amenity impacts
- Highways impact
- Ecology

RESOLVED

That planning application DC/19/1229 be approved subject to the conditions as reported.

PCN/49 **DC/19/1345 - GLOBAL HOUSE, MARKET SQUARE, HORSHAM**

The Head of Development reported that this application sought planning permission for the demolition of the remains of an ancillary outbuilding and the erection of a new single storey ancillary outbuilding to the rear of the main property.

The application related to a Grade II listed building on the eastern side of Market Square in Horsham.

Denne neighbourhood Council objected to the application. A total of 19 letters of objection had been received.

Two members of the public spoke in objection to the application, and to listed building consent application DC/19/1537 which was also being determined by the Committee. A representative of Denne Neighbourhood Council spoke in objection to both applications.

Matters for consideration under this application were the use of the proposed outbuilding structure, the design, appearance and impact on listed buildings and conservation area, the impact on neighbouring amenity, highways and parking considerations and impact on trees.

RESOLVED

That planning application DC/19/1345 be refused for the following reason:

That the proposal was an inappropriate and cramped form of development resulting in overdevelopment of the site which was harmful to the character and historic setting of Horsham Conservation Area. The proposal was therefore contrary to Policy 34 of the Horsham District Planning Framework (2015).

PCN/50 **DC/19/1537 - 13 GLOBAL HOUSE, MARKET SQUARE, HORSHAM**

The Head of Development reported that this application sought listed building consent for the demolition of the remains of an ancillary outbuilding and the erection of a new single storey ancillary outbuilding to the rear of the main property.

The application site was a Grade II listed building on the eastern side of Market Square in Horsham.

Denne Neighbourhood Council objected to the application. A total of four letters of objection had been received.

Two members of the public spoke in objection to the application, and to application DC/19/1345 which was also being determined by the Committee. A representative of Denne Neighbourhood Council spoke in objection to both applications.

Matters for consideration under this outline application were the design, appearance and impact on the listed building.

RESOLVED

That planning application DC/19/1537 be refused for the following reason:

Insufficient evidence had been submitted to demonstrate that the proposal would not detrimentally damage the historic wall. The proposal was therefore considered to have a harmful impact on the listed property and was contrary to Policy 34 of the Horsham District Planning Framework (2015).

PCN/51 **DC/19/0860 - THE ROYAL OAK, FRIDAY STREET, RUSPER**

The Head of Development reported that this application sought permission for the demolition of a disused public house and erection of two semi-detached two storey dwellings with garages. The dwellings would be parallel to Friday Street, set back approximately four metres from the road.

The application site was positioned to the south of Friday Street, outside of any defined built-up area boundary and therefore within the countryside in policy terms.

Rusper Parish Council supported the application but asked for the highest standard of energy efficiency to be required. There had been no other representations in response to the public consultation.

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; heritage impacts; amenity impacts; and highways.

RESOLVED

That planning application DC/19/0860 be granted subject to the conditions as reported.

PCN/52 **DC/19/1738 - PHASE 4, OAKHURST BUSINESS PARK, WILBERFORCE WAY, SOUTHWATER**

The Head of Development reported that this application sought permission for a variation of Condition 1 to previously approved DC/17/1023 for the erection of eight business units arranged in two groups. The amendment sought to increase the ground floor area and add mezzanine floors to four of the units, and extend the mezzanine floor on the other four units. The variation also proposed a reconfiguration of parking to accommodate all spaces within the site service yard.

The application site was located within the built-up area of Southwater within the established business park, which was a Key Employment Area. The site

and its immediate neighbours were owned by the Council. A bund with dense vegetation surrounded the southwest and northwest boundaries and screened the site from the Worthing Road and nearby properties.

The Parish Council objected to the application. There had been two representations objecting 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, design and highways impacts.

Members considered the impact of the increased floor space and were advised that the parking provision would be adequate and any increase in traffic movements would not be significant.

RESOLVED

That planning application DC/19/1738 be granted subject to the conditions as reported.

PCN/53 **DC/19/1801 - 10 BEAVER CLOSE, HORSHAM**

The Head of Development reported that this application sought permission for the removal of a conservatory and the erection of a single storey side extension with a pitched roof, to provide for two additional bedrooms.

The application site was located at the west end of Beaver Close, a cul-de-sac of two storey dwellings in North Horsham.

The Parish Council raised no objection to the application. There had been one representation from the adjacent property 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: design and appearance; impact on amenity; and parking.

RESOLVED

That planning application DC/19/1801 be granted subject to the conditions as reported.

The meeting closed at 8.10 pm having commenced at 5.30 pm

CHAIRMAN

Planning Committee (NORTH)

Date: 3rd December 2019



**Horsham
District
Council**

Report on Appeals: 24/10/19 – 20/11/19

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/19/0455	Birchenbridge House Brighton Road Mannings Heath Horsham West Sussex RH13 6HY	05-Nov-19	Application Refused	N/A
DC/19/0905	Upper Bottle House Stane Street Slinfold Horsham West Sussex RH13 0RE	12-Nov-19	Application Refused	Application Refused
DC/19/0411	Windacres Farm Development Site Church Street Rudgwick West Sussex	20-Nov-19	Application Refused	N/A
DC/19/0374	Windacres Farm Development Site Church Street Rudgwick West Sussex	20-Nov-19	Not determined	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/19/0455	Birchenbridge House Brighton Road Mannings Heath Horsham West Sussex RH13 6HY	Written Representation	05-Nov-19	Application Refused	N/A
DC/19/0677	Sunnycroft Two Mile Ash Road Barns Green Horsham West Sussex RH13 0PX	Written Representation	05-Nov-19	Application Refused	N/A
DC/19/0763	Hawthorns Bar Lane Southwater RH13 9DL	Written Representation	08-Nov-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/18/0780	Land North West of Garden Corner Blackhouse Road Colgate Horsham West Sussex RH13 6HS	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/0793	Forest House Cottage Winterpit Lane Mannings Heath Horsham West Sussex RH13 6LZ	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/2440	Hoes Farm Coolham Road Shipley Horsham West Sussex RH13 8PF	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/2614	Land Adjacent To Elm Cottages Worthing Road Southwater RH13 9DT	Written Representation	Appeal Allowed	Non-determination	N/A
DC/18/2007	Waves Farm Kerves Lane Horsham West Sussex RH13 6RJ	Written Representation	Appeal Dismissed	Prior Approval Required and REFUSED	N/A
EN/18/0398	Windacres Farm Development Site Church Street Rudgwick West Sussex	Written Representation	Appeal Dismissed	Notice served	N/A
EN/18/0170	Windacres Farm Development Site Church Street Rudgwick West Sussex	Written Representation	Appeal Dismissed	Notice served	N/A
DC/18/0783	The Old Dairy Home Farm Cowfold Road Coolham West Sussex RH13 8QJ	Written Representation	Appeal Dismissed	Application Refused	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (North)
BY: Head of Development
DATE: 03 December 2019
DEVELOPMENT: Demolition of existing housing block and erection of 40 new apartments and 8 houses with new infrastructure and landscaped areas.
SITE: Page Court Livingstone Road Horsham West Sussex RH13 5TA
WARD: Forest
APPLICATION: DC/19/1603
APPLICANT: **Name:** Mr Ian Bott **Address:** 10 Lindsey Street London EC1A 9HP

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

RECOMMENDATION: To delegate authority to the Head of Development to grant planning permission subject to appropriate conditions and the completion of a s106 legal agreement to secure the provision of 100% affordable rented units.

In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes the demolition of all existing residential units (45 total) and the erection of a new development of 48 residential units (comprising 8x terraced houses and 40x flats) with associated car parking for 56 cars, and integral refuse and cycle storage. The 48 residential units would comprise the following mix, and are all proposed for affordable rent:

- Ten 1-bed flats
 - Thirty 2-bed flats
 - Four 2-bed houses
 - Four 3-bed houses
- 1.3 The proposed development is arranged in a similar form and footprint to the existing site, with the proposed block of flats positioned in a 'horseshoe' arrangement with a communal landscaped area to the centre; and the 8x proposed houses are arranged in a terrace fronting Park Terrace East. Parking for 56 cars is proposed, with 2x disabled bays shown. 8x existing trees are proposed for removal to facilitate the development, and 48x replacement trees are proposed to be planted across the site. A new access point is proposed onto Livingstone Road, and the existing vehicular access from Park Terrace East is proposed to be retained for access to the new parking area.
- 1.4 The block of flats would be flat-roofed with 4-storeys, and would vary in height from around 9.5m to a maximum of 13m. Parts of the existing sloping ground would be raised to level the site. The external elevations of the flats are shown to be two different brick colours (red and buff), and include protruding and recessed brick details. Window/door frames, coping and fascias are proposed to be grey. Each of the 40 flats has a private balcony (or patio area at ground floor), with the majority of balconies facing into the centre of the development.
- 1.5 The 8x terrace houses would largely occupy the same footprint as the existing bungalows, and would be set-back from the roadside by approximately 5.4m. The houses would be 2-storey with pitched roofs, ranging in overall height between 7.7m and 8.5m to ridge. The external elevations are shown with a red brick, and with projecting brick detail to the front elevations and bricked patterns on the gable ends. Grey roof tiles are proposed, as well as grey window and door frames. Each house has private rear garden space (with shed) measuring around 36m². A brick wall in matching red brick to the houses is shown as the boundary of the rear gardens. Tree planting is shown to the front of the proposed houses.

DESCRIPTION OF THE SITE

- 1.6 The 0.55Ha site is located within the built-up area boundary of Horsham in a central and predominantly residential area, and is approximately 350m from Horsham Town Centre. The site occupies a block of land fronting onto Livingstone Road, New Street and Park Terrace East. The site as existing includes 3x terraced bungalows with private rear garden space and driveway parking; a 2-storey, flat-roofed 'horseshoe' shaped block of 42 'bedsit' flats, and a block of garages accessed from Park Terrace East. All residential units are owned by Saxon Weald and have most recently been occupied by housing association tenants (albeit, many previous tenants have now been re-housed leaving several of the units empty and boarded up). Across the site, levels fall slightly from west to east, and the existing block of flats sit on land that is lower than the adjacent street level (by around 1.5m at its lowest point).
- 1.7 A Grade II listed building (31 New Street) is located directly to the south of the site, and is partially obscured by vegetation. Aside from the Grade II listed building, the wider area is characterised by a mix of 2 and 3-storey buildings (mostly residential, but also including some shops and churches). The north side of Livingstone Road comprises blocks of 3-storey pitched-roofed townhouses and off-road parking in the form of integral garages and short driveways. A block of flats on the corner of Livingstone Road and New Street rises to a partial 4th storey due to a sloping roof feature. The area of New Street in closest proximity to the application site comprises both 2 and 3-storey pitched-roofed apartment blocks as well as two churches (Rehobeth Baptist Chapel, and Brighton Road Baptist Church) with an area of open space between them which is understood to be under the ownership of one of the churches.

- 1.8 The buildings along Park Terrace East are characterised by 2-storey Victorian terraces, with typical red brick exteriors, bay windows, sloping pitched roofs and chimneys. On-street permit-controlled parking is in operation in this area.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 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 (NPPF 2019)

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.3 SUPPLEMENTARY PLANNING GUIDANCE

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

2.4 RELEVANT NEIGHBOURHOOD PLAN

Forest Neighbourhood Council forms part of the Horsham Blueprint Business Neighbourhood Forum which is the designated body of the un-parished area of Horsham Town. The Forum area was formally designated in June 2015 and comprises representatives from Denne Neighbourhood Council, Forest Neighbourhood Council and Trafalgar Neighbourhood Council. The Forum have not reached Regulation 14 draft plan stage yet, therefore the weight that can be afforded to the Neighbourhood Planning process in this location at present is very limited.

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/04/0781	Conversion of existing flat to 2 x 1 bed flats	Application Permitted on 23.06.2004
HU/269/02	Conversion of existing 3 bed flat to 2 x 1 bed flats Site: 39 Page Court Livingstone Road Horsham	Application Permitted on 14.10.2002
HU/238/95	Alterations and extensions, new car park Site: Page Court Livingstone Road Horsham	Application Permitted on 08.11.1995
HU/59/70	40 old persons flatlets, 2 wardens flats, 3 invalid bungalows Comment: Br only (From old Planning History)	Application Permitted on 20.03.1970
HU/523/69	40 old persons flatlets, 2 wardens flats and 3 invalid bungalows (From old Planning History)	Application Permitted on 05.12.1969
HU/431/69	Erection of a 2 storey block of 24 flats. 3 storey block of 6 flats 30 garages (From old Planning History)	Application Permitted on 07.11.1969

3. OUTCOME OF CONSULTATIONS

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

3.2 INTERNAL CONSULTATIONS

HDC Landscape Architect: No Objection

[Summary]: The amenity space is interesting and effective and the planting imaginative. The plant species selected will provide year round interest and contribute much to encourage biodiversity. The landscape management plan is comprehensive. The car parking area has invaluable tree cover which will contribute to creating a sense of place and provide much needed shade / cooling. The hard landscape elements are varied in texture and colour and as such will introduce additional interest.

HDC Drainage Engineer: No Objection

[Summary]: I have no overall objections to the surface water drainage strategy proposed. The assessment demonstrates that the development proposal can be satisfactorily accommodated without increasing flood risk elsewhere.

HDC Housing: Support

[Summary]: This proposal will directly benefit a vast number of households on the Council's housing register. The location and proposed property sizes/types meet the current demand evidenced by the housing register. Housing Officers support this application.

HDC Environmental Health: No Objection (subject to conditions)

[Summary]: As the proposal is a major development, an Air Quality Emissions Mitigation Statement is required to be submitted. Conditions suggested including: (1) removal of

asbestos material; (2) contamination remediation; (3) waste removal; (4) construction management; (5) noise impact from plant; (6) noise mitigation.

HDC Waste Collections Supervisor: Comment

[Summary]: The bin provision for 40 apartments is correct. The houses would require an additional garden waste bin and the applicant should confirm that all 3 required bins will fit within the bin store areas.

HDC Heritage Officer: No Objection

[Summary]: I am satisfied the design does reflect the suggestions made in respect to mitigating the impact on the adjacent listed building. I am satisfied that the less than substantial harm, resulting from the impact of such a large urban building within the immediate setting of the listed building, will remain but that this can be balanced with the public benefits of providing residential accommodation in a town centre location.

HDC Arboricultural Officer: No Objection (verbal consult)

3.3 OUTSIDE AGENCIES

WSCC Highways: No Objection (subject to conditions)

[Summary of Final Comments]: Given the modest level of development proposed (only three additional homes), it is unlikely that the impact of the development on the local transport network is severe. Given the accessible location, the highway authority would have difficulty in insisting on the strict application of parking numbers resulting from the new Residential Parking Calculator. However, the authority does not consider that the applicant has proposed mitigation consistent with the low number of parking spaces on site (with regard to parking for disabled users, and electric vehicle charging points). The vehicle access arrangements for the development will involve likely amendment of existing Traffic Regulation Orders for which a separate process applies. Proposed parking for bicycles is below that expected for a development of this size and nature. A travel plan statement must be submitted under a planning condition. Most of the problems raised in the road safety audit have been addressed in the response report. Conditions suggested.

[Summary of Initial Comments]: No objection to the principle of the development, the impact on the transport network, the sustainability of the site, or the parking proposals. However a road safety audit and response is required to cover the entrances onto Livingstone Road and Park Terrace East. The applicant will need to consider whether any alterations will be necessary to the traffic regulation orders on Livingstone Road and Park Terrace East.

Ecology Consultant: No Objection (subject to conditions)

[Summary]: We have reviewed the recently submitted Preliminary Ecology Appraisal, Bat Survey Report, and the Ecology Plan and are satisfied that sufficient information has been provided of likely impacts from the development and that any necessary mitigation will be effective. In terms of measurable net gain for biodiversity, the enhancements proposed will contribute to this aim. Impacts will be minimised such that the proposal is acceptable, subject to suggested conditions, including (1) Mitigation works to be implemented; (2) Updated Biodiversity Enhancement Layout; (3) Wildlife sensitive lighting scheme.

Forest Neighbourhood Council: Objection

[Summary]: No objection to the principle, but FNC object to the specific proposal for the following reasons: scale is out of keeping, poor appearance, the site levels are incorrect, insufficient parking, no visitor parking, overlooking from balconies, no PV panels, no water saving measures, tree retention is unclear, bin collection issues.

Southern Water: No Objection (subject to conditions)

WSSC Flood Risk Management: No Objection (subject to conditions)

3.4 PUBLIC CONSULTATIONS

At the end of the public consultation, 41 letters of representation were received. All letters lodged an objection to the scheme, save for one which was neutral but raised concerns.

The Horsham Society were one of these respondents and whilst the Society supports the principle of the redevelopment of this site, the Society object to the scheme on the grounds that levels are unclear, there is no tree survey, and the materials and detailing of elevations do not compliment surrounding properties.

The main reasons for objection cited by others are summarised below:

- Overdevelopment
- Design concerns (height, scale, massing, materials)
- Lack of parking
- Increase in traffic and congestion
- Impact on the Controlled Parking Zone
- Exceedance of affordable housing thresholds
- Unclear tree loss
- Loss of privacy

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of the Development

- 6.1 Policy 3 of the Horsham District Planning Framework (HDPF) sets out a development hierarchy for the District, and classifies settlements according to their characteristics and functions. The site lies within the Built-Up Area Boundary (BUAB) of Horsham which is described within Policy 3 as the District's 'Main Town'. Horsham is noted as having a large range of employment opportunities, services and facilities; and is therefore an area where the general principle of development is acceptable. Policy 3 states that any proposal to redevelop or infill within a defined BUAB is required to demonstrate that it is of an appropriate nature and scale to the main characteristics and function of the settlement. In principle therefore, by virtue of its location and current developed nature of the site; the proposed residential re-development of this site is considered to be acceptable.
- 6.2 Policy 15 of the HDPF seeks to allocate a sufficient quantum of new housing across the Horsham District to meet the identified needs until 2031. In addition to the allocation of large-

scale strategic development sites, Policy 15 anticipates 1,500 homes to come forward through Neighbourhood Plan allocations, and an additional 750 to come forward as 'windfall units'. As the site is located within the BUAB of Horsham, it is considered that housing development such as the proposed scheme would contribute to the windfall units required by Policy 15 (part 5), which contributes to the 'in principle' acceptability of this proposal. In addition (and as discussed further in the next section), the 100% affordable housing that this site is proposing exceeds the requirements of HDPF Policy 16 which is welcomed.

- 6.3 The acceptability of the development in overall terms will however, depend on its appropriateness in terms of other development management principles including: layout, scale, design, parking, landscaping; and impact on ecology, the local highway network, and local amenity. These considerations will be discussed within subsequent sections of this report, and a summary and balanced recommendation is presented at paragraph 6.44 to 6.45.

Affordable Housing Provision

- 6.4 Policy 16 of the HDPF requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable. The applicant (Saxon Weald) are a locally-based registered provider of affordable homes, and as such are proposing that all 48 units provided as part of the scheme will be available for affordable rent. This proportion of affordable units proposed therefore exceeds what is required by current policy, and as such, is welcomed. Paragraph 64 of the NPPF requires that the total quantum of affordable housing required for all major residential development schemes should make available at least 10% for affordable home ownership. An exception to this is where the proposal is exclusively for affordable housing, therefore as this scheme meets this exception, the proposal for 100% affordable rented accommodation is acceptable in policy terms, and is welcomed by the Council's Housing Department. Given the proposal offers 100% affordable housing which is beyond the level required by Policy 16 of the HDPF, this will exempt the applicant from CIL payments, therefore this 100% provision of affordable housing will be secured within the accompanying s106.
- 6.5 The 48-unit development proposes a mix of dwellings including 1-bed flats, 2-bed flats and 2 and 3-bed houses. The provision of smaller flats and houses in this central location is welcomed by the Council's Housing Department which has confirmed that the provision will greatly assist with meeting current demands from the Council's housing register. The Housing Manager has noted that this location is one of the Council's top two areas of greatest demand for affordable rented accommodation, and as such is highly supportive of the scheme. Officers are of the view therefore, that the significant provision of additional affordable housing units in this location is a benefit that weighs in great favour of this application.

Layout and Density

- 6.6 Due to existing site constraints including a Grade II listed building to the immediate south of the site, and the established road network and built form that surround the site; the layout of the proposed development has been designed to mimic the site's existing built form (comprising a 'horseshoe' shaped block, and a linear terrace of houses fronting Park Terrace East). The proposed layout positions the block of 40 flats on a similar footprint to the existing block, albeit a smaller overall footprint which enables the provision of a larger rear landscaped courtyard, and an increased separation distance from the listed building to the south. The 8x terraced houses fronting Park Terrace East would occupy a similar footprint to the existing bungalows, and mirror the existing line of Victorian terraces opposite. Parking for 56 cars is provided in the space to the rear of the houses and to the west of the block of flats. The parking spaces are accessed from a new egress point at Livingstone Road, and from the existing access at Park Terrace East. These access points have been subject to a Road Safety Audit which has not raised any safety concerns.

- 6.7 Whilst the overall appearance and scale of the proposed development differs from the appearance of the existing buildings on site (the acceptability of which is discussed in more detail at paragraphs 6.11 to 6.17); Officers consider that the overall layout of the proposed site respects the character of the surrounds (including in particular the relationship with the listed building to the south, and the Victorian terraces to the west), and given it is not dissimilar to the layout of the existing site, it is considered to be appropriate in its urban setting.
- 6.8 The proposed 48-unit development has been designed to make maximum use of the 0.55Ha site, which results in a density of around 87 dwellings per hectare. Whilst Officers consider this to be an example of moderately high density development, it is not uncommon for this level of density to be seen in this part of central Horsham, particularly for flatted development. The existing site (which comprises a total of 45 units) has a density of around 82dph, which is only slightly lower density than the proposed development. Other flatted developments in the vicinity of Page Court have densities of well over 100dph (including Owen Court at 107dph, Clarence Court at 121dph, Tintagel Court at 138dph and Rhodes Court at 190dph).
- 6.9 As such, it is acknowledged that high density development is not considered to be uncharacteristic of this area, and it is important to acknowledge that the Government now place a new emphasis on making '*effective use of land*' and '*achieving appropriate densities*' (NPPF Paras 122-123), which is a material consideration in this case.
- 6.10 As this site is located within the BUAB of Horsham, and in close proximity to Horsham Town Centre, the site is considered to be suitable and sustainable for residential development. In addition, there are several examples of similarly high density flatted development in the vicinity of this site (100dph +), therefore it is considered that the site should be developed to its maximum potential, whilst respecting other development management principles including impact on amenity and heritage, as well as the overall quality of development. With this in mind, Officers are of the view that a refusal on density grounds would be difficult to justify, given the NPPF emphasis on optimising the use of available land, and the demonstration within the submission that 48 units with associated parking and landscaping can be appropriately accommodated on this site.

Scale and Appearance

- 6.11 The proposed block of flats would rise to 3 and 4 storeys, with a maximum overall height at the 4-storey corner elements of around 13m. The existing 2-storey block is relatively modest in scale and mass, and it is acknowledged that the height of the proposed block would differ quite considerably in scale and mass when compared to the existing building. This is particularly so as the existing lower ground levels are proposed to be raised between around 0.7m - 1.5m to level the site with the adjacent street levels. Officers are of the view that the appropriateness of the scale of the proposed building must be considered in the context of existing development in the nearby vicinity, and with regard to associated considerations such as impact on neighbouring amenity and nearby heritage assets.
- 6.12 As a whole, the prevailing character to the north and east of the application site is dominated by residential accommodation arranged in 3-storey blocks. Whilst there are no examples of 4-storey buildings in the immediate vicinity of the application site, existing buildings along Livingstone Road (to the immediate north of the site) comprise blocks of 3-storey flats with pitched roofs which extend to about 12m in overall height (to ridge). Rhodes Court (a 3-storey residential building located on the corner of Livingstone Road and New Street) has a sloping roof feature which extends its overall height to around 13m. Other existing buildings to the east of the application site (on New Street) include further examples of 2 and 3-storey residential blocks with shallow pitched roofs.

- 6.13 Whilst the proposed block of 40 flats is shown to extend to 3 and 4 storeys; the flat-roof design limits the overall height of the 4-storey element to 13m which is not considered to be excessive when compared to the overall height of the existing buildings opposite the site which rise above 12m. As such, whilst the maximum height of the 4-storey corner sections of the proposed building (at 13m) is greater than the height of existing buildings in the locale, the resulting height and mass is not considered to be excessive, nor is it considered to cause unacceptable harm to the prevailing character of this urban and densely populated part of town. Officers acknowledge that the existing 42-unit development comprises outdated bed-sit accommodation with shared bathroom facilities which is not fit-for-purpose. As such, in order to achieve a similar number of independent and fit-for-purpose residential units for families and individuals, the floorspace required for each unit has increased, thereby requiring a larger building overall. As such, the appropriateness of the resulting scale and appearance of the building must be considered in light of the benefits offered in terms of the quality and overall quantum of accommodation.
- 6.14 The materials proposed for the block of flats are shown to comprise two types of brick (a red and a buff) and elements of brick detailing which has been achieved by laying the main facing brick in protruding or recessed patterns to create shadows and depth. The use of brick in this location is considered to be appropriate, and given the scale of the building, the use of just two tones with complimentary detailing is considered to give the building interest without over-complicating the palette.
- 6.15 The proposed terrace of 8x houses facing Park Terrace East have been designed to mimic the original Victorian semi-detached houses opposite by complimenting the regular form of the 2-storey houses, and by utilising red brick as the main facing material. As such, the overall scale and design of the units in this location is considered to have been carefully considered in the context of its surrounds, and is acceptable. It is noted that the detailed design of the front elevations of the terraced houses incorporates some more modern elements of design (including the protruding brick detail and grey metal window surrounds). These elements are not reflective of the traditional details seen on the Victorian houses opposite, but it is considered that the modern architectural details give the terrace interest and a modern touch without compromising on the traditional form and red brick used on the existing houses opposite. This allows the buildings to sit appropriately within the street scene along Park Terrace East, as well as complimenting the similar brick pattern detail proposed on the block of flats behind.
- 6.16 The scale of the proposed development has been considered with regard to the relationship the site has with the setting of the Grade 2 listed building to the south (31 New Street). Whilst the overall height of the block of flats is proposed to be increased, the new footprint of the building means that there would be a slightly greater separation distance between the two buildings. This enables a larger landscaped area at the centre of the proposed block of flats which (in combination with the retention of a large cherry tree and additional tree planting) helps to retain an appropriate and open setting for this heritage asset. As such, due to the proposed site configuration, the scale of the proposed building is not considered to further diminish the importance of the setting of the heritage asset, which to some degree, has already been irreversibly changed as a result of the existing urban development that surrounds it. A more detailed assessment of the impact the proposed development would have on No 31 New Street is given in paragraphs 6.35 to 6.38 of this report.
- 6.17 In summary, it is acknowledged that the scale and appearance of the proposed development would differ fairly considerably from the modestly scaled buildings on site at present. However, given the context of this central urban site, and the surrounding built form that largely comprises a mixture of 2 and 3-storey residential buildings, it is considered that the scale proposed is not unacceptable, and makes appropriate use of a well-located site as required by the NPPF. The development is proposed to use brick as a main facing materials, which complements materials used in the locale, and the use of brick detailing and grey window and door frames gives the main elevations interest and a modern touch. The precise

detailing and materials specifications (including brick types) will be secured by condition for subsequent approval.

Amenity Impact

- 6.18 The location of the application site within an existing built-up and relatively densely populated urban area, naturally means that several properties and businesses are already located within close proximity to the site. At present, the application site comprises a similar form of development to that proposed (i.e. a block of flats and houses along Park Terrace East), albeit of a smaller scale. As such, the existing residential development that is currently on site already has an established relationship with other dwellings in the surrounds with regard to neighbouring amenity. As already discussed, the proposed development is larger in scale than the existing buildings on site, therefore it is probable that as a result of the proposed development, the amenity experienced by existing neighbouring occupiers is likely to change, but not necessarily unacceptably so.

Overlooking

- 6.19 It is accepted that the increase in height of the proposed block of flats and terraced houses introduces additional opportunities for future residents to face towards front elevations of existing dwellings opposite (particularly on Livingstone Road and New Street but also on Park Terrace East). A perception of overlooking is likely to be exacerbated by the height of the block of flats (particularly the corner elements of which rise to 4-storeys), as well as the presence of additional windows and balconies in these locations. It is accepted by Officers therefore, that some additional amenity impact upon the frontages of existing properties on Livingstone Road and New Street may result. However, it is also noted that the existing properties on the opposite side of Livingstone Road (3-storey town houses) and on the opposite side of New Street are set back from the road, and have a separation distance from the application site of around 18m which is considered to be a reasonable distance that reduces the perception of direct overlooking.
- 6.20 Whilst the proposed block of flats may result in an increased sense of overlooking towards the front elevations of neighbour properties opposite; the more sensitive rear sections of these properties (including external rear gardens and communal open space) are unlikely to experience any additional overlooking or loss of privacy as a result of the proposed development. In addition, the location of most of the proposed balconies and outdoor spaces have been located to the less sensitive rear 'courtyard' section of the main block of flats which further reduces the sense of direct overlooking towards existing properties in the vicinity.
- 6.21 In summary, as a result of the scale and height of the proposed development, it is accepted that there would be some additional opportunities for overlooking towards neighbouring properties opposite. However, on balance and in the context of a development in a central urban area, this overlooking is not considered to result in significant additional harm above that which is already experienced in this location, and is therefore considered to be acceptable.

Noise

- 6.22 Whilst the proposed 48-unit development would only result in an increase of 3 dwellings on this site (compared to the existing 42 bed-sit units and 3 bungalows), the accommodation has been designed to utilise space more effectively, and has results in an increased number of individual bedrooms. Consequently, this will result in an increase in people living on site when compared to the existing. As such, the proposed development is likely to result in an increase in noise-generating activity at the site which is likely to include a higher frequency of vehicular, cycle and pedestrian trips to and from the site, and a higher frequency of other associated activities such as bin collections and general internal and external maintenance.

Balconies afford an elements of external living for the future occupants, which on occasions, is likely to generate an additional level of noise in the vicinity. It is accepted by Officers that the development is likely to result in an increase in noise-generating activities, and is therefore likely to raise the noise profile of the immediate surrounds more than is currently experienced. As the proposed development is for residential accommodation in a predominantly residential area, this is an acceptable form for development in this location, and therefore it is difficult to argue that quantum of development proposed would result in noise disturbances beyond what would normally be acceptable.

Construction Management

- 6.23 As with all development sites close to neighbouring residents, there is likely to be disturbances during the construction period. This site is particularly sensitive due its central and densely populated location, and its proximity to a number of neighbouring properties and local businesses. In order to minimise any adverse impacts associated with the construction process, and as per the advice from the Council's Environmental Health Officer; a condition has been recommended to require the developer to submit a detailed Construction Environment Management Plan (CEMP) for approval prior to the commencement of any development or demolition. The CEMP will require satisfactory information to be submitted with regard to the construction programme, site logistics including access, contractor parking arrangements, and measures to control dust and mud. The approved details will help to reduce the adverse impact of the construction process on neighbouring residents, but it is acknowledged that construction process at this site is still likely to cause some (albeit temporary) adverse impact.

Trees and Landscaping

Trees

- 6.24 A Tree Schedule, Tree Constraints Plan, Tree Protection Plan and Tree Planting Plan have been submitted in support of this application. As existing, the application site contains several individual tree specimens and ornamental shrubs of varying species and sizes, a number of which (including 8 trees) are proposed for removal to facilitate the development. No trees are subject to tree preservation orders, nor is the site in a conservation area, therefore there are no 'in principle' concerns regarding their removal.
- 6.25 Individual trees proposed for removal include T01 (Silver Birch) located on the northern boundary of the site, which is the only 'B' grade tree within the site. This tree is around 13m in height and is prominent within the street scene. The Council's Arboricultural Officer has advised that this tree has a good degree of amenity value, but not enough to warrant its preservation when balanced against the benefits of the proposed development. Other trees proposed for removal within the site are all 'C' grade trees and include several Cypresses, a small Ash, a small Magnolia, several ornamental shrubs and an ornamental hedgerow at the south-east corner of the site. The Arboricultural Officer has no objection to the removal of these specimens. Several 'C' grade trees at the southern end of the site are proposed for retention, including 5x medium-sized trees (7-8m in height), a larger cherry tree (11m) and a large Ash (12m in height). The retention of these trees is welcomed, particularly in this location which affords screening to the listed building to the south (No 31 New Street) as well as amenity value to the future residents.
- 6.26 The planting of 48x new trees (including 8 different species) is proposed across the site which is welcomed. Trees are proposed to be planted along the site frontages (Park Terrace East, Livingstone Road and New Street) as well as within the parking area and within the main rear courtyard. The Council's Landscape Architect has reviewed the tree planting proposals and species selection (which includes various flowers, shrubs and trees including pears, whitebeams, and field maples) and has noted that the planting will provide year-round interest and a valuable contribution to biodiversity.

Landscaping

- 6.27 Despite the high density development proposed, the layout of the site has provided a welcomed opportunity for a high quality communal landscaping scheme, as well as a good number of new tree planting. In addition to the proposed tree planting as described above, a Planting Plan has been submitted which details the proposed shrub, grass and flower planting across the site. The main landscape feature of this site is the proposed rear courtyard which has been designed to include pathways interspersed with ornamental planting, amenity grass and trees. The Landscape Architect welcomes the proposed design, and has noted that the amenity space is interesting and effective and considers that the planting is imaginative. The tree planting along the site peripheries will help to soften the front elevations of the buildings, and will improve the quality of the street scene and will add to the public amenity value. Similarly, the tree planting and shrub planting within the car parking area will improve the appearance of this part of the site and will help to break up the expanse of parking. In summary, it is considered that the soft landscaping and planting proposed on this site is acceptable
- 6.28 The hard landscape proposals include tarmac for the main access road into the car parking area, permeable block paving for the parking bays, resin-bound gravel surfacing for pedestrian access points, porcelain paving for private terraces and footpaths, and self-binding gravel for the landscaped area in the rear courtyard. The proposed surfacing materials are considered to be appropriate for this site. 1.8m fencing between the garden plots of the terraced houses is proposed, as well as fencing along the southern boundary of the site. This fencing will appropriately screen the development, as well as affording future occupiers privacy, and as such the details are acceptable.

Highways, Access and Parking

Site Access

- 6.29 It is proposed that vehicles will access the site from two main points; one which utilises the existing access from Park Terrace East, and a newly created access onto Livingstone Road. These access points will lead into the new parking area to the rear of the proposed houses. The accompanying Road Safety Audit and Designer's Response establish that there are no material safety concerns with the proposed access arrangements that cannot be addressed at the detailed design stage. WSCC Highways Officers have verified this.

Trip Generation

- 6.30 The applicant has used TRICS data to model the likely changes in trip rates of vehicles on the local roads. This modelling reveals that the development is likely to generate an increase of around 44 vehicle movements per day, above existing averages. This represents an increase of between three and four vehicle movements per hour during the course of a typical day. WSCC Highways Officers have reviewed the applicant's TRICS modelling, and have confirmed that it is unlikely that the impact of the proposed development on the local transport network would be severe, thereby meeting the test of paragraph 109 of the NPPF.

Parking

- 6.31 The proposal includes provision for 56 on-site car parking spaces which is an 80% increase on the current on-site provision (of 31 spaces for 45 units). The WSCC Parking Demand Calculator (2019) indicates that for the 48 units proposed (comprising a mixture of 1, 2 and 3 bed flats and houses) in the Forest Ward, a maximum standard of 81 car parking spaces are required. The applicant acknowledges that the proposed parking is below the standards set by the WSCC calculator for this ward, but challenges the validity of this requirement given the central location of the site, and the assertion that the car ownership and use within the

Forest Ward is skewed to some degree because dwellings towards the east of the ward are further from the town centre, and therefore have higher than average car ownership. Officers note that if the application site was located in the adjoining Denne Ward (just 100m away on the opposite side of the railway line) the parking demand calculator would require a maximum standard of only 51 parking spaces, which would be a lesser provision than the proposed parking on this site. This is reflective of the dense urban nature of the Denne Ward and its proximity to many local services which on average lessens the demand for car usage.

- 6.32 The WSCC Highways Officer has reviewed the parking proposals for this site, and has agreed with the applicant's assertion that the car usage figures in the Forest Ward are skewed to some degree due to higher car usage in the eastern parts of the ward. As such, WSCC have stated: *'given the very accessible location [of the application site], the highways authority would have difficulty in insisting on the strict application of parking numbers resulting from the new Residential Parking Calculator'*. WSCC have therefore accepted the overall parking numbers for this development (56), but consider that the number of disabled bays (2) and parking with EV charging points (0) shown on the plans are not sufficient. As such, appropriate conditions to require the minimum standards for these types of parking spaces have been drafted.
- 6.33 The proposal will require changes to the existing parking layouts on Livingstone Road and Park Terrace East. The two existing accesses onto Livingstone Road are no longer required, and as such, are proposed to be incorporated into the existing 'Zone A' parking area, which will enable an additional 15.5m of parking space on Livingstone Road. In addition, a 15m section of Livingstone Road (currently used as 'Zone A' parking) is required to be removed to accommodate the proposed new access road to the new on-site parking area. As such, the arrangement of 'Zone A' parking along Livingstone Road will change, but the space available for parking will remain the same, and as such, there will be no loss of on-street parking on Livingstone Road. Along Park Terrace East, the existing crossovers serving the 3 bungalows will be removed, and will be replaced with a 30m section for on-street parking (equating to a gain of around 4 on-street parking spaces). The changes to these roads will require the applicant to apply to WSCC for an amendment to the existing Traffic Regulation Orders.
- 6.34 Cycle parking is proposed within the site, for both the flats and the houses. A communal cycle storage facility is located on the ground floor of the proposed flats, and provides covered and secure storage for 22 bicycles for the 40 flats. Officers have consulted the WSCC parking guidance document which shows that the number proposed (22) is in accordance with the WSCC standards which require 0.5 cycle spaces per unit. Additionally, each of the 8 terraced houses includes a shed in the rear garden which can be used to store bicycles securely. As such, bicycle storage within the site is considered to be acceptable.

Heritage

- 6.35 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.
- 6.36 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. The application site is located in close proximity to 31 New Street which is a sixteenth-century timber-framed Grade II listed house. The primary setting of this building is its immediate domestic curtilage which largely extends to the east and west of the building, with boundary treatments defined by fencing and planting. The application site lies directly to the north of this building, and forms parts of its wider urban setting.

- 6.37 The Council's Heritage Officer is of the view that the cottage would have originally been built in a less developed setting, but even the first edition OS maps from 1875 show the cottage surrounded by nineteenth century terraced housing and commercial buildings. As such, the setting of the cottage has been substantially harmed by the surrounding suburban development, but this has not been a recent change. The Heritage Officer has reviewed the proposed plans, and has confirmed that the proposal to replace the existing Page Court with a larger building is agreeable in principle, and is satisfied that the design and layout of the proposed development helps to mitigate the impact on the adjacent listed building. The Heritage Officer considers that the proposed development will result in 'less-than substantial harm' to the listed building due to the impact of a large urban building within its immediate setting. However, it is considered that this harm can be balanced with the public benefits offered (i.e. provision of additional housing in a town centre location).
- 6.38 In summary, whilst a large building in the immediate setting of a Grade II listed building is proposed, given this is a replacement of an existing 2-storey block of flats, the impact the proposed development would have on the context and appreciation of the listed cottage is considered to be minimal, and therefore will result in 'less than substantial harm'. In accordance with paragraph 196 of the NPPF, the public benefit that the proposed residential accommodation would bring (by way of 48 new housing units) is considered to weigh in favour of the identified harm to the setting of the listed cottage.

Drainage

- 6.39 According to the Environment Agencies' indicative flood zone map, the 0.55Ha application site is located wholly within Flood Zone 1. As such, a full Flood Risk Assessment (FRA) for this site is not required (as per the PPG). Notwithstanding this, it is still essential for the site to be properly drained, and to ensure that it will not result in an increase in flood risk elsewhere. To support the application, a Drainage Strategy and Management Plan has been submitted which has been reviewed by the Council's Drainage Engineer and by WSCC's Flood Management Team, neither of whom have objected to the proposed drainage strategy.
- 6.40 The proposed development will result in a slight decrease in the overall site impermeable area, surface water runoff rates and volumes, compared to the existing site. The proposed drainage strategy is to provide a separate private foul and surface water drainage network to service the development, and in order to ensure the development will not increase flood risk elsewhere, surface water discharge from the site will flow into two separate catchment areas (A and B), and flows will be controlled. A 50% reduction of the overall site brownfield discharge rate 91 litres per second (l/s) is proposed for the development in line with the recommendations for brownfield sites (78.6 l/s into Catchment A, and 13 l/s into Catchment B). In order to achieve the limited discharge rates, underground attenuation storage will be required. An estimated storage volume of 72m³ will be required to accommodate the 1 in 100 year plus 40% climate change event. The full details of the required attenuation will be required to be submitted and approved by condition (see draft condition 4). Foul water is proposed to be discharged into the existing 225mm diameter foul water public sewer in Park Street East, and the existing 150mm diameter foul water sewer in New Street.

Waste Collection / Bin Storage

- 6.41 Two communal bin stores measuring 30m² each are proposed at the ground level of the block of flats. These bin stores are in an accessible location, convenient for collections from Livingstone Road. Each of the two stores are able to accommodate 8x 1100 litres bins which equates to a total storage capacity of 17,600 litres. The Council's requirements for new flats is for the provision of 180 litres per dwellings for refuse, and 240 litres per dwelling for recycling. For this block of 40 flats, the total required provision equated to 16,800 litres. As such, the communal bin capacity for this development is acceptable.
- 6.42 The 8x terraced houses requires storage space for 3 bins each (refuse, recycling and garden waste). Each of the 8 houses has been provided with a space to the front for bin storage measuring 2m² which is sufficient storage space for the 3 required bins. As such, this provision is acceptable.

Ecology

- 6.43 In support of the application, a Preliminary Ecology Appraisal (PEA), a Bat Survey Report, and an Ecology Plan have been submitted. These documents have been reviewed by the Council's Ecologist who has confirmed that sufficient information has been provided to provide certainty to the Council of any likely impacts from the development on protected species, or, whether any mitigation is necessary. The Ecologist has confirmed that the ecological enhancement proposals (including the installation of 3x bat boxes, 3x bird boxes, a bee box, 4x bug nests, gaps for hedgehogs in walls and fences, and species-rich hedgerow planting) will contribute to the aim of achieving a measurable net gain for biodiversity. As such (and subject to conditions to implement recommended mitigation measure and to update the biodiversity enhancement layout plan) the Ecologist has no objection to the proposed development.

Conclusion

- 6.44 The principle of this development in this location is in accordance with the Council's overarching development strategy, and the proposed 100% affordable rent tenure will meet a pressing demand for this type of accommodation in this area. The impact on the Grade II listed building to the south of the application site has been considered, and when balanced with the benefits the development would bring, the identified 'less than substantial' harm is considered to be acceptable. Whilst the on-site parking provision is below the output derived from the WSCC parking calculator, the central location of the development lessens the likelihood for reliance on a car, and given the on-site parking provision is an 80% increase on the existing site (plus an additional 4 on-street parking bays created by the loss of existing crossovers on Park Terrace East), the parking provision on site is considered to be acceptable by Officers and WSCC Highways.
- 6.45 The report has highlighted that whilst there are several examples of 3-storey residential buildings in the immediate vicinity of the application site, it is acknowledged that the 4-storey corner elements of the proposed design would result in parts of the development sitting slightly higher than existing development nearby. Notwithstanding this, the scale and modern design of the proposed flats are not considered to be wholly out of keeping with the character of this town centre location, and the site has been used to its full potential. Whilst the development is larger in scale than the existing, the improvement that this development offers compared to the existing block of 42 outdated bed-sit units (with shared facilities) is highly welcomed. The proposed terraced houses on Park Terrace East are considered to be well-designed and complimentary to the traditional Victorian houses opposite. Due to the overall scale of the flats, and its position in a built-up urban setting, there is likely to be some impact on neighbouring amenity, however as described in this report, this is not considered to amount to significant harm. Whilst some reservations have been identified in terms of design and parking, the proposal would make good use of this land available on this site

whilst respecting its constraints. The provision of 48 affordable homes in this location is highly welcomed by the Council's Housing Manager and will help to appropriately house people in a convenient central location. Overall the development is considered acceptable, and Officers recommend to Members that this planning application is approved.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
			Total Gain
			Total Demolition

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

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

7. RECOMMENDATIONS

- 7.1 To delegate authority to the Head of Development to grant planning permission subject to appropriate conditions, and the completion of a s106 legal agreement to secure the affordable housing. In the event that the legal agreement is not completed within three months of the decision of this committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

Conditions:

1. **List of approved plans**
2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
3. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CEMP shall be a single document, and shall be strictly adhered to throughout the construction period. The CEMP shall provide for, but not be limited to:
 - i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
 - ii. A description of management responsibilities;

- iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. The anticipated number, frequency and types of vehicles used during construction
- viii. Details of any floodlighting, including location, height, type, timing and direction of light sources and intensity of illumination
- ix. Details regarding dust and noise (including vibration) mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- x. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
- xi. Communication procedures with the local community regarding key construction issues – newsletters, fliers etc.
- xii. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway
- xiii. Details of a scheme for the recycling/disposing of waste resulting from site clearance and construction works

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

- 4. Pre-Commencement Condition:** No development shall commence until the proposed means of foul and surface water disposal (including details of surface water attenuation) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

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

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

- 6. Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 7. 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 and off the site shown for retention on approved drawing number [0220/001 Rev B], 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).

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

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

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.
- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

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

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

- 10. Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until full details of the balconies including their design, materials, finishes and colour, have been submitted to and approved by the Local Planning Authority in writing. The balconies shall be constructed in full accordance with the approved details and be retained as such thereafter.

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).

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

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

- 12. Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until an updated Biodiversity Enhancement Layout (providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecology Appraisal and Bat Survey Report) has been submitted to and approved in writing by the Local Planning Authority. The updated Biodiversity Enhancement Layout plan shall include (but not limited to) the provision of hedgehog holes in fencing / walls and native species-rich hedge planting. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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).

- 13. Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- i. Details of all existing trees and planting to be retained;
- ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;
- iii. Details of all hard surfacing materials and finishes;
- iv. Details of all boundary treatments including fencing, walls etc.;
- v. Details of all external lighting.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or

hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 14. Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 15. Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number [AA7631-2130 Rev 3] and in accordance with the details shown on Page 32 of the Design and Access Statement [submitted to the Council on 06 August 2019]. These facilities shall thereafter be retained for use at all times.

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

- 16. Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with drawing number [AA7631-2130 Rev 3] and in accordance with the details shown on Page 31 of the Design and Access Statement [submitted to the Council on 06 August 2019]. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 17. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

- 18. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the vehicular accesses necessary to serve the development have been constructed in accordance with details to be submitted to and approved in writing by the local Planning Authority. The accesses permitted shall thereafter be retained as such for their designated use.

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).

19. Pre-Occupation Condition: No dwelling shall be first occupied until means for the charging of electric vehicles by way of fast charging points have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall seek to meet the minimum standards set out in West Sussex County Council's 'Guidance on Parking at New Developments' (May 2019), and shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document. The details shall include a plan of all charging points, their specification, means of allocation, and means for their long term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

20. Pre-Occupation Condition: Prior to the first use of the development hereby permitted, a Travel Plan Statement shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan Statement 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, and shall include details to mitigate impacts on air quality as set out in Chapter 5 of the Council's Air Quality and Emissions Reduction Guidance (2014), as well as provisions contained within West Sussex County Council's 'Guidance on Parking at New Developments' (May 2019). The Travel Plan once approved shall thereafter be implemented as specified within the approved document.

Reason: To encourage and promote sustainable transport and mitigate the impacts of the development on air quality in accordance with Policies 35, 40 & 41 of the Horsham District Planning Framework (2015).

21. 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).

22. Regulatory Condition: All works shall be executed in full accordance with the submitted Tree Protection Plan [0220/001 Rev B].

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).

23. Regulatory Condition: The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal [LLD1361-ECO-PEA Rev 00] and Bat Survey Report [LLD1361 Rev 00].

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).

24. Regulatory Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, B, C, D and E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages of the

individual dwellinghouses hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the constrained nature of the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 25. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality and/or highway safety and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Informatives

1. 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

2. Bats

The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: enquiries@bats.org.uk, <http://www.bats.org.uk/>

3. Highways Informative (1)

The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.

4. Highways Informative (2)

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer in order to commence this process.

5. Highways Informative (3)

The applicant is advised to contact the WSCC Traffic Regulation Order team to obtain the necessary paperwork and commence the process associated with the proposed alterations to the Residents' Parking Scheme. The applicant would be responsible for meeting all

costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.

6. Southern Water

Please note that Southern Water require a formal applications for connection to the main water supply and public sewer in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or 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>

7. Southern Water

The applicant is advised to contact Southern Water to discuss the timings of the committed network reinforcement works (to be undertaken by Southern Water); and how these improvement works will coordinate appropriately with the projected completion and first use of the facilities hereby permitted. This will help to ensure that adequate waste water network capacity is available to adequately drain the development.

8. Unexpected Contamination

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.

9. Landscape Details

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

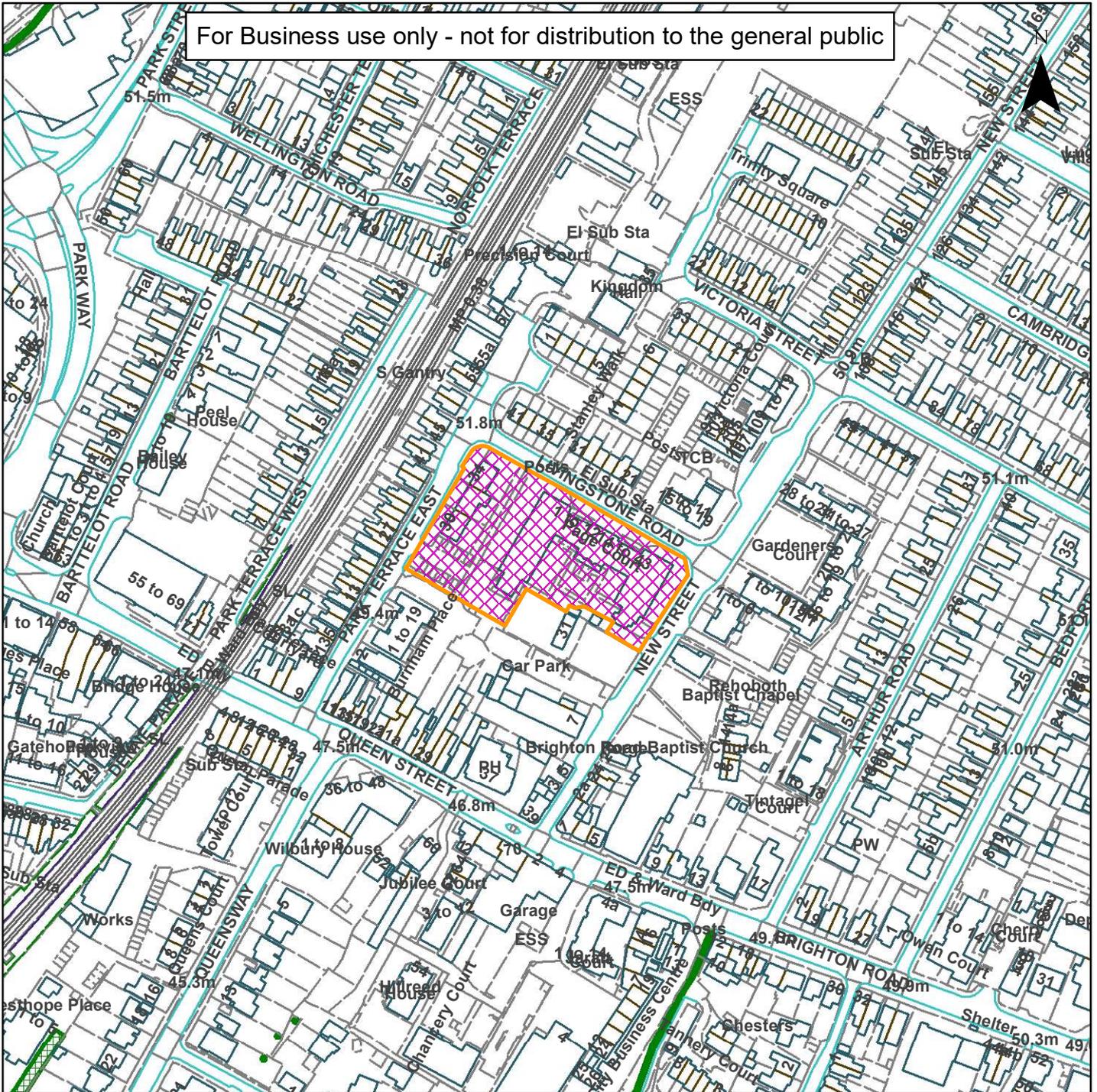
- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc.). Such details to include cross sections where necessary;
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers;
- 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, refuse and other storage units, lighting columns and lanterns etc.

Background Papers:
DC/19/1603

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	Not Set
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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 3 December 2019

DEVELOPMENT: Erection of a single storey rear extension to existing garage.

SITE: 30 Warren Drive Southwater Horsham West Sussex RH13 9GL

WARD: Southwater North

APPLICATION: DC/19/2008

APPLICANT: **Name:** Mr Paul Butler **Address:** 30 Warren Drive Southwater Horsham West Sussex RH13 9GL

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Greening

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the erection of a single storey side and rear extension to the existing detached double garage. The proposal also includes the rendering of the structure to match the host property.
- 1.3 The proposed extension would project some 0.68 metres from the northern (side) elevation and from the western (rear) elevation by 2 metres. The resulting garage would measure 6.85 metres in width 8 metres in length. The resulting roof form would then have a flat area in place of a ridge to reduce its height and impact.
- 1.4 The resulting building would retain the main garage to the front with a workshop to the rear incorporating stairs to the roof void to provide ancillary storage space that would be lit by two roof lights on the rear roof slope of the building.
- 1.5 This application follows a withdrawn application (DC/19/1081) submitted earlier this year, which also sought permission for an extension to the garage. This current application however has been amended to a single storey extension to the existing garage rather than proposing an increase in the ridge height and alterations to the roof to provide habitable space within the roof space.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises a two-storey detached house that occupies an angled, almost triangular plot, on the south-west side of the turning head of Warren Drive, a cul-de-sac accessed from Cedar Drive. The area is residential in nature with development laid out in an irregular pattern.
- 1.7 The property has an open plan frontage which is mainly block paved, with rights over for vehicular turning for the application property and the immediate neighbouring properties.
- 1.8 An application in 2013 permitted the erection of a first floor side extension, single storey side extension, detached double garage and conversion of existing garage (DC/13/1012). Following this a non-material amendment to realign the position of the approved garage was approved under application reference DC/13/1548.

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:

National Planning Policy Framework

Horsham District Planning Framework (2015)

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 Southwater Parish Council formally submitted their draft Neighbourhood Plan 2019-2031 to Horsham District Council under Regulation 15 of the Neighbourhood Planning (General) 2012 (as amended) on 14 March 2019. In accordance with Regulation 16, Horsham District Council ran a consultation from Friday 7 June 2019 to Friday 19 July 2019. The plan will now proceed to Examination, dates for which will be confirmed in due course.
- 2.4 The relevant policies of the Submission Version of the Southwater Neighbourhood Plan (2019) are as follows:
SNP1 - Core Principles
SNP16 - Design

PARISH DESIGN STATEMENT

- 2.5 Southwater Parish Design Statement (2011).

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 The most recent and relevant planning history relating to the site is as follows:

DC/13/1012	Proposed first floor side extension, single storey side extension, detached double garage and conversion of existing garage	Application on 29.07.2013	Permitted
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DC/13/1548	Non-material amendment to previously approved DC/13/1012 (Proposed first floor side extension, single storey side extension, detached double garage and conversion of existing garage) to include the relocation of garage	Application Permitted on 12.09.2013
DC/19/1081	Garage extension to the side of the property.	Withdrawn Application on 04.10.2019

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk
- 3.2 Two letters of objection have been received which raise the following concerns:
- Overdevelopment and misleading plans
 - Harm to character and visual amenities
 - Surface water issues, drainage etc
 - Cramped form of development
 - Materials and building style
 - Siting
 - Residential amenity
- 3.3 **Southwater Parish Council** – No objection subject to the adjacent trees not having their roots affected by the foundations

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks planning permission for the erection of a single storey side/rear extension to an existing detached garage that was approved in 2013 under application reference DC/13/1012, which granted various works to the property comprising extensions and the conversion of the existing garage to habitable space.
- 6.2 The existing detached garage fronts a turning head in this spur of Warren Drive and comprises a double garage with dual pitch roof orientated north to south. The submitted plans indicate that the external materials of the structure would comprise painted render to match similar panels on the main house, along with roof tiles of a similar appearance. The current structure is of brick construction.

- 6.3 The frontage of the site features block paving with some feature lawns. It is however noted that there is no other physical separation along the frontages of the application site or the surrounding properties. It is further noted that prior to the erection of the applicant's garage, the area developed was also laid to lawn but is now formed of block paving. The garage is sited within the curtilage of the dwelling.

Character and appearance

- 6.4 Policy 33 of the Horsham District Planning Framework (HDPF) seeks to ensure the scale, massing and appearance of 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, is locally distinctive in character, respects the character of the surrounding area, uses high standards of building materials, finishes and landscaping. Further design advice within the Council's Householder Extensions Leaflet No1 states that garages built forward of the main house should not appear unduly prominent in the streetscene or detract from the pattern of surrounding development.
- 6.5 It is acknowledged that the principle of the garage has already been considered under the original 2013 application, whereby the application was considered in light of a similar structure at 29 Warren Drive, together with existing vegetative screening. Although a landscaping condition was imposed it is noted that this was not discharged by the Council. In terms of its impact on neighbouring properties it was concluded that the proposed garage would not demonstrate harm to existing occupiers, given its orientation and the fact that a mature hedge occupied the boundary between the application site and the nearest neighbouring property to the site. The garage was therefore considered to integrate well within the existing surroundings and streetscene.
- 6.6 Whilst it is acknowledged that there would be an increase in the width and depth of the existing garage, the increased dimensions would be confined within the applicant's private garden area, with the existing roof form being retained at its existing height of 4.8metres. It is therefore considered that the scale, form and design of the garage is sufficiently reflective of the existing building and would be in keeping with the host dwelling and its surroundings.
- 6.7 Whilst of limited comparison, the attached garages on the adjoining dwellings are one and half stories in height and thus capable of being converted to habitable living space. It is therefore considered that the resulting extended garage, though having the ability for use of the roof void for ancillary purposes, would not appear as an unduly prominent or intrusive feature within the site or wider surroundings. The proposal is therefore considered to accord with relevant design planning policies of the Horsham District Planning Framework.

Impact on neighbouring amenity

- 6.8 The siting of the garage will not be amended however the proposal does involve extensions to the north and west of the existing building. The garage is currently well screened by a mature hedge of a significant height and therefore the only visible difference to neighbouring amenity would be the flat roofed element that results from the garage being extended to the rear. While this element of the garage would be visible from neighbouring properties, it is considered that the separation distance, coupled with the single-storey height of the structure and existing boundary screening, would be sufficient to ensure the development would not result in any harmful loss of light or outlook for occupants of the adjoining properties.
- 6.9 Furthermore, the retention of the existing height of the garage has removed any potential accommodation within the roof space albeit it is noted that storage could be achievable. It is however considered that incidental domestic activity at both ground floor level and within the roof space would not result in considerable potential for harmful overlooking, noise or disturbance. On the basis it is not considered that the extension of the garage would result in a harmful impact on the occupiers of the neighbouring properties and the application is

therefore considered to comply with the relevant policies of the Horsham District Planning Framework in this respect.

Other considerations

- 6.10 Representations have been received raising objections to the proposal on the grounds that there is potential for increased flooding as a result of the extension of the garage. A condition is recommended to require all new hard-surfaces to be porous and this approach is considered appropriate given the scale and nature of the development. It is also noted that the submitted plans indicate existing drainage arrangements at the site would be utilised and enhanced as part of the development. Also the applicant is exploring further measures to overcome the drainage problem at the front of the property which would be either a water run-off channel and/or driveline channel paving to direct the water to the existing drain at the front of the garage.
- 6.11 The proposal would make use of existing access arrangements onto the site and given the nature of Warren Drive, it is not considered any impact on highway safety or the highway network would result from the proposal.
- 6.12 It is noted that whilst Southwater Parish Council have raised no objection to the proposal, this is subject to the adjacent trees not having their roots affected by the foundations. The Council's Arboricultural Officer has been on site during the consideration of the previous application (DC/19/1081) and raised no objection to the proposal. It was considered that there are no trees on the site of any note that might be impacted by the development proposals, and although it was unfortunate that the trees the subject of a Tree Preservation Order had not been included in the application submission, this has been rectified within the current application. Given the no objection raised by the Council's Arboricultural Officer in respect of the previous application, it is not considered that the proposal the subject of this application will result in damage to or the loss of trees within the vicinity of the site.

Conclusion

- 6.13 The application seeks planning permission for the erection of a single storey side/rear extension to an existing detached garage along with the rendering of the structure. For the reasons set out above, it is considered that the proposal would not cause significant harm to the character or appearance of the existing property or the surrounding area and would not significantly impact upon the amenities of neighbouring occupiers. It is therefore considered that the proposal therefore accords with policies 32 and 33 of the Horsham District Planning Framework (2015) and the application is therefore recommended for approval subject to appropriate conditions.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted subject to appropriate conditions as detailed below:

1 Plans Compliance Condition

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

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

- 3 Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the host dwelling.

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

- 4 **Regulatory Condition:** The development hereby permitted shall strictly accord with the surface water drainage detail submitted on the 31/10/2019, outlining the proposed means of surface water drainage. The development shall be then be carried out in strict accordance with the approved details and thereafter retained and maintained.

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).

- 5 **Regulatory Condition:** The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 30 Warren Drive as a dwelling and shall not be used as a separate unit of accommodation.

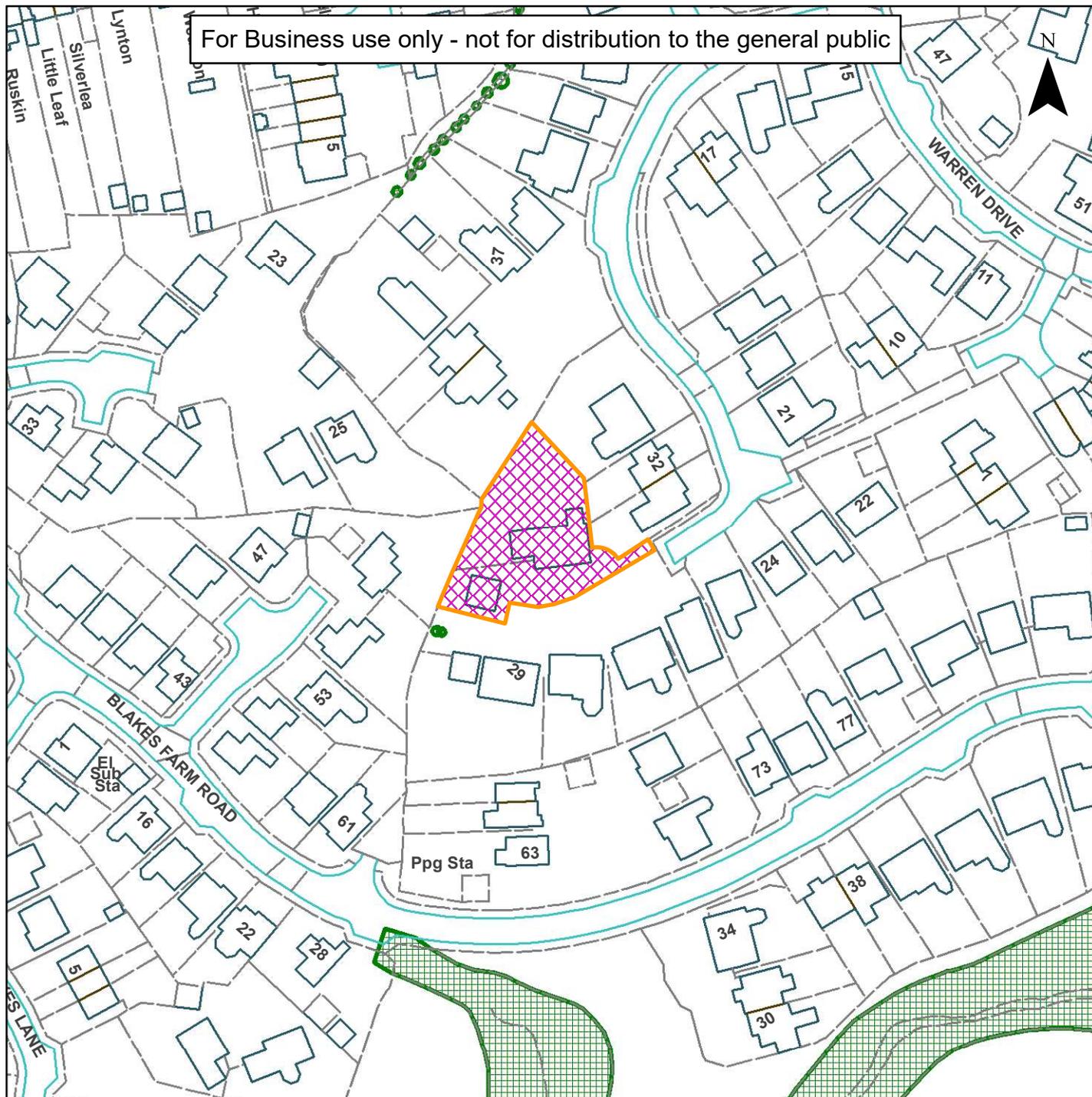
Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/2008

Planning Officer: Pauline Ollive



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