



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

Tuesday, 18th June, 2019 at 2.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

John Blackall	Tim Lloyd
Chris Brown	Paul Marshall
Karen Burgess	Mike Morgan
Jonathan Chowen	Roger Noel
Philip Circus	Bob Platt
Paul Clarke	Josh Potts
Michael Croker	Kate Rowbottom
Ray Dawe	Jack Saheid
Brian Donnelly	Jim Sanson
Nigel Jupp	Diana van der Klugt
Lynn Lambert	Claire Vickers

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

Page No.

GUIDANCE ON PLANNING COMMITTEE PROCEDURE

1. **Election of Chairman**
2. **Apologies for absence**
3. **Appointment of Vice Chairman**
4. **To approve the time of meetings of the Committee for the ensuing year**
5. **Minutes**

7 - 14

To approve as correct the minutes of the meeting held on 16 April 2019
(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.)

6. **Declarations of Members' Interests**
To receive any declarations of interest from Members of the Committee
7. **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:

8. **Appeals** 15 - 18
Applications for determination by Committee:
9. **DC/18/1761 - Barclays Bank Ltd, 84 High Street, Billingshurst** 19 - 36
Ward: Billingshurst (previously Billingshurst & Shipley before May 2019 boundary changes)
Applicant: Shalloaquare Ltd
10. **DC/18/1515 - Land south of Massey Close, Storrington Road, Thakeham** 37 - 52
Ward: West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)
Applicant: Abingworth Developments Ltd
11. **DC/19/0121 - Southlands Farm, Southlands Lane, West Chiltington** 53 - 66
Ward: West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)
Applicant: J M Kensett
12. **DC/19/0122 - Southlands Farm, Southlands Lane, West Chiltington** 67 - 72
West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)
Applicant: J M Kensett
13. **SDNP/18/05914/FUL - West Sussex Golf Club, Golf Club Lane, Wiggonholt** 73 - 86
Ward: Storrington & Washington (previously Chantry before May 2019 boundary changes)
Applicant: Mr Alistair Adams
14. **DC/19/0511 - Hope Cottage, Shoreham Road, Small Dole** 87 - 94
Ward: Bramber, Upper Beeding & Woodmancote
Applicant: Mr and Mrs Powell
15. **DC/19/0628 - 31 East Street, Billingshurst** 95 - 102
Ward: Billingshurst (previously Billingshurst & Shipley before May 2019 boundary changes)
Applicant: Mr Mark and Mrs Nic Clover
16. **Urgent Business**
Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

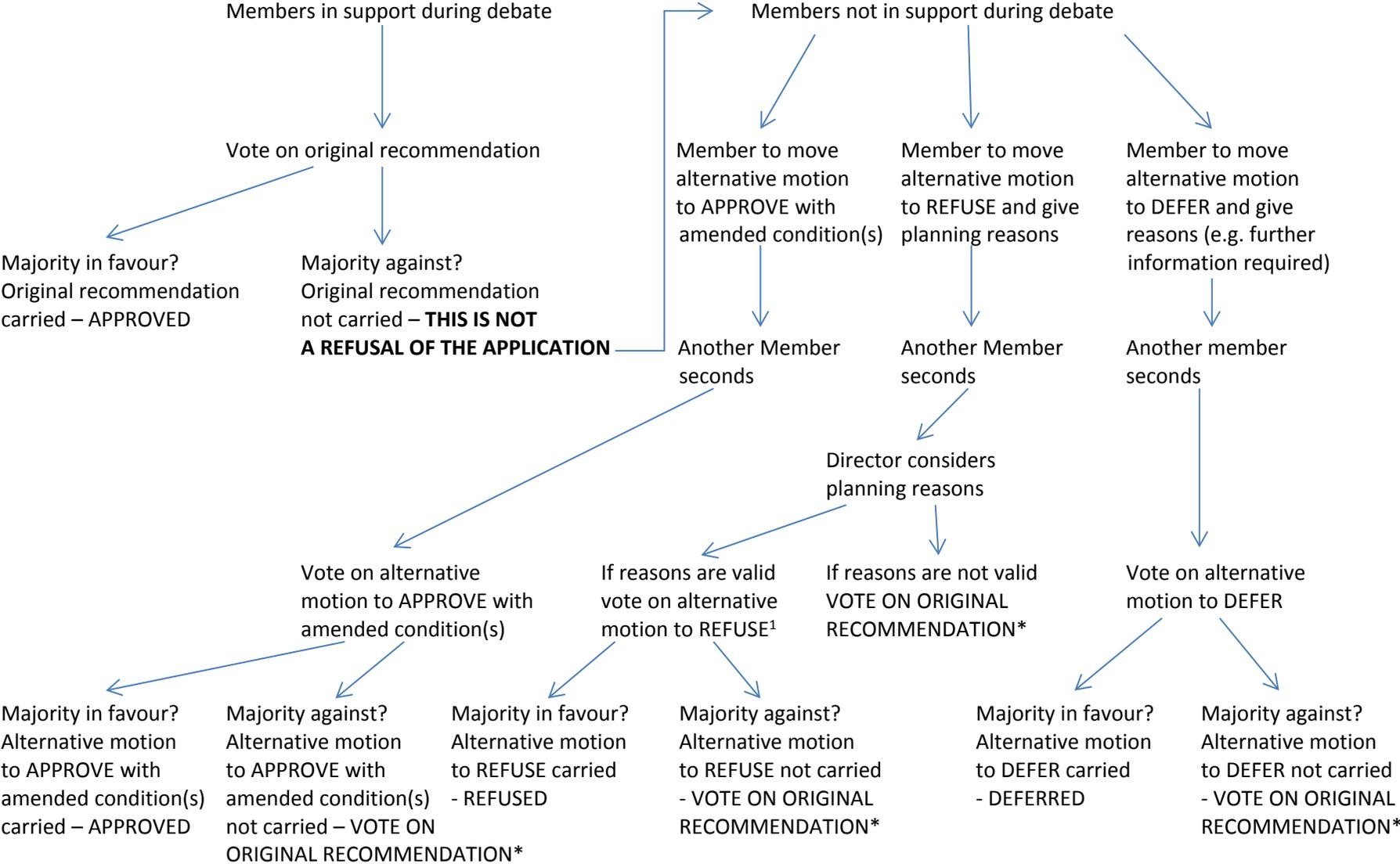
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
16 APRIL 2019

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

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

PCS/85 **MINUTES**

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

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

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

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

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

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

PCS/87 **ANNOUNCEMENTS**

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

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

PCS/88 **APPEALS**

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

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

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

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

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

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

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

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

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

RESOLVED

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

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

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

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

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

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

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

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

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

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

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

RESOLVED

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

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

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

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

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

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

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

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

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

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

RESOLVED

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

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

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

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

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

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

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

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

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

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

RESOLVED

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

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

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

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

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

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

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

RESOLVED

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

The meeting closed at 4.54 pm having commenced at 2.30 pm

CHAIRMAN

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Planning Committee (South)

Date: 18th June 2019

Report on Appeals: 4/4/19 – 5/6/19

1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/18/1543	Plot 3 Bramblefield, Crays Lane, Thakeham, West Sussex	04-Apr-19	Application Permitted	Application Refused
DISC/18/0371	Birchfield Nursery, Kidders Lane, Henfield, West Sussex BN5 9AB	04-Apr-19	Application Refused	—
DC/18/1810	37 High Street, Steyning, West Sussex BN44 3ZA	11-Apr-19	Application Permitted	Application Refused
DC/18/2722	Tisserand Piggeries, Stane Street, Billingshurst, West Sussex RH14 9AE	17-Apr-19	Application Refused	—
DC/18/2463	Land North of Sandy Lane, Henfield, West Sussex	24-Apr-19	Application Refused	—
DC/19/0272	Lock Farm, Lock, Partridge Green, Horsham, West Sussex RH13 8EG	24-Apr-19	Prior Approval Required and REFUSED	—
DC/18/2181	29 Church Street, Steyning, West Sussex BN44 3YB	01-May-19	Application Refused	—
EN/18/0135	Jack Dunkleys, Birchfield Nursery, Birchfield Nursery, Kidders Lane, Henfield, West Sussex BN5 9AB	02-May-19	Notice served	—
DC/18/1488	Land East of Coolham Road, West Chiltington, West Sussex RH20	15-May-19	Application Permitted	Application Refused
DC/19/0260	Mill House, Brooklands Farm, Countryman Lane, Shipley, Horsham, West Sussex RH13 8PR	29-May-19	Application Permitted	Application Refused
DC/19/0698	The Milkyway, Valewood Lane, Barns Green, Horsham, West Sussex RH13 0QJ	29-May-19	Application Refused	—
DC/19/0617	Wood Machine Repairs Workshop, Tea Caddy Cottages, Worthing Road, West Grinstead, Horsham, West Sussex RH13 8LG	30-May-19	Prior Approval Required and REFUSED	—

2. Live Appeals

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

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/18/0458	Old Reservoir Farm, East Street, Billingshurst, West Sussex RH14 9DA	Written Representation	08-Apr-19	Application Refused	—
DC/18/1866	Land Adjacent to Rushmead House, Sandy Lane, Henfield, West Sussex BN5 9UX	Written Representation	09-Apr-19	Application Refused	—
DC/18/2629	3 Nep Close, Henfield, West Sussex BN5 9HB	Fast Track	23-Apr-19	Application Refused	—
DC/18/1810	37 High Street, Steyning, West Sussex BN44 3ZA	Written Representation	25-Apr-19	Application Permitted	Application Refused
DISC/18/0371	Birchfield Nursery, Kidders Lane, Henfield, West Sussex BN5 9AB	Written Representation	01-May-19	Application Refused	—
DC/18/1429	Burletts, Clays Hill, Bramber, Steyning, West Sussex BN44 3WD	Written Representation	02-May-19	Application Refused	—
DC/18/2463	Land North of Sandy Lane, Henfield, West Sussex	Public Inquiry	02-May-19	Application Refused	—
DC/19/0272	Lock Farm, Lock, Partridge Green, Horsham West Sussex RH13 8EG	Written Representation	28-May-19	Prior Approval Required and REFUSED	—
DC/18/2722	Tisserand Piggeries, Stane Street, Billingshurst, West Sussex RH14 9AE	Written Representation	31-May-19	Application Refused	—
DC/18/0458	Old Reservoir Farm, East Street, Billingshurst, West Sussex RH14 9DA	Written Representation	08-Apr-19	Application Refused	—

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/17/2074	Land Adjoining The Orchard, Cowfold Road, West Grinstead, West Sussex	Written Representation	Appeal Dismissed	Application Refused	Application Refused
DC/17/2117	Longbury Hill, Wood Rock Road, Storrington, West Sussex	Written Representation	Appeal Allowed	Application Permitted	Application Permitted
DC/18/0398	Grays Farm, West End Lane, Henfield, West Sussex BN5 9RF	Written Representation	Appeal Dismissed	Application Refused	—
DC/18/0399	Grays Farm, West End Lane, Henfield, West Sussex BN5 9RF	Written Representation	Appeal Dismissed	Application Refused	—
DC/18/2206	1 Undermill Road, Upper Beeding, Steyning, West Sussex BN44 3JG	Written Representation	Appeal Dismissed	Application Refused	—
DC/18/1344	Kingslea Farm, Marringdean Road, Billingshurst, West Sussex RH14 9HD	Informal Hearing	Appeal Dismissed	Application Refused	—

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (South)

BY: Head of Development

DATE: 18th June 2019

DEVELOPMENT: Demolition of existing building and redevelopment of the site to provide 1x retail / commercial unit, 5 x dwellings (comprising 5x2-bed houses), parking and revised access road.

SITE: Barclays Bank Ltd 84 High Street Billingshurst West Sussex RH14 9QS

WARD: Billingshurst (previously Billingshurst & Shipley before May 2019 boundary changes)

APPLICATION: DC/18/1761

APPLICANT: **Name:** Shallooquare Ltd **Address:** c/o agent

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 approve the application subject to conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal seeks permission for the demolition of the existing building and its subsequent replacement with a single-storey retail / commercial unit at the front, a row of 4x 2-bed terraced houses, and a detached chalet-style bungalow at the rear (overall 5 new dwellings).

1.3 The site would include the provision of 9 parking spaces, a bike store, landscaping and re-grading to modify the ramped roadway, and provision of a new stepped pedestrian approach alongside the ramped access.

1.4 External materials would include: brick, white render, clay hanging tiles, white-painted timber window frames and clay roof tiles.

1.5 The current scheme is the result of extensive discussions with officers.

DESCRIPTION OF THE SITE

1.6 The application site lies on the western side of the High Street, the main road running north-south through the centre of Billingshurst. The site falls within the southern edge of the defined Village Centre Boundary and is defined as part of the Primary Shopping Frontage. Directly

to the north of the site is a little florist / flower shop which has stands and displays within its small forecourt area, and a small residential development called Laura Gardens. The southern three properties (no's 90-94), also defined as being within the Primary Shopping Area / Village Centre, are fully residential.

- 1.7 The site currently comprises a flat-roofed building that fronts the public domain and previously formed the Barclays Bank premises. A two-storey office block extends back into the site, where a single-width access road leads to an elevated parking area at the rear of the site, previously used for staff and customers.
- 1.8 The application premises is not listed, but there are listed cottages to the south (no's 92-94), to the south-west (United Free Church) and to the north (no's 80 / Kings Arms and 82). The site also falls within the Billingshurst Conservation Area and lies mostly within an archaeological notification area (Stane Street). The site adjoins the Kings Arms pub garden to the north-western side and the cemetery to the south-western side
- 1.9 Ground levels drop down to the middle of the site and then rise up to the rear (western side) of the application site, with residential gardens at Lakers Meadow to the west being significantly higher than the ground levels at the application site.
- 1.10 The submitted Planning Statement sets out that the bank closed in November 2017 due to falling visitor numbers, the availability of other means of banking available and other banks and a Post Office available in the village. Since the closure of Barclays bank, the other two banks have also closed in the village, with Lloyds bank closing on 17 May 2018 and NatWest bank closing on 30 May 2018. The Statement sets out that the site has been actively assessed and marketed by Crickmay for its ongoing viable commercial uses and is not considered to be within a sought-after location for professional services or other retail use, given the availability of more attractive vacant premises in the village. Reference is made to the new-build large retail unit in the centre of the village which was completed in 2015 and has remained vacant since then.

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 (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 7 - Strategic Policy: Economic Growth
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets
Policy 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

Supplementary Planning Guidance:

- 2.3 Planning Obligations and Affordable Housing (Sept 2017).
- 2.4 The Billingshurst Conservation Area Appraisal and Management Proposal (2018).
- 2.5 Billingshurst Village Centre (2017).

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The Billingshurst Neighbourhood Plan is advancing but there is no 'made' plan in place.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.7 There is no recent and relevant planning history relating to the site.

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Waste Services:** Comment.

- It does not appear that a vehicle would be able to access the site to collect waste due to the road dimensions.
- The vehicle would have to park on the High Street in order to service the development – leading to concern on traffic impact.

- 3.3 **HDC Heritage:** Comment.

- The existing building is a product of its age and although some attempt was made to integrate the building in the street scene this was not successful. This was an era that looked to make a clear distinction between old and new. It is now considered a more subtle distinction should be made so that new development responds to, and respects its context and harmonises with adjacent buildings. The large area of flat roof is perceptible from ground level and adds to the incongruity of the building's form. Its demolition is not contentious.
- The scale of unit 1 relates to those historic and twentieth century buildings fronting this length of the High Street. As the land drops to the west the ridge height rises but this will not be conspicuous from the High Street.
- There will be greater opportunity to view the increase in built form from St Mary's Close but the traditionally pitched roofs without flat sections would reinforce the historic roof scape of the town. Chimneys would add some interest to the roof scape and these could be used as features to conceal vent pipes and flues. The design of unit 1 is reflective of no.82 High Street and although not an exciting building will not draw undue attention to

itself in the street scene. The south elevation of the other units incorporate contemporary architectural forms but these are experienced as part of a traditional building envelope.

- It will be important to ensure the materials and detailing are appropriate. With good quality materials and traditional detailing where appropriate, the development would preserve the character of the conservation area and will not harm the setting of the adjacent listed buildings.
- Appropriate conditions are advised.

3.4 **HDC Strategic:** Comment.

- The importance and the need for proposals to retain and enhance the vitality and viability of the centre is reinforced by the 'Billingshurst Village Centre SPD', adopted 30 March 2017.
- Whilst the introduction of some residential on this site is considered acceptable in principle, residential is not considered appropriate on the ground floor within the primary retail frontage area.
- The site lies near a bus stop, on the key route between the town/village centre and the railway station, and it also lies within the section of the primary retail frontage nearest the primary and secondary schools. It is therefore considered to lie in a sustainable location.
- The stated purpose of the SPD is to ensure the future vitality and viability of Billingshurst, promoting it as a destination of choice and creating the context for a flexible village centre offer which is able to respond to shifting economic patterns.
- The SPD makes clear a desire to improve the performance and attractiveness of the retail offer and Billingshurst's function as a local centre which acts as hub for surrounding smaller villages, performing an important role in the district retail hierarchy.
- The granting of residential development, in particular 475 homes on land to the east of Billingshurst, is noted to highlight the importance of undertaking enhancements to the village centre that will support the growing catchment population.
- The HDPF and existing planning permissions will result in approximately 100 new dwellings in the Billingshurst area which result in a floorspace need in 2013 of 550sqm for convenience goods and 1,670sqm (it is assumed for comparison goods). This should be focused within the village centre in order to support the existing retail, service and other commercial activities and to maintain and improve the footfall and vitality and viability within the centre.

3.5 **HDC Archaeology:** Comment.

- The application site is located within the projected line of Stane Street Roman Road, and as such there is some potential for archaeological remains to survive in situ within the proposed development area.
- Historic mapping shows that there has been a structure on the site since at least 1870, and it is possible that this and subsequent development will have truncated any surviving archaeology, although this cannot be stated with any certainty. However, the area to the rear of the structure has remained relatively undisturbed, and as such there is a higher chance of archaeological features or deposits remaining.
- A planning condition is advised to secure a programme of archaeological monitoring following demolition and during groundworks.

OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection.

- Some consideration to be given to using the existing dropped crossing arrangement rather than a bell mouth arrangement.
- Notwithstanding the above, based upon the plans submitted, the Local Highways Authority does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

- If the Local Planning Authority is minded to grant planning consent conditions and informatives would be advised: Construction of the access prior to occupation, details of construction plant and materials pre-commencement, Cycle parking details, pedestrian and vehicular visibility splays, uncollated parking and turning provision, and advice regarding a s278 agreement necessary for works on the highway

3.7 **Southern Water:** Comment.

- It appears that the developer intends to build over / close to a public foul sewer which crosses the site. Building over a 'public sewer' is not normally permitted, however, under certain circumstances, building over a sewer may be allowed. A formal application to build over / close to the sewer will be required to be submitted by the applicant to Southern Water.
- Planning conditions are advised to secure details of the protection measures of the public sewers and to ensure that there are appropriate means of surface water disposal measures proposed and SUDS maintenance

PUBLIC CONSULTATIONS

3.8 To date, objections have been received to the amended and initial schemes from 30 individual properties, with only 6 responses received in response to the amended scheme. These comments can be summarised as follows:

- Inappropriate backland development
- Sets precedent for further backland development in the area
- No need for additional housing in Billingshurst
- Any new housing should be low cost
- Increased pressure of doctors and schools
- Design not in keeping with locality
- Inappropriate materials and window detailing
- Front garden areas out of keeping with pattern of development
- Adverse impact on conservation area
- No consideration of adjacent listed and older buildings
- Obstructs views of St Marys
- Overlooking of and loss of light to adjacent properties
- Loss of views from neighbouring properties
- Overbearing impact on neighbouring properties
- Impact on neighbouring residential and commercial properties during construction phase
- Inadequate parking provision
- Increase in traffic problems in the village during the construction phase – additional traffic and contractors parking
- Number of accidents in locality inaccurate
- Loss of parking provision in the evening for local residents
- Increase in inappropriate parking along the High Street
- Additional traffic movements
- Poor sightlines at access
- Bus stop at front of site not considered
- Lack of bin storage/collection points
- No consideration of climate change mitigation measures
- Existing flooding problems in the area
- Inadequate drainage
- No outdoor space for prospective residents
- Commercial unit could subsequently be converted to residential if proven to be unviable
- Potential slippage of land
- Interference with flightpaths of bats
- Release of pollutants during demolition

PARISH COUNCIL COMMENTS

3.9 **Billingshurst Parish Council: Objection.**

- Overdevelopment - The proposal is for cramped housing provision in this small, land-locked site. A reduction in the number of units would be preferable;
- Flood risk - There is no flood risk mitigation within the application. The application raises concerns over surface water and drainage in an area which has flooded in the past. The build-over of the barrel drain is a particular concern and it is noted that the neighbouring development at Laura's Garden avoids the drain completely;
- Parking - The Parking Calculator on Public Access runs to 2665 pages and cannot, therefore, be used as evidence. The new, smaller parking bays proposed to provide more unallocated parking will not alleviate the parking problem experienced by all High Street properties;
- Transport - The bus service information within the Transport Statement is misleading – there is no bus service at all in the evening and none on Sundays. Two routes operate on only 2 days per week and have only one service per day.
- Lighting - The originally proposed lighting columns at the rear of the site have been removed from the block plan (290-101) but are shown on the other plans. Lighting is not mentioned in the Design and Access statement so it is unclear what the intention is;
- Refuse Collection/Bin Storage - It was noted that the bin collections issue has been addressed through the provision of a bin collection area. However, if the residents with gardens choose to have a green waste bin too, there will not be sufficient space either within the collection area or in the individual bin stores for a third wheelie bin.
- Councillors noted that it is clear that an effort has been made to address neighbour concerns. They were pleased that the balconies have been removed and a retail unit has been included. The street scene is more in keeping with the location of the development within the Conservation Area.

3.10 **Councillor Comments:**

Cllr Rowbottom - This will be over development of the site and three or four 2xbed houses would be more appropriate.

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

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

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

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

6. **PLANNING ASSESSMENTS**

- 6.1 The main issues for the Local Planning Authority to consider in the determination of this application are:
- Principle of the development considering its location within the conservation area, adjacent to listed buildings and within the designated primary retail area.
 - Impact on context, character and neighbouring residential amenities.
 - Potential impact on townscape setting.

Principle of Development

- 6.2 Since the adoption of the Horsham District Planning Framework (HDPF) in November 2015, the Council is able to demonstrate a full 5-year supply of housing land sufficient to meet the needs of the District to 2031, with a forecast that some 750 residential units will come forward by way of windfall sites, such as the application site (Policy 15).
- 6.3 The application site is located within the built up area of Billingshurst, which is classed under Policy 3 of the HDPF within the category of 'Small Towns and Larger Villages', where a good range of services and facilities, strong community networks and local employment provision are available
- 6.4 Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the identified settlement hierarchy set out within the policy
- 6.5 Having regard to the location of the proposal within the built up area, in principle alone, the proposal is considered to accord with adopted local planning policies, subject to all other material considerations as discussed below.
- 6.6 However, reference is also made to the fact that the existing site, was until recently, in active use as part of the Barclays Bank chain, thus falling to be considered under policies 12 and 13 of the HDPF.
- 6.7 Policies 12 and 13 of the HDPF seek to enhance and support existing town and village centres, particularly their active retail core, recognising that the centres provide a range of uses and services to support the needs of their communities. These policies do acknowledge the need for some 'diversification' of core uses and activities and do not preclude residential uses or other 'innovative' uses, but where the loss of commercial / retail floor space is proposed in a primary street-facing location, sufficient justification must be provided. Proposals must improve the character, quality and function of the centre as a whole, and must be of an appropriate scale and complement the vitality and viability of the centre.
- 6.8 In this case, the amended proposal now incorporates a flexible commercial / retail front-facing unit to the site, which continues to address the primary retail frontage of the village core and would accord with local and national policies in respect of enhancing and supporting existing town and village centres.

Design and Appearance

- 6.9 Policy 3 of the HDPF requires any development to be appropriate in nature and scale to maintain the characteristics of a settlement. Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'. Policy 33 of the HDPF requires developments to relate sympathetically with the built surroundings. Furthermore, Policy 25 of the HDPF requires development to protect, conserve and enhance townscape character
- 6.10 The design approach of the amended scheme submitted during the consideration of the application, breaks the overall design into several components, which helps to address the various aspects of the site. At the front, a single-storey development is proposed, retaining the low eaves line of the adjacent buildings which form the distinctive street-scene. The resulting design does raise the ridge line above that of the adjacent retail unit (the florist), but this engages with the variations found in the immediate context. Aside from a modestly proportioned small roof-light, the roof-slope would be unbroken, also adopting the wider

design aesthetic of the adjacent buildings, many of which are grade II listed. The southern flank elevation, which would be highly visible in the street-scene and in the conservation area, particularly given the widened approach, reiterates the scale and character of the adjacent buildings by incorporating a part render and part tile-hanging, part brick elevation

- 6.11 The group of terrace dwellings (plots 2, 3 and 4), adopts a more 'suburban' character, but works well as a mews type development often found in these instances, along small streets and passages as historic settlements have grown. They reflect the linear mews-style development of Lauras Gardens without a direct echo of the design character.
- 6.12 The design of plot 5 needs to work as a corner building, with habitable rooms facing west over the parking area. The interest along with south-facing elevation has been achieved by way of windows to the non-habitable rooms as well in the application of different materials, including a rendered panel.
- 6.13 The design of the rear unit (plot 6), which sits physically apart from the terrace, replicates that of the front retail / commercial unit, further enhancing a sense of cohesion throughout the development and ensuring that design features and elements can be carried across the various units. As a chalet-style dwelling, its height is kept reasonably low, which acknowledges its position on part of the site which has not been previously subject to any built form, whilst working with the ridge heights of the dwellings at Lauras Gardens. The overall views of the site to and from the elevated position of St Mary's church would therefore not be unduly compromised as a result.
- 6.14 Officers consider that the scheme as now presented works well with the rising landform of the site, whilst taking visual and character cues from the historic core of the village in which it sits. Whilst there is a degree of variation in design elements across the site, this would assist in the scheme being able to address with the site's wider context. For the reasons cited, it is considered that the proposal is acceptable in design terms.

Heritage Impacts

- 6.15 Policy 34 of the HDPF seeks to ensure that developments affecting such assets should make reference to the significance of the asset as well as preserving and ensuring legibility of locally distinctive vernacular building forms and settings, features, fabric and materials. In addition, the setting of heritage assets, including views, should be preserved and retained. The NPPF (2019) sets out that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and that they should be conserved in a manner that is appropriate to their significance. The NPPF also advises that new development within the setting of heritage assets should enhance or better reveal their significance.
- 6.16 The application site lies within the Billingshurst Conservation Area, which has been subject to review and expansion in January 2018 through the adoption of the Conservation Area Appraisal and Management Plan (Jan 2018). The identified character area of the 'Historic Commercial' Core, where development in the vicinity of the application site, includes 'a series of access openings allowing views back to the rear boundaries and the rising ground behind. The proposal would retain this important character trait.
- 6.17 It is recognised that the existing building is a product of its age and has not entirely managed to integrate into the street-scene, so overall, its demolition is not objected to.
- 6.18 The replacement scheme now includes a street-facing element that relates in scale and design to the historic and 20th century buildings which front the High Street. Although the land drops away immediately to the west, whilst the ridge height rises, this is not considered to be visually discernible from the High Street, and replicates the ridge levels and roof form found on the adjacent Lauras Gardens. The traditional roofs would reinforce the historic roof-scape of the village.

- 6.19 It is suggested that materials and detailed sections be subject to an appropriate planning condition to ensure there is no distillation of the design quality.

Amenity Impacts

- 6.20 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.21 The nature of the existing site, including the scale and massing and functions of the office building which currently occupies the site, has been taken into account, along with the adjoining residential gardens to the south and west. The proposal increases the separation between the boundary of the southern neighbour at no.90, from some 2.5m to 6.2m at the entrance off the High Street, to some 7.2m along the front of the proposed terrace.
- 6.22 In order to mitigate the potential for direct views over the southern neighbouring gardens, which would increase over and above the existing office use on account of the increased usage of the residential properties in the evenings and at weekends, an oriel type window design has been utilised to the three facing terraces houses (plots 2, 3 and 4). This would allow the outlook from habitable facing windows to be directed towards the south-west by way of clear and obscure glazing, whilst not unduly preventing natural light and ventilation. This oriel type window feature would be replicated at ground and first floors, although the use of obscure glazing would only be necessary at first-floor level.
- 6.23 The design and scale of the windows would engage with the resulting 'active' front elevation of the terrace and would allow a traditional design aesthetic which the series of three terraces are seeking to adopt.
- 6.24 The design and layout of the rear unit (Plot 6) would be at a lower level than the adjoining residential plots at Lakers Meadow, which sit on a higher ground level. It is sufficiently distanced from the western boundary (onto Lakers Meadow), and of a scale, being a chalet-type bungalow, that would not lead to a significantly overbearing and harmful addition to the backland plot.
- 6.25 In considering the impacts to the dwellings which immediately adjoin the site to the north (Lauras Gardens), the height and design of the proposed development takes account of the rear-facing roof-lights serving bedrooms and bathrooms on these dwellings. It is also noted that these 4 dwellings do not have any private amenity space which would be impacted by the proposed development.

Highways Impact

- 6.26 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 of the HDPF requires adequate parking facilities within developments. Chapter 4 of the NPPF sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.27 The proposed parking ratio of 9 vehicular spaces and 8 cycle spaces, serving the proposed 5 dwellings and the commercial / retail space is considered to be adequate in this location, providing the spaces remain unallocated. It is anticipated that the retail / commercial unit would generate a need of 2 parking spaces, which would be accommodated within the village Pay and Display parking available close by.

Trees and Landscaping

- 6.28 The site currently offers very little towards the wider landscaping character of the village, as the site does not include any trees within its boundary itself. There are large trees within the adjacent Unitarian Free Church graveyard, which contribute to the wider conservation area setting. These trees would not be impacted by the proposed development as this adjacent area of the site is to remain open as car parking spaces. The proposal indicates the use of permeable grasscrete in this area.
- 6.29 Overall, the proposed layout respects the grain of development in the immediate area, taking account of the established and current layout of the site. The proposed nature of development offers the opportunity to incorporate landscaping pockets which would provide small but 'defensible' frontages to the new dwellings, and offering a break between the common areas of paving and the private domain.
- 6.30 The new dwelling would each be provided with a dedicated area in which to store waste and recycling bins, which would alleviate the potential for the bins to be stored externally and thus dominate the resulting new street-scene created.
- 6.31 An appropriate landscaping condition is advised to secure appropriate hard and soft landscape details such as fencing, paths, steps, handrails, paving and lighting, along with a management proposal for its future maintenance, as the site would remain privately owned and maintained.

Ecology

- 6.32 HDPF policies 2, 25, 31 and 33 require consideration and protection of the district's natural and landscape qualities and settings. In this instance, the application site itself presents limited current benefits to ecology or biodiversity, particularly as it is nearly entirely paved with the exception of a small rear area of grass and some boundary trees and shrubs adjoining the site.
- 6.33 The scheme is to include a bat box, incorporating a biodiversity enhancement, along with a planting scheme with pollinating plants. It is anticipated that these elements would be preserved and enhanced by way of a landscaping scheme secured by way of an appropriate condition.

Conclusions and Planning Balance

- 6.34 In conclusion, the proposal has been submitted following officer discussions at pre-application stage, and subsequently amended to address site specific issues. It has been subsequently considered within the context of the new NPPF and the presumption in favour of sustainable development, and policies set out within the Horsham District Planning Framework (2015).
- 6.35 The retention of a flexible retail / commercial unit to the front would ensure that the viability of the Billingshurst village centre is maintained in the long term. The layout, scale and appearance is in keeping with the character of the wider area without resulting in a harmful impact on the Billingshurst Conservation Area or the amenities of adjacent occupiers. On this basis, and subject to the recommended conditions, the proposed development is considered acceptable.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	478	330	198
		Total Gain	198
		Total Demolition	330

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

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

7. RECOMMENDATIONS

7.1 It is recommended that the application is approved subject to appropriate conditions.

Conditions:

- 1 Plans 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 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
 - i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
 - ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
 - iii. temporary contractor parking

The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction, and to avoid undue congestion of the site and consequent obstruction to access, and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist following demolition of the existing structure and during any groundworks, details of which shall be submitted to and approved, in writing, by the local planning authority.

In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the developer has secured the implementation of a further programme of archaeological work in

accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the local planning authority. Works shall be carried out in accordance with the approved scheme.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded in accordance with Policy 34 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 a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

- 7 **Pre-Commencement Condition:** No development shall commence until measures to protect the public sewers have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.

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

- 8 **Pre-Commencement Condition:** No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 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 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).

10 **Pre-Commencement (Slab Level) Condition:** Prior to relevant work begins, the following details shall have been submitted to and approved in writing by the Local Planning Authority. The relevant works must not be executed other than in complete accordance with these approved details:

a) Samples or specifications of external materials and surface finishes for external walls, windows, rooflights and roofs

b) Drawings to a scale not smaller than 1:5 fully describing:

i) new/and/or/replacement windows, external doors, rooflights.

These drawings must show:

- materials
- cross section of frame, transom, mullions, glazing bars, etc
- formation of openings including reveals, heads, sills, dormer construction, etc
- method of opening
- method of glazing

ii) Roof details including sections through:

- roof ridge
- hips
- valleys
- eaves
- verges

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

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

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

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

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting
- Confirmation of Ecological enhancement measures to be implemented

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 and biodiversity in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

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

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

- 15 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, final details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles, and to ensure there are sustainable alternative travel options available in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 16 **Pre-Occupation Condition:** No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres (inasmuch as is under control of the applicant) have been provided either side of the vehicular access onto High Street in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interest of road safety as required by Policy 40 of the Horsham District Planning Framework (2015).

- 17 **Pre-Occupation Condition:** No part of the development shall be first occupied until 2.4m x maximum achievable visibility splays have been provided at the site vehicular access onto High Street in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interest of road safety as required by Policy 40 of the Horsham District Planning Framework (2015).

- 18 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of the parking turning and access facilities shall have been submitted to and approved by the Local Planning Authority in writing. Details shall include the following:

- Recessed cover to manhole fall within the new tactile area of the widened access
- Cycle friendly gully within the fall width of the access
- Retention of the guardrail and /or bollards within the footway
- Consideration to improving the existing dropped crossing arrangement in favour of the proposed priority junction

No building shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented. The parking turning and access facilities shall thereafter be retained as such.

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

- 19 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 20 **Regulatory Condition:** All new and replacement rainwater goods (including gutters, down pipes and hopperheads) and external soil pipes shall be of cast iron / cast aluminium / cast effect plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby

preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

- 21 **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 or E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages of the residential development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

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

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

- 23 **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).

- 24 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall be used for A1 (retail) or A2 (professional services) use and for no other purposes whatsoever, (including those falling within Class A as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the location of the site adjacent to residential properties and within a designated primary shipping area under Policies 12, 13 and 33 of the Horsham District Planning Framework (2015).

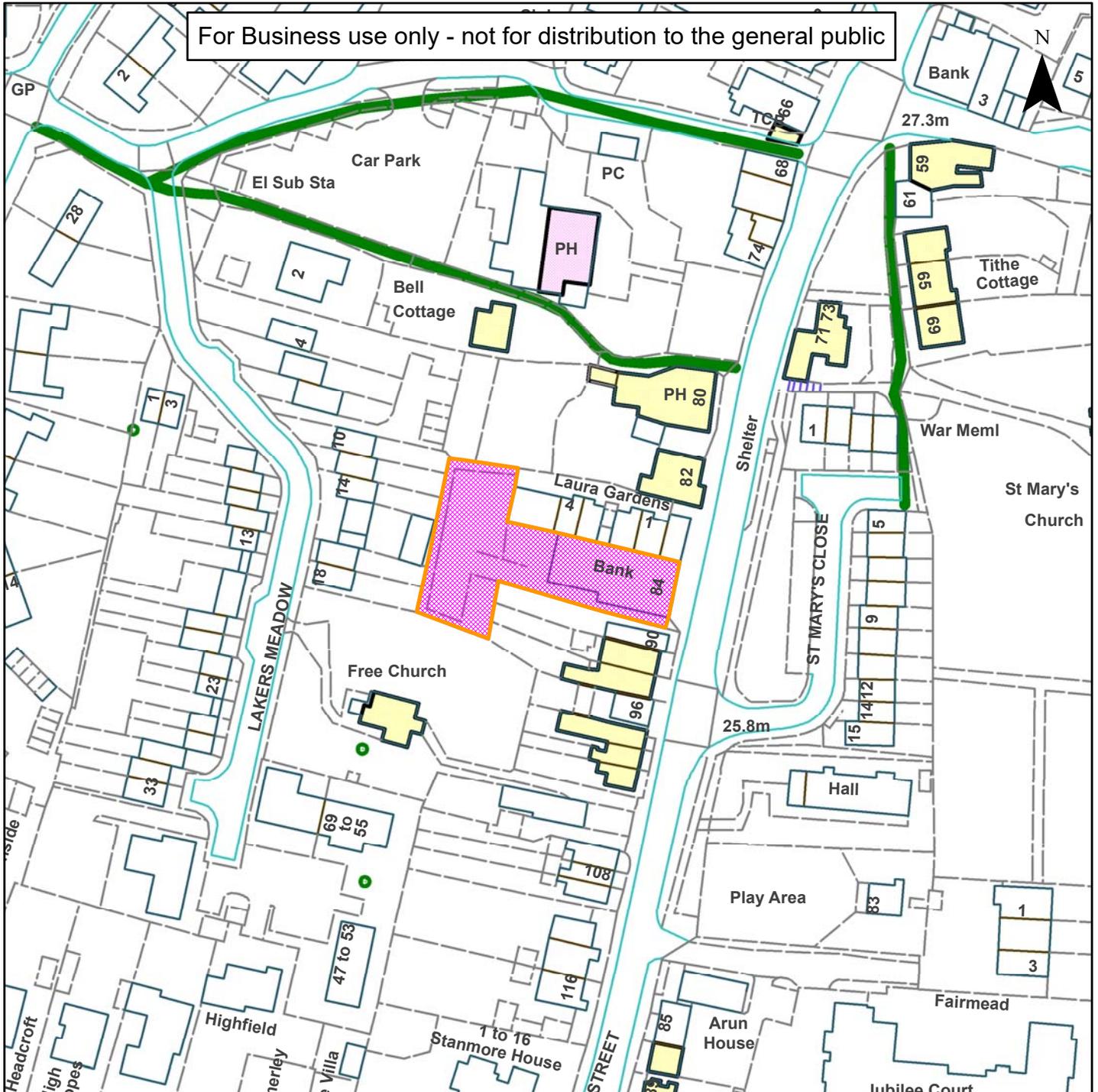
- 25 **Regulatory Condition:** The retail / commercial premises shall not be open for trade or business except between the hours of 08:00 – 18:00 hours Monday to Saturday and 10:00 – 16:00 Sunday, Bank Holiday and Public Holidays.

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



Barclays, 84 High Street, Billingshurst

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/06/2019
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (South)
BY: Head of Development
DATE: 18 June 2019
DEVELOPMENT: Erection of 4 dwellings together vehicular access, car parking and landscaping.
SITE: Land South of Massey Close Storrington Road Thakeham RH20 3EQ
WARD: West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)
APPLICATION: DC/18/1515
APPLICANT: **Name:** Abingworth Developments Ltd **Address:** c/o Agent

REASON FOR INCLUSION ON THE AGENDA: The application represents a departure from the development plan, and;

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 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.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The proposal has been amended during the application process and now seeks the addition of 4 new dwellings on this plot, rather than 5 as originally proposed, accompanied by a total of 8 parking spaces. These 4 dwellings are proposed to be affordable shared ownership.

1.3 The submitted drawings show the provision of 4 x 3-bedroom dwellings, arranged as two pairs which back onto the woodland belt to the south-west.

- 1.4 The design aesthetic incorporates stock brick, render and weatherboard elevations with plain clay tile roofs and projecting bays and open porches.
- 1.5 It is intended that the units all be shared equity with a registered provider St Arthur's.

DESCRIPTION OF THE SITE

- 1.6 The application site forms a triangular parcel of land between the mushroom works to the west, the residential development of Massey Close to the north-east and a tree belt to the southern side. Vehicular access to the site would be by way of the continuation of the residential cul-de-sac Massey Close.
- 1.7 The southern boundary to the site is marked by a stream and then the adjacent woodland belt onto which the residential gardens of Hardbarrow Wood back. Approval of the wider Abingworth Development to the north (Massey Close) and to the eastern side of Storrington Road, included the provision of new public footpaths through the Abingworth development site and creating additional pedestrian linkages to the wider settlement. One of these new paths is to run through the adjacent tree belt to the south which will link to the nearby Public Right of Way (PROW) network, although final details of this are yet to be agreed as part of the wider Abingworth development.
- 1.8 The application site is noted to lie outside of the current defined built-up area boundary of Thakeham, which runs to the south of the site. As part of the Local Plan review, which is currently being undertaken, the BUAB boundary of Thakeham is set to include the wider Abingworth development site to the east, but would still exclude the mushroom works, Massey Close and application site, leaving these areas to fall within the countryside in policy terms.

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 (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 7 - Strategic Policy: Economic Growth
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 17 - Exceptions Housing Schemes
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 - Settlement Coalescence
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles
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

Supplementary Planning Guidance:

2.3 Planning Obligations and Affordable Housing (Sept 2017)

RELEVANT NEIGHBOURHOOD PLAN

2.4 The Thakeham Neighbourhood Plan has been formally 'Made' in January 2017. The relevant policies are as follows:

Thakeham 1: Spatial Plan for the Parish
Thakeham 4: Abingworth Nursery
Thakeham 6: Design
Thakeham 10: Green Infrastructure and Valued Landscape

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.5 There is no recent and relevant planning history relating to the site.

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Waste Services:** Comment.

- Further to the above application with the additional 4 dwellings we believed the turning point and the end of the development is the issue. If the developer places parking restrictions within this area there will be no obstruction from park vehicles.

3.3 **HDC Landscape Architect:** No Objection on landscape grounds.

- The site is enclosed to the South and East by woodland which is bounded by a small stream and a small residential development to the North and the Sussex Mushroom Farm to the West.
- The parcel of land is completely enclosed on all four sides by buildings or woodland and as such the proposed development would not be visible from outside of the site nor would it have any detrimental effect on the character of the wider landscape.
- Land immediately adjoining the site has recently been developed as an initial phase of a larger development (planning application DC/16/0871). The remaining phases will be built out on the opposite side of Storrington Road - directly due East of the proposed site.
- The layout and density of the proposal appears cramped in relation to the site boundaries. Plot 1 is far too close to the Mushroom Farm. It is suggested that 3 dwellings in a terrace instead of the 2 x semi-detached proposed would be a better solution. The dwelling proposed for Plot 5 is overly large and bears no relation to any of the neighbouring, existing properties. In order to maintain a sense of cohesiveness all new

dwellings should relate sympathetically to the surrounding built form in terms of scale, massing and appearance. (Policy 33) This could be achieved by a reduction in size of the dwelling on Plot 5 in addition to the recommendations for plots 1 - 4.

3.4 **HDC Environmental Health:** Comment.

- Whilst the revision to the original layout is welcome, the use of the picking sheds adjacent to the site is still of concern and subject to an ongoing investigation into noise nuisance.
- Earlier comments are therefore reiterated;
- "The application will introduce residential receptors in immediate proximity to the established mushroom farm and other commercial uses. An environmental noise assessment should be provided which demonstrates that the suitability of the site for residential development and that such development will not cause current commercial activities to be restricted."

3.5 **HDC Drainage Engineer:** No Objection.

- In the event of approval, a condition would be recommended to secure Foul and Surface Water strategy details

OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection.

3.7 **WSCC PROW:** Comment.

- Conversations regarding the addition of a Bridleway link continue. At present no PROW are directly affected by this proposal.
- If access to the development will be required via High Bar Lane it should be noted that this is also a Bridleway and appropriate site management plans should be in place to avoid conflict between site traffic and users, particularly equestrian and cyclists who will use the roadway itself.

3.8 **Ecology Consultant:** No Objection subject to condition.

3.9 **Southern Water:** Comment.

- Please find attached a plan of the water main records showing the approximate position of a public water distribution main within the access to the site. The exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.
- Furthermore, due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property.
- Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.
- If the applicant proposes to offer a new on-site foul sewerage pumping station for adoption as part of the public foul sewerage system, this would have to be designed and constructed to the specification of Southern Water Services. A secure compound would be required, to which access for large vehicles would need to be possible at all times. The compound will be required to be 100 square metres in area, or of some such approved lesser area as would provide an operationally satisfactory layout. No habitable rooms should be located less than 5-15 metres from the pumping station compound boundary (depending on the type of wastewater pumping station), in order to protect the amenity of prospective residents.

PUBLIC CONSULTATIONS

- 3.10 To date, 5 further comments have been received in response to the amended 4-dwelling scheme:
- Loss of wildlife / ecology - birds nesting in trees and rabbits in application area.
 - Questionable need for the development with empty homes in Thakeham.
 - Area already overdeveloped.
 - Understood there to be no further need for new housing in Horsham District.
 - Small Plots - squeezed in development - harmful to Massey Close.
 - Design would look different to Massey Close.
 - Disruption to existing residents during build process - dangerous and highly disruptive.
 - Loss of privacy and way of life of nearest affected neighbours - No.22 Massey Close would be significantly overlooked.
- 3.11 Objections are noted from 8 neighbouring and nearby properties in response to the initial 5-dwelling scheme:
- Potential impact of development on band of trees to the rear of Hardbarrow Woods.
 - Proposals unclear on retention or loss of trees.
 - Loss of the trees would result in loss of privacy, a sound break and wildlife habitat.
 - Poorly drained stream at rear of the site - alongside Hardbarrow Woods - increased burden.
 - Further diminishment of character which is already affected by recent development.
 - Increased traffic - noise from recently installed traffic calming measured - dangers to residents / children living in existing Massey Close cul-de-sac.
 - Cllrs have stated (in 2011) that development on 'Abingworth' site should be limited.
 - Loss of privacy to rear of houses and gardens in Massey Close / Hardbarrow Woods.
 - Purchased property in Massey Close / Hardbarrow Woods understanding that no further development would occur and retention of woodland.
 - Loss of peace and tranquillity.
 - Council 'promised' that no loss of woodland would occur when property purchased in 2015 - as part of Abingworth Meadows site.
 - Disruption and noise during building recent works.
 - Increased noise from resulting development / occupants.
 - Potential risk to existing buildings if trees are removed - 'heave'.

PARISH COUNCIL COMMENTS

- 3.11 **Thakeham Parish Council:** No Objection.
- The amended 4-dwelling scheme sits somewhat better within the site, thus seeming to address issues relating to vehicles, parking and noise disturbance.
 - The scheme would provide much-needed affordable accommodation, in line with the Neighbourhood Plan aims, and at a location that makes sense in term of access and the BUAB.
 - Reiteration of previous request for s106 contributions towards delivering High Bar playground improvements – to mitigate direct impact of the development in terms of additional pressure on community infrastructure / in this instance children's recreational play facilities.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues to consider in the determination of this application are:
- Principle of the development considering its location outside the current defined BUAB and proximity to Thakeham village.
 - Impact on context, character and neighbouring residential amenities.
 - Potential impact on landscape setting.

Principle of Development

- 6.2 Policy 2 of the HDPF seeks to maintain the District's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment as set out within policy criteria. The policy sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the main settlement of Horsham and to allow growth in the rest of the District in accordance with the settlement hierarchy.
- 6.3 Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the identified settlement hierarchy set out within the policy.
- 6.4 Under Policy 3 of the HDPF, Thakeham is considered to be a 'smaller village', which is noted to have limited services, social networks, but has good accessibility to larger settlements upon which residents are reliant for most of their requirements. However, the site currently lies outside of the defined Thakeham built-up area boundary (BUAB), and is therefore considered to be sited in the countryside for planning purposes, despite being in close proximity to established housing to the southern side, and a recent residential development (part of the Abingworth Nursery development) to the north.
- 6.5 Policy 4 of the HDPF permits settlement expansion only where allocated within either the HDPF or a Neighbourhood Plan. In this instance, the site is not allocated, therefore its development for housing runs contrary to Policy 4. Furthermore, the nature of the development cannot be said to be 'essential to its countryside location', thereby conflicting with Policy 26 of the HDPF. On this basis alone, the development of the site for housing falls to be considered as a departure from the development plan.
- 6.6 The conflict with policies 4 and 26 of the HDPF carries significant weight against the grant of planning permission. However, in this instance there are material considerations that outweigh this conflict. The principal consideration is the recent development to the north, forming Massey Close, which forms part of the wider Abingworth development of some 146 dwellings, a village hall building (including shop and doctor's surgery), pre-school facility, and community buildings, all of which have been developed outside of the Thakeham BUAB. The residential development of Massey Close has been fully built out whilst works to the east are steadily still progressing towards completion.
- 6.7 The resultant impact of these adjacent developments has been to leave this small triangular area of land locked between the wider built development, serving no physical or visual

connection with the wider rural area beyond the mushroom farm to the west. As such the site does not contribute towards the rural setting of the village, as it cannot be readily seen from the passing public highway to the east. It is therefore considered that its development for a modestly-proportioned housing site would not have a harmful impact on the countryside.

- 6.8 Furthermore, the site is well connected to the public highway network and lies close to the planned public rights of way routes that are planned as part of the Abingworth development site. As such the residential development of the site can be considered to be sustainably located in terms of the wider development around it, notwithstanding its location outside the defined BUAB.
- 6.9 It is noted that the made Thakeham Neighbourhood Plan seeks to discourage development of rural sites, in line with national and local planning policies, seeking to confine housing and other development proposals to within the existing built up area boundaries, unless the Neighbourhood Plan has made specific provision for them or they are appropriate to a countryside location.
- 6.10 Furthermore, it is acknowledged that the Thakeham NP considers that the Abingworth Nursery and Water Lane sites provide sufficient new housing to fulfil housing needs over the lifetime of the Plan, so that there is no need to identify new housing sites within the locality. It also goes on to state that local needs for affordable housing, as identified in the Housing Needs Survey of 2009, will be met by the provision of 12 such homes under the Abingworth Nursery permission (DC/10/1314 and DC/15/1242), plus approximately 30 under the Water Lane permission (DC/13/1265). It is therefore considered that there is no justification for Thakeham to accommodate any further significant development beyond the settlement boundaries.
- 6.11 Policy 4 of the Thakeham NP does consider that there is a potential for the Abingworth site to accommodate appropriate additional development provided this is contained within the established development area, provides for special care dwellings, or includes affordable housing. (DC/10/1314 and DC/15/1242). It is noted that the application site lies outside of this development area.
- 6.12 Although contrary to Policies 4 and 26 and the Thakeham NP, the implemented residential expansion of Thakeham Village to the east of Storrington Road, and on land to the front of the mushroom works (Massey Close), are significant material considerations in the determination of this proposal. Accordingly, it is considered that the principle of the development of the site for housing can in this instance be accepted as a sustainable form of development and as a departure from the development plan.
- 6.13 Further, Policy 17 of the HDPF allows, in exceptional circumstances, for the development of affordable homes outside of the BUAB, or on unallocated sites, if there is an identified local housing need. Thakeham Parish Council refer to the recent take-up of all affordable units on the adjacent Abingworth development site, indicating an apparent unmet need for similar affordable housing in the village. It is intended that the units all be shared ownership with a registered provider St Arthur's.

Design and Appearance

- 6.14 The proposal, as revised, seeks 4 x new dwellings using a limited palette of materials and architectural features. The density of development and the relationship between the proposed new dwellings and those to the north, would therefore be commensurate and complementary.
- 6.15 The proposed materials are suggested to be secured as part of an appropriate planning condition. Accordingly, the layout, scale and design of the dwellings would not harm the character of the site or wider area in accordance with policies 32 and 33 of the HDPF. The

design and massing of the dwellings would relate primarily to the adjacent new-builds at Massey Close.

Trees and Landscaping

- 6.16 The site currently offers very little towards the wider landscaping character of the village, being an open grassed area that falls within the enclosing boundary of the mushroom works, which has been fenced off from the cul-de-sac of Massey Close.
- 6.17 Considered landscaping elements could successfully link the development site to the development along Massey Close, which exhibits a hard urban form with little visual interest to draw the eye along the roadway. An appropriate landscaping condition is advised to secure appropriate hard and soft landscape details such as fencing, paths and paving, as well as the planted areas within the forecourt, along with a management proposal for its future maintenance.

Amenity Impacts

- 6.18 Policy 33 of the HDPF seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.19 The properties along Hardbarrow Woods have rear gardens depths of around 13m, and combined with the proposed siting of the new housing and the intervening woodland strip, would result an overall back-to-back distance of some 30m. This distance, taken together with the siting and angle of outlook of the proposed new dwellings, would not lead to a detrimental loss of privacy or outlook to the established properties.
- 6.20 Taking account of the existing dwellings at Massey Close, it is acknowledged that concern has been raised with regard to overlooking and loss of privacy to the closest dwellings (no.17 and 22). The proposed new development would be some 21m off the existing building lines of no's 17 and 22 Massey Close. The new dwelling at Plot 1 would be some 15m off the garden boundary to no.22 Massey Close with the closest first-floor window being that of a bathroom, and therefore obscure-glazed. It is therefore considered, that the proposed development at the southern edge would not lead to significantly harmful residential impacts to existing occupants and their wider amenity values.
- 6.21 Concern has been raised from the Council's Environmental Health department, over the proximity between the new dwellings and the working mushroom farm. It is confirmed that the closest mushroom building adjacent to the application site involves the hand picking of mushrooms with no site traffic experienced alongside the residential boundary to Plot 1. Furthermore, there would be an opportunity for some landscaping and screening alongside the boundary which could offer some mitigating measures to create separation between the residential plot and the adjacent commercial site. It is also noted that there are no facing windows in the flank wall, and primary habitable accommodation is located away from the boundary. It is suggested, in line with the Environmental Health comments, that an environmental noise assessment condition should be applied.

Highways Impact

- 6.22 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 of the HDPF requires adequate parking facilities within developments. Chapter 4 of the NPPF sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.

- 6.23 The submitted details now show a turning head accommodated within the end of Massey Close, confirming that larger vehicles and emergency vehicles would be able to enter and turn. The proposal is not considered to lead to a significant increase in trips over and above the adjacent development at Massey Close, to lead to concerns over Highways capacity issues. Furthermore, the proposal for each dwelling to be served by 2 parking spaces accords with the WSCC parking strategy.
- 6.24 The applicant would be expected to submit details of a Construction Management Plan (CTMP/CEMP) as part of the planning conditions.

Ecology

- 6.25 The site has been assessed with a view of potential harmful impact on ecological values, and it is concluded that no harm would occur to the existing and future biodiversity values, providing the works incorporate the measures set out as part of the submitted Preliminary Ecological Appraisal. A condition to this effect is recommended.

Affordable housing

- 6.26 Policy 16 of the HDPF sets a target for the delivery of affordable housing through residential development. Contributions towards the provision of affordable housing will be either through the on-site provision of affordable homes or by financial contribution. The provision of affordable housing or financial contributions will be secured through an appropriate legal agreement, including a Unilateral Undertaking. On sites of between 5 and 14 dwellings, the Council will require on-site provision based on 20% of dwellings being affordable. The proposed development would provide 4 dwellings.
- 6.27 Policy 17 of the HDPF allows, in exceptional circumstances, for the development of affordable homes outside of the BUAB, or on unallocated sites, if there is an identified local housing need. Thakeham Parish Council refer to the recent take-up of all affordable units on the adjacent Abingworth development site, indicating an apparent unmet need for similar affordable housing in the village.
- 6.28 In this instance, the proposal would commit all of the four new dwellings as shared ownership with a registered provider, St Arthurs. These details would be subject to an appropriate s106 agreement in the event of approval.

Conclusions and Planning Balance

- 6.29 The proposed development is acknowledged to be contrary to policies 3, 4 and 26 of the HDPF by virtue of being located outside of the existing defined BUAB, unallocated for development, and not essential to a countryside location. However, the underlying reasons for these local and national rural restraint policies is to protect rural character and appropriate land uses. Although the site has not been allocated for development within the HDPF or an adopted Neighbourhood Plan, and the Council is able to demonstrate a 5 year housing land supply, the location of the site within an expanded village settlement where adjacent residential development has been accepted beyond the BUAB, enveloping the site, is a material consideration in this instance that carries significant weight. Furthermore, Policy 17 of the HDPF allows, in exceptional circumstances, for the development of affordable homes outside of the BUAB, or on unallocated sites, if there is an identified local housing need. Thakeham Parish Council refer to the recent take-up of all affordable units on the adjacent Abingworth development site, indicating an apparent unmet need for similar affordable housing in the village. In this instance, the proposal would commit all of the four new dwellings as affordable shared ownership with a registered provider, St Arthurs.
- 6.30 The proposed development has been reduced from 5 dwellings to 4 such that its layout, scale and appearance is in now of a form that addresses the site context and limitations, including

the proximity with the mushroom works, without resulting in a harmful impact on the rural setting or adjoining built development, or the amenities of adjacent occupiers.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	359	0	359
		Total Gain	359
		Total Demolition	0

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

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

7. RECOMMENDATIONS

7.1 It is recommended that the application is approved subject to appropriate conditions.

Conditions:

- 1 Plans 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 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
 - i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
 - ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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

- 4 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all

construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details. 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).

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

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

- 6 **Pre-Commencement Condition:** No development shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority. The scheme shall have regard to the recommendations set out in the report as may subsequently be approved. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

- 8 **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).

- 9 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to

enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

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

- 10 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained
 - Details of all proposed trees and planting, including schedules specifying species planting size, densities and plant numbers and tree pit details
 - Details of all hard surfacing materials and finishes
 - Details of all boundary treatments
 - Details of all external lighting

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

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

- 11 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

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

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

- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking, turning and access facilities necessary it have been constructed and made

available for use in accordance with approved drawing number 1871 1210 rev A. The parking, turning and access facilities shall thereafter be retained as such, and the turning head shall be kept clear of obstruction at all times.

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

- 14 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

- 15 **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 or E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

- 16 **Regulatory Condition:** The development hereby permitted, including site clearance, lighting and ecological enhancements, shall be undertaken in strict accordance with Section 4 of the Preliminary Ecological Appraisal by the Ecology Partnership, dated June 2018, unless otherwise agreed in writing by the Local Planning Authority. The approved provisions shall be implemented before development commences and shall thereafter be retained and maintained in accordance with the approved details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

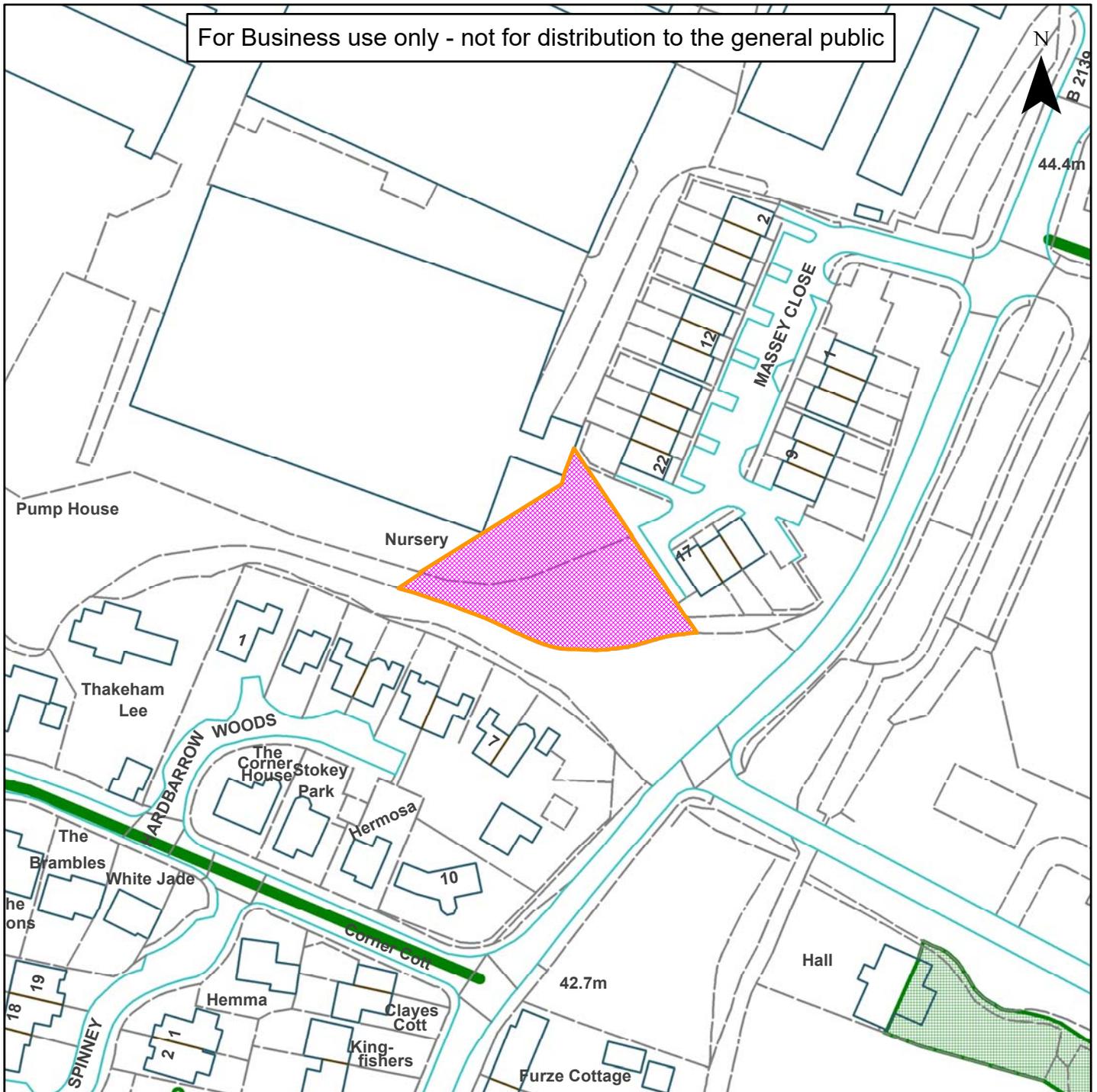
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Land south of Massey Close, Thakeham

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/06/2019
SA Number	100023865

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**Horsham
District
Council**

**PLANNING COMMITTEE
REPORT**

TO: Planning Committee (South)

BY: Head of Development

DATE: 18 June 2019

DEVELOPMENT: Change of use of existing barns to form a wedding venue with ancillary facilities, erection of a bar, and the replacement of a lean to structure (Full Application)

SITE: Southlands Farm Southlands Lane West Chiltington Pulborough West Sussex RH20 2JU

WARD: West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)

APPLICATION: DC/19/0121

APPLICANT: **Name:** J.M Kensett **Address:** C/O Batcheller Monkhouse New Bartram House 3-5 Swan Court, Station Road Pulborough West Sussex RH20 1RL

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation raising material planning considerations made within the consultation period contrary to the recommendation of the Head of Development.

RECOMMENDATION: To approve the application subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the change of use of the existing barn to a wedding venue, with demolition of the single storey projections to the north, and the replacement with a timber clad structure comprising kitchen, W.C. facilities and bar.

1.3 The existing barn measures to a length of 18.6m and a width of 8.6m, and incorporates a hipped roof measuring to an overall height of 7.4m. The barn is constructed of stone and timber cladding, under a tiled roof, with the constructed extensions projecting to the north and timber clad. The projections incorporate a pitched roof measuring to a maximum height of 4.2m, with an area of decking provided which steps down to the existing concrete yard.

1.4 The site is proposed to operate as a wedding venue from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A maximum of 2 events would be undertaken per week. Parking for up to 40 cars is proposed to the south of the building on the existing concrete hardstanding.

DESCRIPTION OF THE SITE

- 1.5 The application site is positioned to the east of Southlands Lane, and is located outside of any defined built-up area boundary. The site therefore lies within the countryside in policy terms.
- 1.6 The barn forms part of a complex of rural buildings comprising Southlands Farm. The main farmhouse is a Grade II Listed Building, with the barn subject of the application considered to be curtilage listed. The application site also includes 2no. residential dwellings both under the ownership of the Applicant.
- 1.7 The site is surrounded by open countryside, with a number of buildings comprising both residential and commercial located to the west of the site.

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 (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 10 - Rural Economic Development
- Policy 11 - Tourism and Cultural Facilities
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 40 - Sustainable Transport
- Policy 41 - Parking
- Policy 42 - Strategic Policy: Inclusive Communities
- Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 West Chiltington Parish Neighbourhood Development Plan: Pre-submission (Regulation 14). The relevant policies of the emerging neighbourhood plan are as follows:

Policy EH3: Green Infrastructure and Ecosystems Services
Policy GA1: Promoting Sustainable Movement
Policy GA3: Parking and New Development
Policy EE5: Sustainable Recreational and Tourism Activities
Policy EE6: Rural Buildings

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.4 No relevant planning history

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Leisure Services:** No Comment.

3.3 **HDC Conservation:** No Objection.

Southlands barn is a significant historic building which reinforces the historic farmstead character of Southlands Farm. It is a building that will benefit from alternative uses if it is now redundant as a farm building. The proposal would not result in harm to the special interest of the Listed Building.

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

Although situated in a noise sensitive area, no objections are raised in principle to the proposed use. However, although the venue will be subject to a premises licence, the intensity of the use at weekends, as evidenced by recent licensed events, is likely to prejudice the amenity of other residential occupiers in the locality. It is therefore suggested that a condition be imposed restricting the number of weekend events to no more than 1 per calendar month.

3.5 **HDC Economic Development:** Support.

The provision of a wedding venue would encourage short stays within the local area for guests, potentially increasing the visitor spend in the District. The proposal would also help an existing business to diversify and grow. The proposal will therefore help to deliver the objectives of the Visitor Economy Strategy.

OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection.

No Objection on traffic or transport grounds.

3.7 **WSCC Public Rights of Way:** No Objection.

3.8 **Ecology Consultant:** No Objection.

Following the receipt of additional information, sufficient information has been provided on the impacts on habitats and appropriate mitigation identified.

3.9 **Southern Water:** No Comment.

PUBLIC CONSULTATIONS

- 3.10 44 letters of objection were received from 35 separate households, and these can be summarised as follows:
- No need for facility.
 - Impact on neighbouring properties
 - Use of fireworks
 - Traffic generation
 - Safety concerns for pedestrians and vehicles
 - Noise and disturbance
 - Number of guests
- 3.11 13 letters of support were received from 13 separate households, and these can be summarised as follows:
- Needed farm diversification
 - Preserve the rural character of the locality

PARISH COUNCIL CONSULTATION

- 3.12 **West Chiltington Parish Council:** No Objection subject to conditions on noise and use of fireworks.
- 3.13 **Thakeham Parish Council:** No Objection subject to conditions on noise, use of fireworks and usability of PROW.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission to convert the agricultural barn to a wedding venue. From an Officer site visit it was noted that the works to facilitate the conversion of the barn to a wedding venue have been completed.

Principle of Development

- 6.2 Policy 10 of the Horsham District Planning Framework (HDPF) states that sustainable rural economic development and enterprise within the district will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must: contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either, be contained wherever possible within suitably located buildings which are appropriate for conversion.

- 6.3 Draft Policy EE6 of the West Chiltington Neighbourhood Development Plan states that the re-use, conversion and adaptation of rural buildings for small business, recreation, or tourism purposes will be supported subject to the following criteria: the building is structurally sound and capable of conversion without substantial re-construction; the use proposed is appropriate to a rural location; the conversion/adaptation works respect the local character of the surrounding area and/or buildings; the use proposed will not have an adverse impact on any archaeological, architectural, historical or environmental features; and the local road network is capable of accommodating the traffic generated by the proposed new use, and adequate parking can be accommodated within the site.
- 6.4 The barn the subject of this application was previously used in connection with the dairy business which operated from the farm until 2017. The main barn housed the milking machinery motors, with the rear extensions to the building used as a dairy office and for the storage of the milk tanks. Following the sustained downturn of the dairy industry, it became unviable for the dairy farming and contracting business to run from the site, with the reduction of the milking herd and an increased proportion of arable farming taking place on the site. Farming remains an important part of the business, however the view has now been taken to consider diversification options to provide further income. The main barn is no longer suitable for modern day farming as the machinery is too large, and it is also not suitable to house livestock. On this basis, the barn was converted into a wedding venue, and has been used successfully for at least one wedding.
- 6.5 Permission is therefore sought to retain the converted barn and extensions in operation as a wedding venue from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A maximum of 2 events would be undertaken per week, with the events suggested to end no later than 11.30pm.
- 6.6 The proposal would contribute to the diversification of the farming enterprise, while contributing to the rural economy and generating economic and social benefits for the local community. The proposal would be contained within a suitably located building appropriate for conversion and is considered to support productive social and economic activity in the countryside.
- 6.7 The proposed use for a wedding venue is therefore considered acceptable in principle, subject to all other material considerations.

Design and Appearance

- 6.8 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.9 Draft Policy EE6 of the West Chiltington Neighbourhood Development Plan states that the re-use, conversion and adaptation of rural buildings for small business, recreation, or tourism purposes will be supported subject to the following criteria: the building is structurally sound and capable of conversion without substantial re-construction; the use proposed is appropriate to a rural location; the conversion/adaptation works respect the local character of the surrounding area and/or buildings; the use proposed will not have an adverse impact on any archaeological, architectural, historical or environmental features; and the local road network is capable of accommodating the traffic generated by the proposed new use, and adequate parking can be accommodated within the site.

- 6.10 Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.11 The existing barn measures to a length of 18.6m and a width of 8.6m, and incorporates a hipped roof measuring to an overall height of 7.4m. The barn is of a timber frame construction, with a stone plinth and timber cladding above, under a tiled roof, with the constructed extensions projecting to the north timber clad. The projections incorporate a pitched roof measuring to a maximum height of 4.2m, with an area of decking provided which steps down to the existing concrete yard used as an outdoor seating area. The existing barn is considered to be a characterful vernacular building which reflects and reinforces the rural countryside locality. The building is considered to make a positive contribution to the rural setting, and is considered to be of an aesthetic quality that would justify its retention.
- 6.12 The proposed alterations to the existing barn, along with the extensions to the rear, have retained the general proportion and character of the rural building, and are considered to be of a scale and form that retain the rural vernacular of the building. The proposed alterations and extensions are therefore considered to retain the special character and distinctiveness of the rural vernacular building, and are considered to accord with policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Heritage Impacts

- 6.13 Paragraph 193 of the NPPF sets out that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'
- 6.14 This follows the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets out that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. In applying s.66, the identification of harm to a listed building or its setting carries significant importance and weight in the planning balance.
- 6.15 Policy 34 of the HDPF states that development should reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.16 The barn subject of the application is considered to be a significant historic building that reinforces the historic farmstead character of Southlands Farm. The use as a wedding venue would provide an alternative use for the redundant building, and would ensure its continued use.
- 6.17 The proposal also includes the erection of a free-standing structure within the farm yard that serves as a covered bar and seating area. While this is not considered to reflect a traditional

farm yard, it is considered to support the re-use of the building and provide public benefit in association with the wider use. The structure does not physically affect the historic building and can be removed in the future.

- 6.18 The proposal is not considered to result in harm to the significance of the Grade II Listed Building, and while resulting in some impact on the interpretation of the traditional building, is considered to be outweighed by the public benefit arising from the continued use. The proposal is therefore considered to accord with Policy 34 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.19 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.20 The application relates to the use of the barn as a wedding venue, with the Planning Statement outlining that the venue would be used from April to September of each year, with the premises rented out on a 3-day basis to allow for setting up and clearing away. A with a maximum of 2 events undertaken per week, with the events suggested to end no later than 11.30pm.
- 6.21 A number of objections have been received with concerns raised in respect of the impact the proposed use would have on the amenities of neighbouring properties, particularly given the trips generated, the number of guests, and the time of the events.
- 6.22 It is acknowledged that the use of the site for a wedding venue would likely lead to an increase in noise and activity. Following consultation with the Environmental Health Officer, no objection has been raised to the principle of the proposed use. It is acknowledged that the site lies within a noise sensitive area, however it is considered that suitably worded conditions could be imposed to restrict potential impact upon neighbouring properties. These conditions include restrictions on the hours of use as summarised in paragraph 6.5 and the imposition of a Noise Management Plan to ensure the respectful use of the site before, during, and after events.
- 6.23 It is noted that the Applicant intends to cater for up to 100 seated and 200 standing guests, with the view of increasing these numbers in the future. Objectors have raised concern with the number of guests and the resulting vehicle movements from the site. Given the noise sensitive location and the potential noise and disturbance resulting from the anticipated number of guests, it is considered reasonable to impose a regulatory condition restricting the number of guests to 100. This will enable the enterprise to establish, while limiting potential impacts on neighbouring properties and users of land.
- 6.24 Following the receipt of a number of noise complaints to the Environmental Health Team, the Environmental Health Officer has requested a condition to restrict the number of events to be held on weekends. It is considered that this would mitigate potential impact on the amenities of nearby residential properties, and would reduce the potential noise and disturbance throughout the month. The imposition of a condition restricting the number of weekend events per calendar month would mitigate potential conflict with the nearby residential properties, and is considered reasonable given the noise sensitivity of the locality. It is considered that the imposition of this condition would be reasonable and necessary to overcome the concerns raised by the Environmental Health Officer and objectors, and will enable the enterprise to establish, while limiting potential impact on the amenities of nearby occupiers.

- 6.25 It is therefore considered that subject to appropriately worded conditions, the proposed use would not result in harm to the amenities or sensitivities of neighbouring properties and users of land, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Highways Impacts

- 6.26 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.27 Policy GA1 of the Draft West Chiltington Parish Neighbourhood Plan states that development proposals that increase travel demand will be supported where they can be demonstrated that: they are located in places accessible to public and community transport or can impact the accessibility of the site to public and community transport; and they do not result in the loss of any existing footpaths or cycle paths. In addition, draft Policy GA3 states that proposals must provide adequate parking in accordance with the standards adopted at the time.
- 6.28 The site is accessed via an existing track which extends from the east of Southlands Lane. This access track also forms part of a Public Right of Way which crosses through the site and continues to the east. The supporting documents indicate that up to 40 parking spaces would be provided on the site to accommodate visitors, and these would be laid out on the existing areas of hardstanding to the south and east of the barn.
- 6.29 Following consultation with WSCC Highways, no objections have been raised to the proposal. While recognised that a number of representations have raised concerns with potential traffic from the access, it is recognised that the established agricultural use requires the movement of large vehicles from this access point. It is considered that the entrance onto the public highway is sufficient for the intended volume of traffic proposed. It is not therefore considered that the proposal would result in harm to the safety and function of the public highway network, and the proposal is considered to provide sufficient parking for the required use. The proposal is therefore considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Ecology

- 6.30 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.
- 6.31 Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted.
- 6.32 The Applicant submitted a Preliminary Ecological Appraisal by Hutchinson Ecological Associates dated April 2019. This report outlines that the building subject of the application is considered to be of low ecological value, with no evidence of bats, barn owls, or nesting birds. The report concluded that the reduced levels of disturbance resulting from the change of use would be beneficial in enhancing the habitat.
- 6.33 Following consultation with the Ecologist, it is considered that the change of use would not result in harm to habitat and biodiversity, with the proposed enhancements considered to contribute to net gain for biodiversity.

Conclusion

- 6.34 The proposed change of use and associated operational development is considered acceptable in principle, contributing to sustainable rural social and economic growth within the District. Subject to appropriately worded conditions, it is not considered that the proposal would result in harm to the amenities or sensitivities of neighbouring properties or users of land. The proposal is also considered to provide an appropriate level of parking and would not result in harm to the function or safety of the public highway network. The proposal is therefore considered to accord with all relevant local and national planning policies.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.34 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.35 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
All Other Development	227.62	137.9	89.72
		Total Gain	
		Total Demolition	

- 6.36 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.37 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

Conditions:

- 1 Approved Plans**
- 2 Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, a plan showing the layout of the proposed development and the provision of at least 40 car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not be commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)
- 3 Pre-Occupation Condition:** Prior to the use of any part of the development hereby permitted, details of the bound material to be laid along the access track serving

Southlands Farm to a minimum distance of 20m back from the surfaced carriageway of the public road shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the agreed length of track has been laid with bound material in accordance with the approved details. The finished track shall thereafter be retained as such.

Reason: To ensure that safe and adequate conditions for all road users in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 4 **Pre-Occupation Condition:** The use hereby permitted shall not commence until a Noise Management Plan has been submitted and approved in writing by the Local Planning Authority. The Plan shall include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from all activities and operations at the site (including the operation of any equipment, plant or building services) and minimising noise from vehicles, deliveries, collections and servicing. The Noise Management Plan shall be implemented and complied with thereafter for the duration of the use/development.

Reason: In order to ensure that the safe operation of the development and to protection of the amenities of nearby residents, in accordance with policies 33 and 40 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The use of the building hereby approved shall be as a wedding venue only and for no other purpose.

Reason: In the interests of amenity of the countryside and neighbouring properties, and in accordance with policies 10, 26, and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The use hereby permitted shall only be carried out between April and September each year, unless otherwise agreed by way of a formal application.

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

- 7 **Regulatory Condition:** No more than one weekend event in association with the use hereby permitted shall take place per calendar month.

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

- 8 **Regulatory Condition:** The premises shall not be used for the use hereby permitted except between the hours of 08:00 and 23:30 Monday to Sunday.

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

- 9 **Regulatory Condition:** The total number of attendees shall be restricted to 100 at any time, unless otherwise agreed by way of a formal application.

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

- 10 **Regulatory Condition:** No amplified music or public address system shall be played within the building except between the hours of 10:00 and 23:30 and shall at no times be played outside of the building (including the bar and outdoor seating area).

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

- 11 **Regulatory Condition:** No external lighting or floodlighting, other than within the enclosed courtyard area, shall be installed without the permission of the Local Planning Authority by way of formal application.

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

- 12 **Regulatory Condition:** No outdoor fireworks or pyrotechnics shall be used anywhere on the premises.

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

Background Papers: DC/19/0121
DC/19/0122

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AGENDA ITEM 08 - DC/19/0121

Southlands Farm, Southlands Lane, West Chiltington

Environmental Health Consultation:

Following concerns raised by a neighbour in respect of the absence of a Noise Impact Assessment, the Environmental Health Officer has provided additional comments with regard to the proposed development and potential amenity impact through noise and disturbance.

The Environmental Health Officer initially undertook a site visit on 7 February 2019 and met with the Applicant. Having discussed the proposed operations, and in the absence of complaints following the issuance of Temporary Event Notices, it was considered that the proposed development was acceptable in principle, subject to the control offered by planning conditions and a premises licence. Accordingly a Noise Impact Assessment was not considered to be necessary.

Following the receipt of a number of Statutory Noise complaints after recent events at Southlands Farm, the Environmental Health Officer has further considered the proposal, and suggested additional conditions to mitigate potential conflict. These conditions are listed within the Officer's report to Committee.

Officers are of the view that the conditions as listed within the Committee Report appropriately address potential amenity impact, with the suggested conditions considered to mitigate any harm arising from the level of activity and noise resulting from the proposed development. Following the recommendations of the Environmental Health Officer, the submission of a Noise Impact Assessment is not considered necessary in this case.

Neighbour Notification:

Following on from the initial neighbour consultation, an additional neighbour has been consulted on the proposed development. This 21-day consultation is due to expire on 21 June 2019. Therefore the recommendation to Members, as outlined below, is amended to reflect the extended neighbour consultation.

Amended Officer Recommendation:

To delegate authority to the Head of Development to approve the application subject to the end of the neighbour consultation period and the consideration of any further comments received.

If any additional significant and material points are raised during the extended consultation period, the application will be returned to Committee for consideration.

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TO: Planning Committee (South)

BY: Head of Development

DATE: 18 June 2019

DEVELOPMENT: Alterations to facilitate the change of use of existing barns to form a wedding venue with ancillary facilities, erection of a bar, and the replacement of a lean to structure (Listed Building Consent)

SITE: Southlands Farm Southlands Lane West Chiltington Pulborough West Sussex RH20 2JU

WARD: West Chiltington, Thakeham & Ashington (previously Chanctonbury before May 2019 boundary changes)

APPLICATION: DC/19/0122

APPLICANT: **Name:** J.M Kensett **Address:** c/o Batcheller Monkhouse New Bartram House 3-5 Swan Court, Station Road Pulborough RH20 1RL West Sussex

REASON FOR INCLUSION ON THE AGENDA: To consider the application alongside DC/19/0121

RECOMMENDATION: To approve the application subject to conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks Listed Building Consent for alterations to facilitate the change of use of the barn to a wedding venue, including the demolition of the single storey projections to the rear and their replacement. Other works include the replacement of the entrance doors and the laying of a wooden floor internally.

DESCRIPTION OF THE SITE

1.3 The application site is positioned to the east of Southlands Lane, and is located outside of any defined built-up area boundary. The site therefore lies within the countryside in policy terms.

1.4 The barn forms part of a complex of rural buildings comprising Southlands Farm. The main farmhouse is a Grade II Listed Building, with the barn subject of the application considered to be curtilage listed. The application site also includes 2no. residential dwellings both under the ownership of the Applicant.

- 1.5 The site is surrounded by open countryside, with a number of buildings comprising both residential and commercial located to the west of the site.

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 (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

RELEVANT NEIGHBOURHOOD PLAN

- 2.3 West Chiltington Parish Neighbourhood Development Plan: Pre-submission (Regulation 14). The relevant policies of the emerging neighbourhood plan are as follows:

Policy EE6: Rural Buildings

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.4 No relevant planning history

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

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

Southlands barn is a significant historic building which reinforces the historic farmstead character of Southlands Farm. It is a building that will benefit from alternative uses if it is now redundant as a farm building. The proposal would not result in harm to the special interest of the Listed Building.

OUTSIDE AGENCIES

- 3.3 N/A

PUBLIC CONSULTATIONS

- 3.4 4 letters of objection were received from 4 separate households which raised concerns with the following:

- Use of fireworks
- Impact on amenity
- Noise impact
- Car movements

3.5 1 letter of support was received which can be summarised as follows:

- Diversification needed
- Barn does not accommodate modern farm practices
- Provide local employment
- Traditional barn must be preserved

3.6 **West Chiltington Parish Council:** No Comment.

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The application seeks Listed Building Consent to facilitate the change of use of the building to a wedding venue, along with associated consent for the bar and seating area.

Special Character and Distinctiveness of the Listed Building

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

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

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

6.5 The barn subject of the application is considered to be a significant historic building that reinforces the historic farmstead character of Southlands Farm. The use as a wedding venue

would provide an alternative use for the redundant building and would ensure its continued use.

- 6.6 The works undertaken to facilitate the change of use include the installation of doors to the southern elevation of the main barn, laying of wooden floor within the main barn, removal of metal framed structure to north of the main barn and replacement with a wooden structure, new cladding added to the lean-to structure and the erection of a bar for use in connection with the wedding venue.
- 6.7 Following consultation with the Design and Conservation Officer, the proposal is not considered to result in harm to the significance of the Grade II Listed Building. The internal works undertaken are considered to reflect and reinforce the traditional character and significance of the building, and are considered to be appropriate alterations to facilitate the proposed use. While the extensions to the rear of the buildings has resulted in some impact on the interpretation of the traditional building, it is considered that the public benefit arising from the use outweighs the harm identified. The proposal is therefore considered to accord with Policy 34 of the Horsham District Planning Framework (2015).

Conclusion

- 6.8 The proposal is considered to result in less than substantial harm, with the proposal contributing to the sustainable and continued use of the heritage asset. As such, the proposal is considered, on balance, to preserve the sustainable and continued use of the Grade II Listed Building, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

- 7.1 To approve the application. As the work has been completed, no conditions, other than a plans compliance condition are proposed.

Background Papers: DC/19/0121
DC/19/0122

DC/19/0121 and DC/19/0122

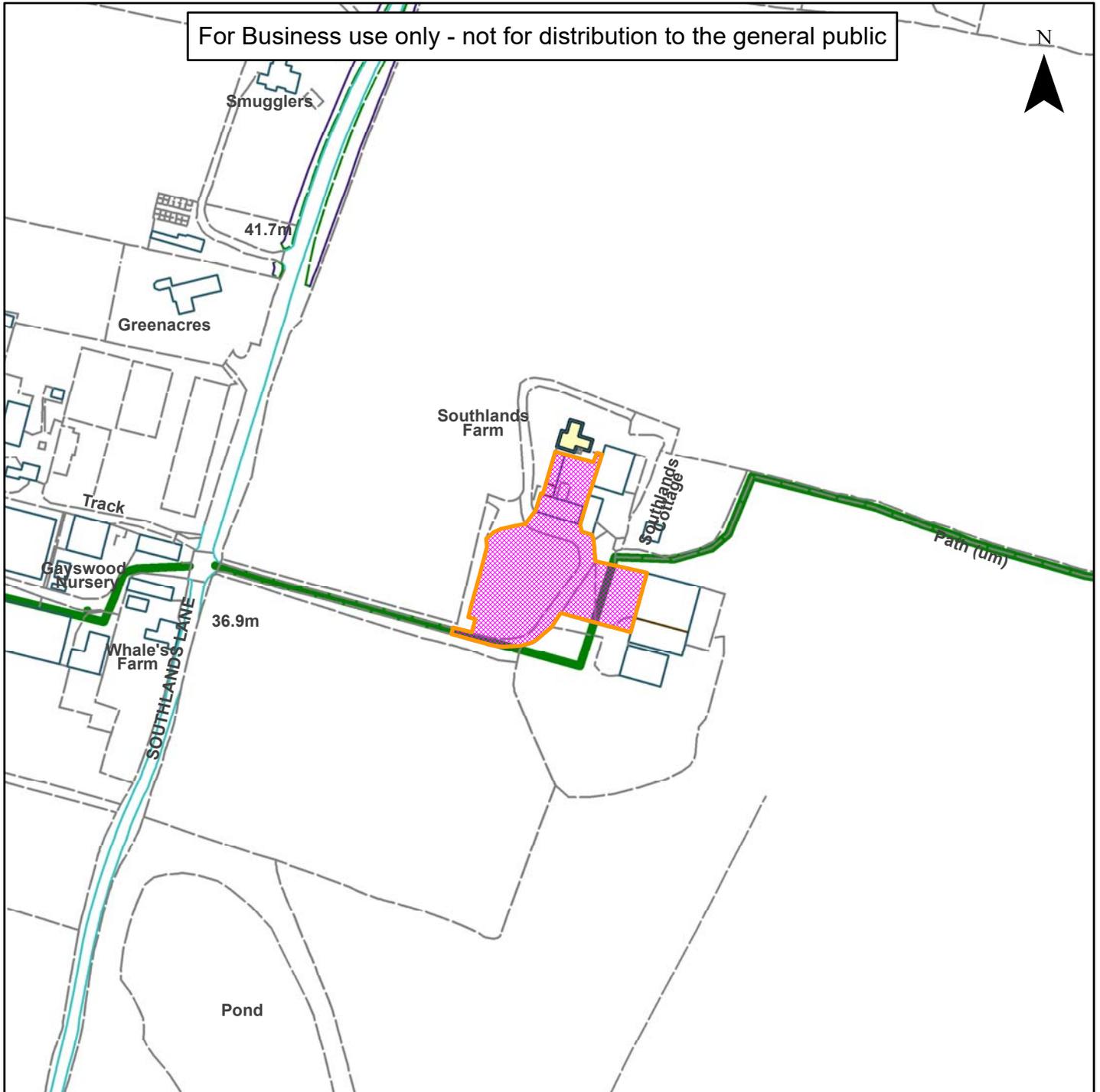
Southlands Farm, West Chiltington



**Horsham
District
Council**

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	Not Set
Date	06/06/2019
MSA Number	100023865

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Report to **Planning Committee**
Date **18 June 2019**
By **Director of Planning**
Local Authority **Horsham District Council**
Application Number **SDNP/18/05914/FUL**
Applicant **Mr Alistair Adams**
Application **Change of use of the land for the extension to existing golf course for 6 hole practice short course**
Address **West Sussex Golf Club
Golf Club Lane
Wiggonholt
RH20 2EN**

Recommendation: That the application be permitted for the reasons set out in paragraph 10 of this report.

This application is considered at committee due to the number of letters of representations received, from separate households, which is contrary to the officers recommendation

1 Site Description

- 1.1 The application site is positioned to the east of Golf Club Lane, outside of the designated built-up area of any settlement.
- 1.2 The site is surrounded by open countryside, and consists of a 220 acre golf course, with driving range and putting green. The site includes a mock-Tudor style clubhouse, with the driving range positioned to the south, and a car park/area of hardstanding positioned to the north of the clubhouse.
- 1.3 Neighbouring properties are positioned at a distance to the north and south of the site.

2 Proposal

- 2.1 The application relates to the change of use of a triangular area of land to the south of the site to be used for a 6-hole practice green.
- 2.2 The proposal would involve the laying out of a small practice green to accommodate younger and beginner club members. Small scale landscaping works will be undertaken to facilitate the laying out of the area.

3 Relevant Planning History

SDNP/12/01366/FUL	APP	Construction of an earth bank winter storage
SDNP/14/00199/FUL	REF	Construction of an earth bank winter storage
SDNP/17/00031/FUL	APP	Proposed construction of a golf lesson
SDNP/17/01844/CND	APP	Proposed demolition of existing 'half way hut' and construction of timber frame hut in new location

4 Consultations

4.1 Natural England - NE

The application could have potential significant effects on the Arun Valley Special Protection Area if the site is utilised as functionally linked land for interest features of the SPA.

4.2 WSCC - Public Rights of Way

The nearest edge of the teeing area shall not be less than 15m from any part of the highway, with the fairway running at an angle away from the highway so that it is no less than 50m from any part of the highway. Greens should be situated so that no part of any highway is closer than 50m from the edge of the green.

4.3 HO - Public Health & Licensing (Env.Health)

No Objection

4.4 HO - Landscape Architect Officer

No Objection

4.5 HO - Arboricultural Officer

No comment

4.6 Parish Council Consultee

No Objection

5 Representations

5.1 19 letters of objection have been received from 15 separate households, and these can be summarised as follows:

- Impact of noise on horses
- Proximity of tees to equestrian yard
- Impact on users of the bridleway
- Health and safety grounds to horse and rider
- Potential danger from golf balls

6 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Horsham District Local Development Framework: The Core Strategy (2007) and the following additional plan:**

- Local Development Framework: General Development Control Policies (2007)

6.2 The relevant policies to this application are set out in section 7 below.

National Park Purposes

6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

6.4 If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Building a strong, competitive economy
- NPPF - Requiring good design
- NPPF - Supporting a Prosperous Rural Economy
- NPPF - Conserving and Enhancing the Natural Environment
- NPPF - Achieving sustainable development

7.3 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7.4 The following policies of the **Horsham District Local Development Framework The Core Strategy (2007)** are relevant to this application:

- CPI - Landscape and Townscape Character
- CP3 - Improving the Quality of New Development

7.5 The following policies of the **Local Development Framework: General Development Control Policies (2007)** are relevant to this application:

- DC1 - Countryside Protection and Enhancement
- DC2 - Landscape Character

- DC9 - Development Principles
- DC39 - Tourism
- DC40 - Transport and Access

Partnership Management Plan

7.6 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

7.7 The following Policies and Outcomes are of particular relevance to this case:

- Outcome 1 – Landscape character of the National Park, its special qualities and local distinctiveness have been conserved and enhanced
- Outcome 6 – Widespread understanding of the special qualities of the National Park and the benefits it provides
- Outcome 9 – Communities and businesses are more sustainable with an appropriate provision of housing to meet local needs
- Outcome 10 – A diverse and sustainable economy has developed which provides a range of business and employment opportunities
- Policy 1 – Conserve and enhance the natural beauty and special qualities of the landscape and its setting
- Policy 3 – Protect and enhance tranquillity and dark night skies
- Policy 13 – Support the financial viability of farm business through appropriate infrastructure and diversification developments
- Policy 29 – Enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the National Park
- Policy 41 – Maintain visitor enjoyment and influence visitor behaviour
- Policy 43 – Support the development and maintenance of appropriate recreation and tourism facilities
- Policy 48 – Support the towns and villages in and around the National Park to enhance their vital role as social and economic hubs
- Policy 50 – Housing and other development in the National Park should be closely matched to the social and economic needs of local people
- Policy 55 – Promote opportunities for diversified economic activity in the National Park

The Draft South Downs National Park Local Plan

7.8 The Pre-Submission version of the **South Downs Local Plan** (SDLP) was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

7.9 The following policies are of particular relevance to this case:

- Core Policy SDI - Sustainable Development

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD23 - Sustainable Tourism
- Strategic Policy SD34 - Sustaining the Local Economy
- Development Management Policy SD43 - New and Existing Community Facilities
- Strategic Policy SD45 - Green Infrastructure

8 Planning Assessment

- 8.1 The application seeks full planning permission for the change of use of land to provide a 6-hole short golf course.

Principle of Development

- 8.2 Policy DC1 of the General Development Control Policies document (2007) states that development outside of the defined built-up area will be permitted where it is essential to its countryside location, and in addition meets one of the following criteria: supports the needs of agriculture or forestry, enables the extraction of minerals or the disposal of waste, provides for informal, recreational use, or supports the sustainable development of the rural area. In addition, Policy CP15 of the Core Strategy (2007) states that development should be of a scale and type suitable to the location, and should increase the range or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors and residents. Furthermore, Policy 25 of the General Development Control Policies document (2007) states that development for proposals which deliver economic benefits to the rural area outside of the defined built up area will be permitted where it meets the needs of the rural local economy. Proposals should be of a suitable scale for the level of activity proposed, should be accommodated satisfactorily within the existing site boundary, and the requirements of car parking should be accommodated within the immediate surrounds.
- 8.3 Policy SD23 of the Draft South Downs Local Plan states that development proposals for recreation facilities will be permitted where it is demonstrated that: the proposals will provide opportunities for visitors to increase their awareness; understanding and enjoyment of the special qualities; not detract from the experience of visitors or adversely affect the character, appearance or amenity of the area; and where located outside of settlements, positively contribute to the natural beauty, wildlife and cultural heritage of the National Park, and are closely associated with other attractions.
- 8.4 The application relates to the change of use of a triangular area of land to the south of the site to be used for a 6-hole practice green. The proposal would involve the laying out of a small practice green to accommodate younger and beginner club members.
- 8.5 Such a proposal would increase and improve the recreational facilities offered at the West Sussex Golf Club and is considered to further promote recreational use and economic growth within the countryside. The proposal is therefore considered to contribute to the sustainable development of the rural area. As such, the proposal is considered acceptable in principle, subject to all other material considerations.

Landscape Impact

- 8.6 Policies CPI and CP3 of the Core Strategy and policies DC2 and DC9 of the General Development Control Policies document state that development should be of a high quality design, which protects and enhances the rural, countryside landscape, whilst being of a scale, mass and bulk which is sympathetic to the character of the surroundings.
- 8.7 Policy SD4 of the Draft South Downs Local Plan states the development proposals will only be permitted where they conserve and enhance landscape character, reflecting the context and type of landscape in which the proposal is located; and the design, layout and scale of proposals conserve and enhance existing landscape character features.
- 8.8 The proposal would involve minor landscaping works to facilitate the change of use, with the laying of 6no. trees and holes positioned around the perimeter of the plot, along with the provision of trees to the southern tip of the site and along the southern boundary. It is also proposed to lay an area of heather and wild flowers centrally within the site, reflecting the landscaping of the wider golf course.
- 8.9 The proposed landscaping is considered to be reflective of the wider golf course, utilising planting that would integrate the practice short course within the context of the wider surroundings. It is therefore considered that the proposal would retain the countryside landscape and character of the area, in accordance with policies CPI and CP3 of the Core Strategy, policies DC2 and DC9 of the General Development Control Policies document and Policy SD4 of the Draft South Downs Local Plan.

Amenity Impact

- 8.10 Policy DC9 of the General Development Control Policies document states that development should consider the scale, mass and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 8.11 Policy SD5 of the Draft South Downs Local Plan states that development proposals will be permitted where they are sensitive and have regard to avoiding harmful impacts upon, or from, any surrounding uses and amenities.
- 8.12 It is acknowledged that the site is located within close proximity to a neighbouring property, consisting of an equestrian facility with associated sand school and paddocks. The proposed practice short course has been laid out to position the primary areas away from this facility, with the perimeter of the site separated by hedging. Additional landscaping in the form of trees are proposed along the boundaries with the equestrian facility, with the submitted Noise Impact Statement outlining that members will be encouraged to adhere to golf etiquette and club rules where individuals should be quiet and well-behaved, with no use of mobile phones.
- 8.13 It is acknowledged that the proposed use would introduce additional activity into the formerly underused piece of land, with the associated movements from groups of golfers and the associated noise involved with general activity. It is noted that concerns have been raised by the neighbouring equestrian enterprise, who have objected to the scheme on the basis that the proposal would introduce erratic noise and general disturbance which would be dangerous to the horses and riders using the sand school, jumps, and paddocks.
- 8.14 The British Horse Society, in its document "The Impact of Noise on Horses" outlines that a horse's instinct to unexpected noise is to flee, spin, or bolt. It continues that there is danger to horse and rider in these instances. However, it is outlined that horses can become accustomed to noise, and the impact of noise on a horse can be reduced by acoustic barriers such as vegetation.
- 8.15 The proposal seeks to plant additional trees and landscaping along the southern and western perimeter of the site, which adjoins the equestrian paddocks, with the intent that this will lessen the impact on the equestrian use. Given the likely sporadic nature of the noise and general activity, as well as the proposed vegetation barrier, it is considered that sufficient mitigation will be in place to limit disturbance and impact on the neighbouring equestrian enterprise.

- 8.16 It is therefore considered that the proposed use would not result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy DC9 of the General Development Control Policies document and Policy SD5 of the Draft South Downs Local Plan.

Public Right of Way

- 8.17 Public Bridleway 2464 runs along Golf Club Lane which is adjacent to a section of the western boundary of the land on which the extension to West Sussex Golf Club course is proposed. Also, Public Bridleway 2470 runs adjacent to an eastern section of the boundary of this land.
- 8.15 Following consultation with the WSCC Public Rights of Way Officer, it is considered that the proposal has taken appropriate consideration of the public bridleways that run along the perimeter of the site. While the hole to Tee 6 would be positioned within the recommended 50m distance of the public bridleway, it is acknowledged that there is reasonable visibility and sightlines along the proximity of the bridleway. Furthermore, it is noted that the club intends to provide mitigation and management of the area through signage and behavioural etiquette which would ensure the areas closest to the bridleway are used appropriately.
- 8.16 On this basis, it is considered that the proposal would not result in harm to the users of the public bridleway, with appropriate mitigation proposed.

Highways Impacts

- 8.17 Policy DC40 states that development should provide safe and adequate access and parking, suitable for all users.
- 8.18 The application site benefits from an existing and established access, with an area of hardstanding utilised as car park. The size and number of parking spaces are considered sufficient to accommodate both the existing and proposed use, with the existing access considered to be functioning appropriately.
- 8.19 No objections are therefore raised on highways grounds, and it is considered that the proposal would accord with policy DC40 of the Horsham District General Development Control Policies (2007).

9 Conclusion

- 9.1 The proposed use is considered acceptable in principle and is not considered to result in harm to the landscape character of the area and the amenities of neighbouring properties. It is therefore considered that the proposal would accord with relevant policies of the Horsham Local Development Framework and Draft South Downs Local Plan.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons set out below.

1. **Approved Plans List**

2. **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-Occupation Condition:** Prior to the first use of the development hereby permitted, full details of all hard and soft landscaping works, including the planting of trees along the southern and western boundaries of the site, shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained;
- Details of all proposed trees and planting, including schedules specifying species and plant numbers.

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 DC9 of the Horsham District General Development Control Policies (2007).

4. **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with policy DC9 of the Horsham District Planning Framework (2015).

5. **Regulatory Condition:** No amplified music or amplified speech shall be played/delivered at any time.

Reason: To safeguard the amenities of neighbouring properties in accordance with policy DC9 of the Horsham District General Development Control Policies (2007).

11. **Crime and Disorder Implications**

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. **Human Rights Implications**

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. **Equality Act 2010**

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. **Proactive Working**

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Tamara Dale
Tel: 01403 215166
Email: planning@horsham.gov.uk

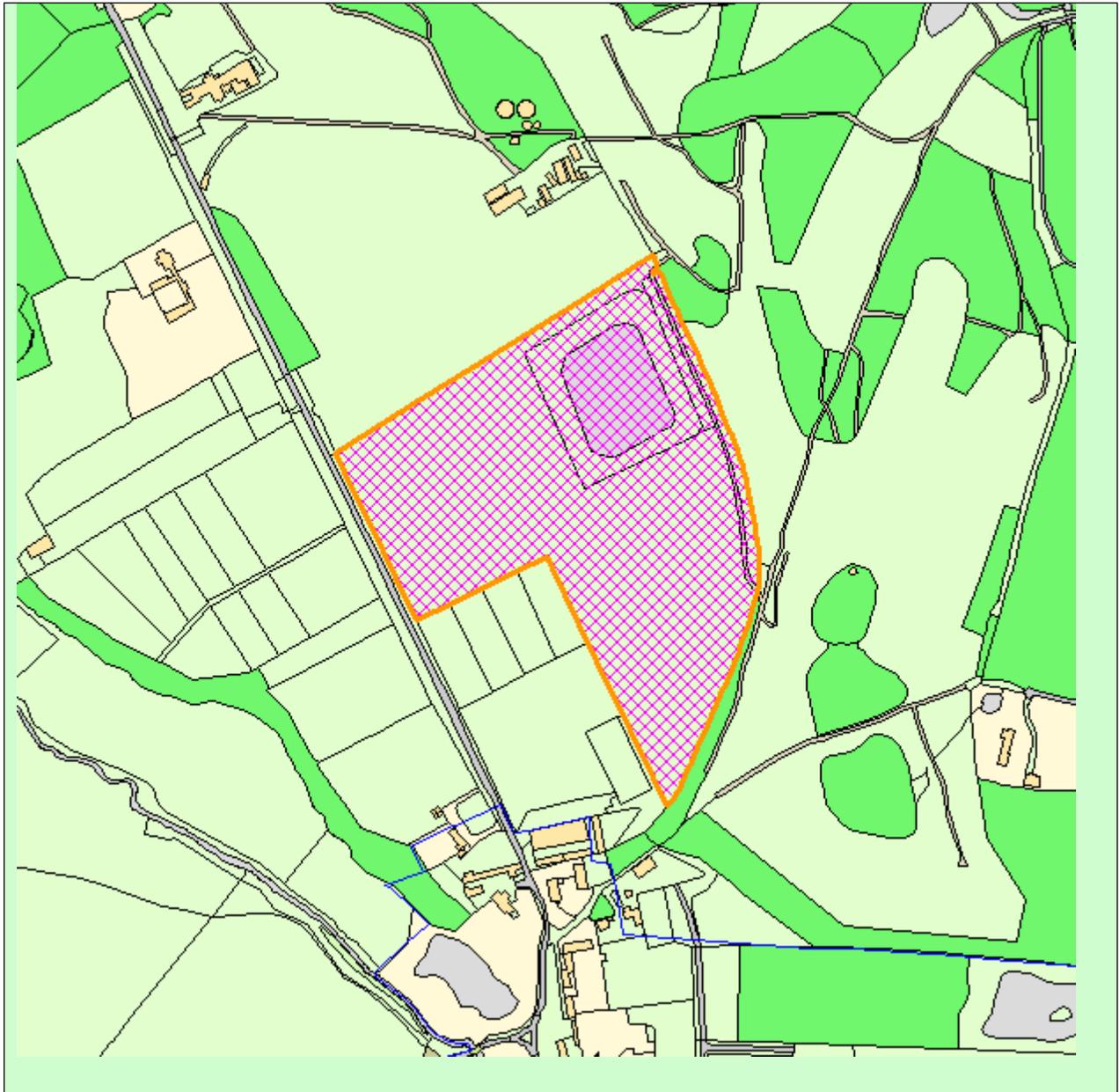
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location	NONE		19.11.2018	Approved
Plans - Short course	NONE		19.11.2018	Approved
Reports - Design and Access Statement	NONE		19.11.2018	Submitted
Reports - Noise Impact Statement	NONE		19.11.2018	Submitted
Miscellaneous - Photo	X 2		19.11.2018	Submitted

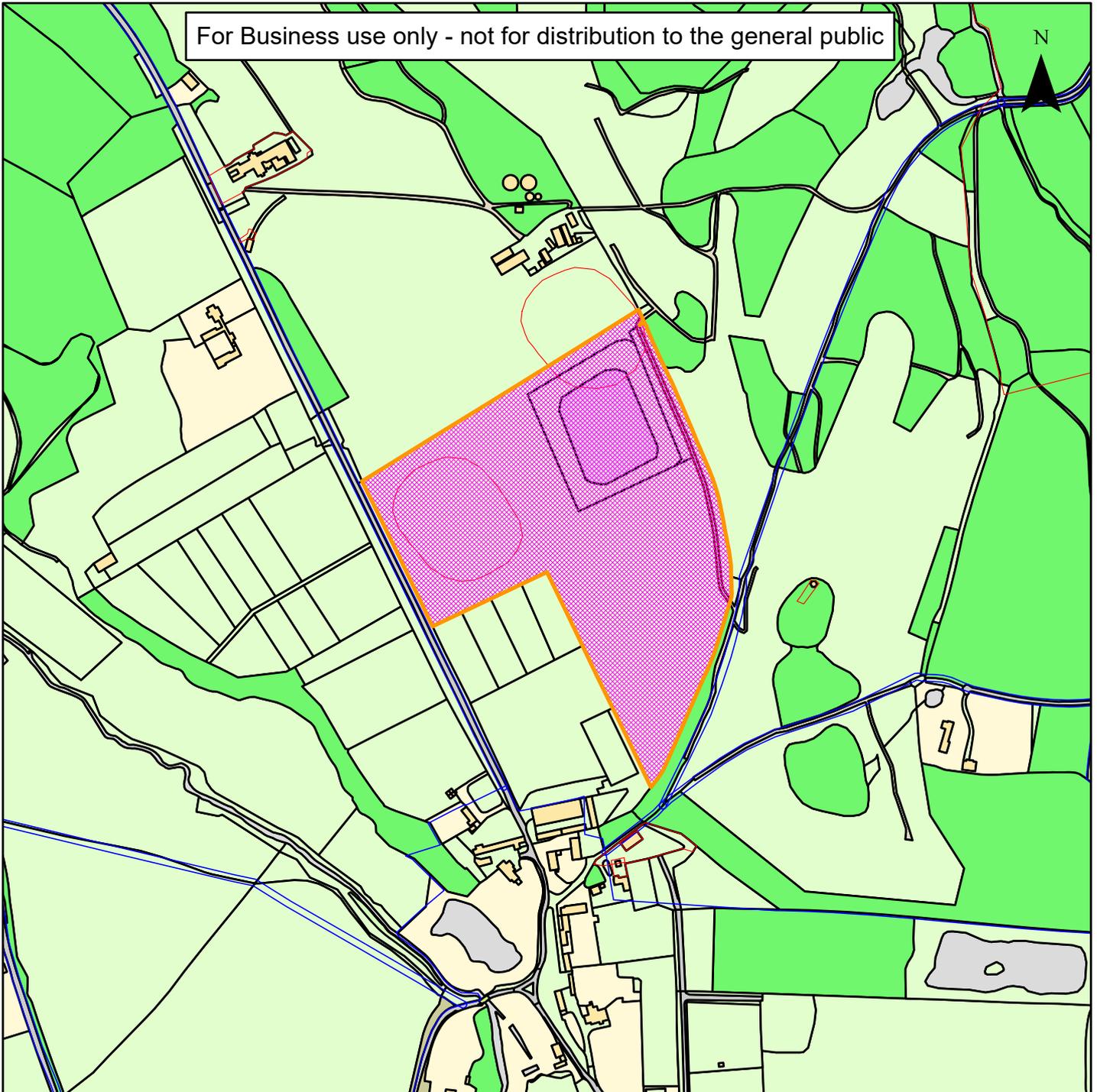
Reasons: For the avoidance of doubt and in the interests of proper planning.

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West Sussex Golf Club

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Comments	Not Set
Date	06/06/2019
MSA Number	Not Set

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (South)
BY: Head of Development
DATE: 18 June 2019
DEVELOPMENT: Erection of a two storey rear extension.
SITE: Hope Cottage, Shoreham Road, Small Dole, Henfield, West Sussex BN5 9YG
WARD: Bramber, Upper Beeding and Woodmancote
APPLICATION: DC/19/0511
APPLICANT: **Name:** Mr and Mrs Powell **Address:** Hope Cottage, Shoreham Road Small Dole BN5 9YG

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

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 Planning permission is sought for the erection of a two storey extension to the rear elevation of this detached chalet bungalow. The extension will be 8m in width (in line with the existing footprint of the building) by 3m in depth at its deepest point, with an eaves height of 4.7m and a ridge height of 6.5m. The extension will be constructed of materials to match the existing property – facing bricks at ground floor level with tile hanging to the first floor and a plain clay tiled roof. The extension will provide an enlarged open plan kitchen/living/dining space at ground floor level, with two enlarged bedrooms at first floor level.

DESCRIPTION OF THE SITE

- 1.3 The application relates to a detached chalet style bungalow located in the built-up area of Small Dole. The dwelling as existing is faced in brick, with tile hanging above and has a plain tiled roof and brown uPVC windows and doors. Both the front and rear elevations benefit from large dormer windows, providing accommodation within the roof space. The property benefits from a front driveway/parking area, an existing detached garage and a large garden space to the rear.
- 1.4 Properties within the vicinity of Hope Cottage are mainly detached, of varying architectural forms and materials. The Sycamores to the immediate north of Hope Cottage is a detached, chalet style bungalow, also faced in brick and having a first floor balcony area to the rear. Chavey Down is the southern neighbour and it has got a horse grazing area and a stable, while the north area of its curtilage adjoining the site has mature plants/hedges.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 National Planning Policy Framework

RELEVANT PLANNING POLICY

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

National Planning Policy Framework

NPPF7 - Requiring good design.

NPPF14 - Presumption in favour of sustainable development.

Horsham District Planning Framework (HDPF 2015)

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

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

Policy 33 - Development Principles.

Policy 34 - Cultural and Heritage Assets.

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 There is no 'made' neighbourhood plan for the Parish of Henfield.

Supplementary Planning Guidance:

- 2.5 Henfield Parish Design Statement (2008).

PLANNING HISTORY AND RELEVANT APPLICATIONS

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

HF/31/89	Erection of 2 houses with integral garages	Refused
HF/124/89	Erection of 2 houses with integral garages	Permitted
DC/10/0412	Detached double garage	Permitted
DC/18/1583	Erection of 2 storey rear extension	Withdrawn

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.

PUBLIC CONSULTATIONS

- 3.2 One letter of objection has been received which raises the following concerns:

- Loss of significant levels of daylight and sunlight to the ground floor lounge area and decking area.
- Proposed extension will be overbearing, particularly to the first floor.
- Extension will create a sense of enclosure.
- Contrast with the front of the building.

PARISH COUNCIL CONSULTATION

- 3.2 **Henfield Parish Council – Objection.**
Not compliant with HDC Planning Framework Policy 33.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on;
- The character of the dwelling and the visual amenities of the area
 - The amenities of the occupiers of adjacent properties
- 6.2 Policy 33 of the Horsham District Planning Framework (HDPF) relates to improving the quality of new development. It confirms that high quality and inclusive design will be required for all development across the district. Policy 33 of the HDPF also seeks to ensure that development proposals make efficient use of land, cause no harm to amenity, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

Design, Appearance and Impact on Streetscene

- 6.3 Policy 33 of the HDPF states that permission will be granted for developments which ensure the scale, massing, and appearance of the development is of a high standard of design which relates well to the host building, and adjoining neighbouring properties.
- 6.4 The proposed two storey extension will provide an enlarged open plan kitchen/living/dining space at ground floor level, with two enlarged bedrooms at first floor level. The extension will have a hipped roof design, which accords with criteria set out within the Council's Design Guidance for House Extensions. Windows and doors are proposed to the rear elevation in similar positions to the existing rear elevation. The left half of the rear extension (positioned closest to the neighbouring property) will be set back by 1m, giving it a depth of 2m, while the right half of the rear projection will have a depth of 3m. There are no side windows proposed within the extension. The extension will be 8m in width and will have a maximum ridge height of 6.5m, with an eaves height of 4.7m.

- 6.5 The property is set within a relatively large plot, with sufficient garden to the rear to accommodate the extension as proposed. The space to the side boundaries with adjoining neighbouring properties will not change as a result of the proposal, as the extension will not be wider than the existing footprint of the property. There will be 1.6m space retained to the boundary with the neighbour to the north (The Sycamores) with a space of 13m retained to the rear boundary.
- 6.6 Although the site is located within a built-up area, the boundary treatment with mature hedges and vegetation in between neighbouring properties creates a unique streetscape for the area. The proposed use of matching materials will complement the look of the existing property and ensure coherence between the existing and proposed. Whilst the proposed extension is two storey in height, it will have a ridge height set slightly lower than the existing property and it is not considered that the proportions of the extension are such that it dominates or is out of keeping with the existing property. No alterations to the front elevation are proposed and therefore from public vantage points the property will remain as per existing.
- 6.7 Overall, it is considered that the proposed development of the property, taking into account the scale of the plot and the varying nature of the properties within the vicinity of the application site, is appropriately designed and scaled and would not have significant detrimental impacts on the character and appearance of the host dwelling or the surrounding area, in accordance with Policy 33 of the Horsham District Planning Framework.

Impact on Neighbouring Amenity

- 6.8 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.9 The left half of the rear extension (positioned closest to the neighbouring property 'The Sycamores') will be set back by 1m, giving it a depth of 2m, while the right half of the rear projection will have a depth of 3m. There are no side windows proposed within the extension. The extension will be 8m in width and will have a maximum ridge height of 6.5m, with an eaves height of 4.7m.
- 6.10 The proposed extension will have a hipped roof design, which will help to minimise any overbearing impact on the occupiers of the neighbouring property. This, coupled with the fact that the extension at the point closest to the neighbouring property will be set back in depth by 1m, giving a depth of 2m, and the distance to the boundary (1.6m), is considered sufficient for there to be no adverse impact on the amenity of the occupiers of the neighbouring property.
- 6.11 Windows and doors are proposed to the rear elevation in similar positions to the existing rear elevation, with no windows proposed within the side elevations of the proposed extension. It is not therefore considered that the extension as proposed will result in any additional overlooking beyond that which currently exists.
- 6.12 For the reasons outlined above, the proposed extension is considered to be acceptable, with any impact on the occupiers of the neighbouring properties considered not to be so sufficient to warrant refusal of the application. The proposal is considered to accord with Policy 33 of the Horsham District Planning Framework.

Conclusion

- 6.13 Taking all aspects of the application into account, the proposed rear extension will not have a significant adverse impact on the adjoining occupiers or neighbouring properties. It is

considered that the proposed works would be acceptable on amenity grounds and the rear addition will not detract from the visual harmony or character that exists in the area.

7. RECOMMENDATIONS

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

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

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

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

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

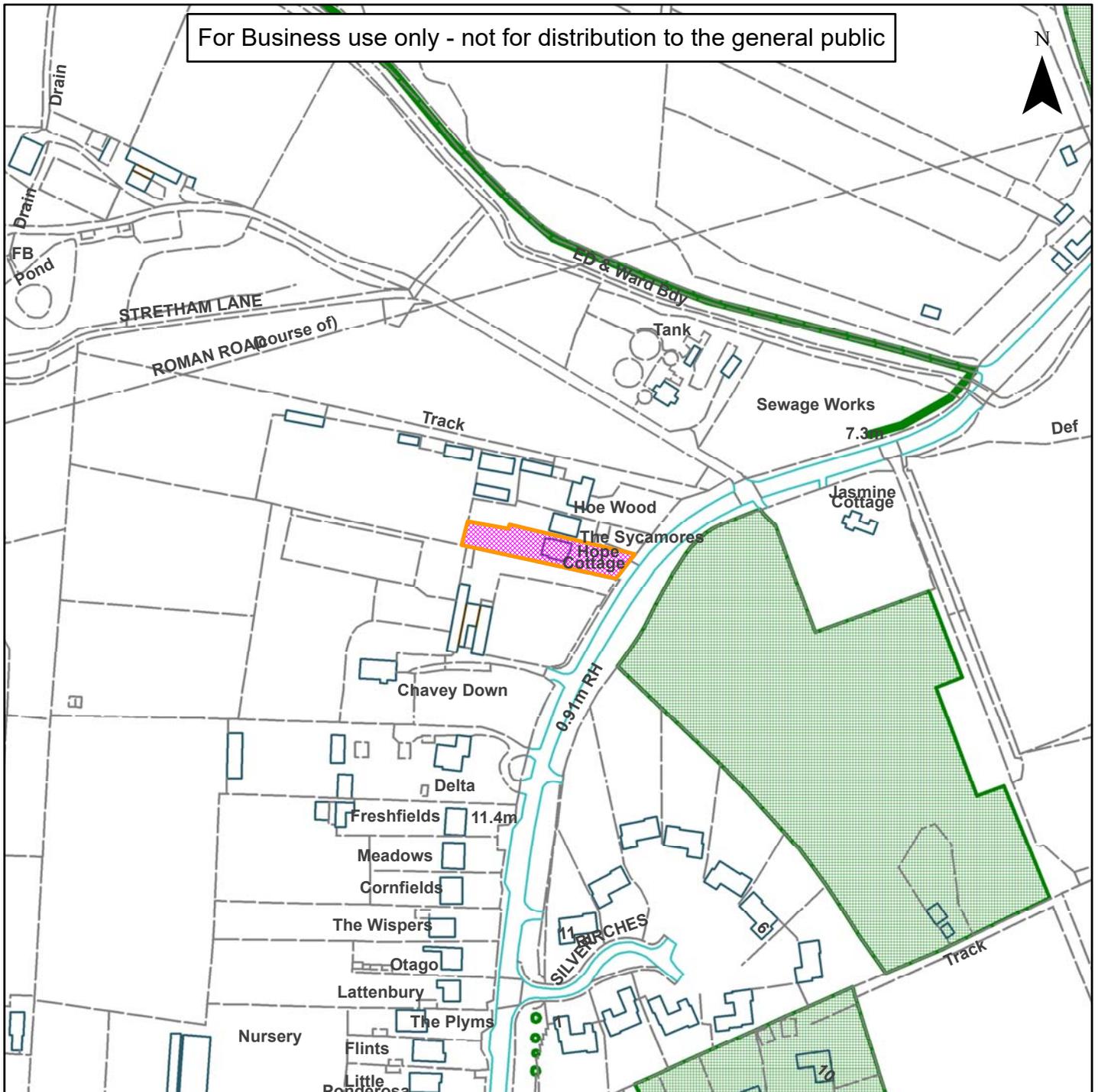
Background Papers: DC/19/0511
Case Officer: Michael Kotoh-Mortty

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Hope Cottage, Small Dole

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Comments	Not Set
Date	06/06/2019
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (South)

BY: Head of Development

DATE: 18 June 2019

DEVELOPMENT: Installation of 3 x rooflights to front elevation and enlarged dormer to rear elevation

SITE: 31 East Street Billingshurst West Sussex RH14 9PX

WARD: Billingshurst (previously Billingshurst & Shipley before May 2019 boundary changes)

APPLICATION: DC/19/0628

APPLICANT: **Name:** Mr Mark and Mrs Nic Clover **Address:** 31 East Street Billingshurst West Sussex RH14 9PX

REASON FOR INCLUSION ON THE AGENDA: The application has been made an Officer.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the installation of 3no rooflights to the front facing roofslope and the enlargement of an existing rear dormer. The proposed works would facilitate the internal reconfiguration of the host chalet bungalow.
- 1.2 The proposed rooflights would be positioned over a newly formed en-suite bathroom, dressing room and existing staircase into the first floor area of the host property. The proposed rear dormer would be positioned centrally within the rear roofslope and would feature flanking pitched roof elements with a flat roof to the central part of the dormer, matching the existing dormer. No alterations are proposed to overall form of the roof or the ridge height.

DESCRIPTION OF THE SITE

- 1.3 The application site relates to a detached chalet bungalow located on the northern side of East Street within the built up area of Billingshurst. The application site is also located within the Billingshurst Conservation Area. The existing chalet bungalow consists of stock brick making up the external walls, UPVC fenestration and a tiled roof. The existing rear dormer consists of a flat roof and UPVC cladding. The application site benefits from very large rear garden space to the north and a rear outbuilding

- 1.4 Looking at the surrounding area, East Street consists of a mixture of dwelling types ranging from two storey houses to bungalows as well as terraced properties located to the southern side of East Street along Gratwicke Close.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 National Planning Policy Framework

RELEVANT PLANNING POLICY

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

National Planning Policy Framework

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

Horsham District Planning Framework (HDPF 2015)

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

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 There is no made plan for the Parish of Billingshurst.

Supplementary Planning Guidance:

- 2.5 Parish Design Statement: Billingshurst Parish Design Statement (2009).

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.6 There is no recent and relevant planning history relating to the site.

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

CONSULTEES

- 3.2 **HDC Conservation & Design – No objection.**

No. 31 is a pleasant dwelling reflective of suburban development of the inter war period. Although it is not a unique building or reflective of the distinct character of Billingshurst it does illustrate the development of the village. The existing rear dormer is a bulky, utilitarian addition that does not integrate well with the dwelling. The proposal seeks to create architectural interest by altering the existing dormer. I am satisfied the principle is acceptable but have some concern there is opportunity for the intention to be lost in translation. The

elevation drawings do not provide a clear indication of the appearance of the final build but the supporting images do help to illustrate the intended finish. It will be important to ensure the contractors appreciate the desire to achieve clean, streamlined junctions and I have included some conditions below to facilitate this. I appreciate that the fitment of roof lights can be fitted under permitted development. However, these should be metal framed and set flush with the roof tiles to reflect traditional design. In conclusion I am satisfied the proposal will improve the existing situation and although it might not lead to enhancement of the character of the conservation area it will enhance the interest of the property.

PUBLIC CONSULTATIONS

3.3 None Received.

PARISH COUNCIL CONSULTATION

3.4 **Billingshurst Parish Council** – No objection.

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

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

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

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

6. PLANNING ASSESSMENTS

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

- The character of the dwelling and the visual amenities of the street scene
- The amenities of the occupiers of adjoining properties
- The impact on the surrounding Conservation Area

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

6.3 Policy 34 of the HDPF states that the Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets and preserves or enhances the special character or appearance or features of the area. Therefore, applications for development will be required to; make reference to the significance of the asset; reflect current best practice guidance; reinforce the special character of the district's historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques that are appropriate to the local context.

Design, Appearance and Impact on Streetscene

- 6.4 The proposed rooflights to the front facing roofslope are considered to be modest in size and would not affect the overall roof form of the host property when viewed from East Street. Following consultation with the Council's Conservation Officer, it is considered appropriate to add a condition requiring that the rooflights sit flush within the roofslope to ensure they are appropriate within the wider context of the surrounding conservation area.
- 6.5 The proposed enlarged rear dormer would replace an existing rear dormer currently present on site. The existing dormer is considered to be an incongruous element to the host property, with a flat roof design and UPVC cladding which is not considered to be appropriate for the location within the Billingshurst Conservation Area. The proposed enlarged rear dormer is considered to be of a more appropriate design, with 2no pitched roof elements and Cedral cladding considered to be acceptable. The proposed rear dormer is considered to be appropriately scaled and positioned within the rear roofslope, as it would be located centrally with appropriate distances preserved to the edges of the roof.
- 6.6 The Council's Conservation Officer has raised no objections to the proposed dormer which would not be clearly visible from a public vantage point. Looking at the pattern of surrounding development, it is noted that East Street consists of a mixture of dwelling types, which all vary in terms of design and built form, as well as varying front and rear elevations. The adjoining property to the east is of a similar design to the application property and also benefits from an existing rear dormer. It is noted that there are also examples of front dormers present to properties located further to the east.
- 6.7 As such, on balance, the proposed enlarged rear dormer is considered to be of an appropriate design and would enhance the rear elevation of the host property when compared to the inappropriately designed rear dormer currently present on site. Given the varying designs to properties within the vicinity, and the fact that the proposed rear dormer would not be a prominent addition within the street scene given its positioning, it is considered that the proposed works would not have a detrimental impact on the visual amenities of the street scene or the wider conservation area. The proposed works to the property are therefore considered to be in accordance with policies 32, 33 and 34 of the Horsham District Planning Framework 2015.

Impact on Neighbouring Amenity

- 6.8 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. Given the nature of the proposed works, the distances preserved to neighbouring properties and the presence of an existing dormer, it is considered that the proposals would not have a detrimental impact on neighbouring amenity beyond that of the existing situation on site.
- 6.9 It is noted that there are two existing side facing windows at first floor level to the host property. These windows currently serve two bedrooms to each side of the property. The internal reconfiguration works would alter the window within the west facing elevation to serve an en-suite bathroom. As this is not considered to be a habitable room, it is considered that, in this regard, the impact from the window would again not go beyond that of the existing situation on site. Overall, the proposal is considered to be acceptable on amenity grounds and complaint with Policy 33 of the Horsham District Planning Framework 2015.

Conclusion

- 6.10 Overall, it is considered that the proposed works would be modest in nature and would result in an enhancement of the host property in terms of the enlarged and redesigned rear dormer. Given the varying nature of the properties within the vicinity, it is considered that the proposals would not have a detrimental impact on the visual amenities of the street scene or the wider consideration area and are acceptable on amenity grounds. The proposal is therefore considered to be in accordance with policies 32, 33 and 34 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

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

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

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

- 3 **Pre-commencement Condition:** No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

- a) Drawings to a scale not smaller than 1:5 fully describing:

Roof details including sections through:

- eaves
- verges
- flat roof perimeters

- b) Samples or specifications of external materials and surface finishes.

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

- 4 **Regulatory Condition:** The new windows fitted in the extension hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

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

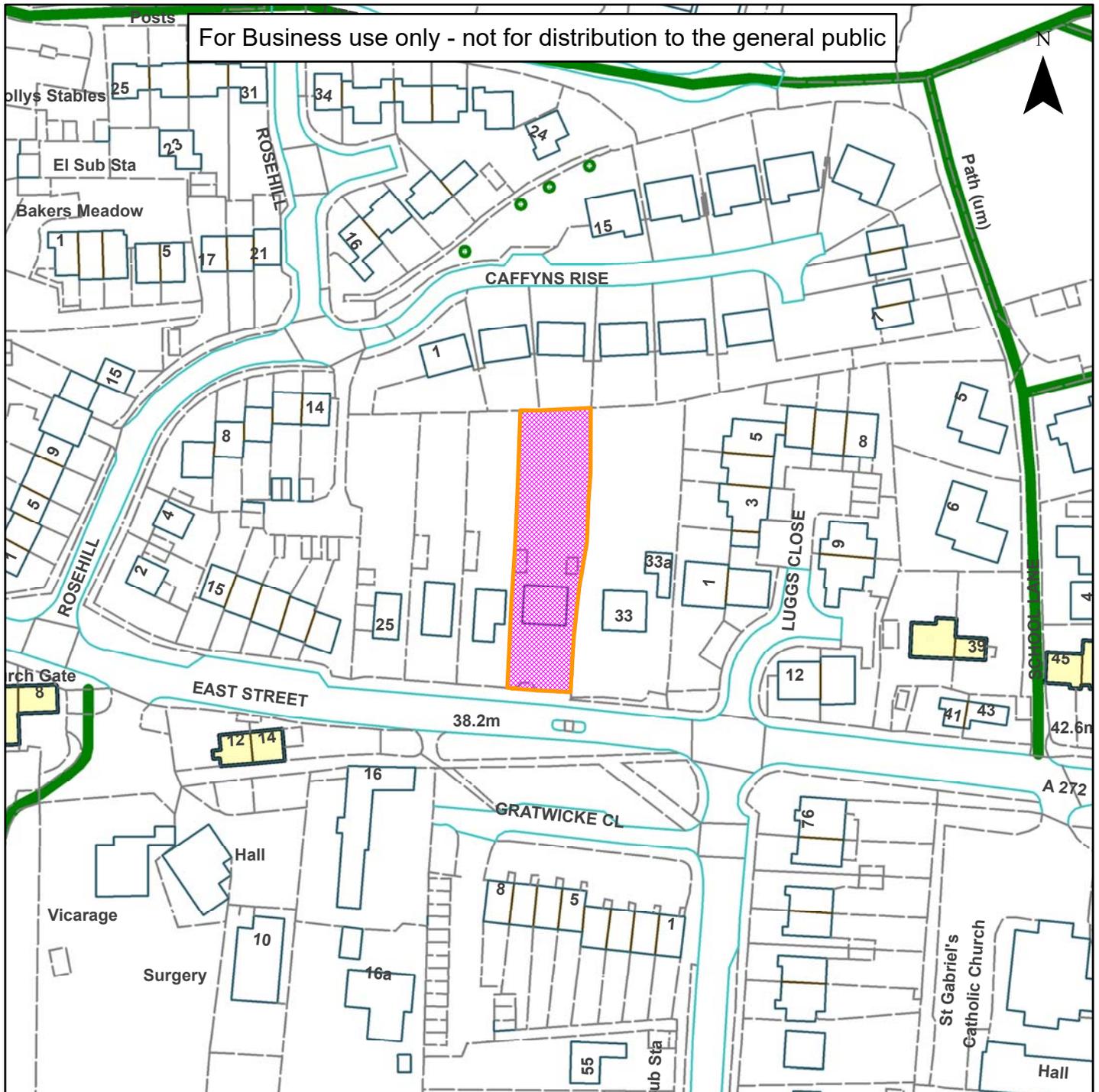
- 5 **Regulatory Condition:** The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

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

Background Papers: DC/19/0628.



31 East Street, Billingshurst



Scale: 1:1,250

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