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# Planning Committee (South)

**Tuesday, 21st January, 2020 at 2.30 pm**  
**Conference Room, Parkside, Chart Way, Horsham**

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

You are summoned to the meeting to transact the following business

Glen Chipp  
Chief Executive

## Agenda

	Page No.
<b>GUIDANCE ON PLANNING COMMITTEE PROCEDURE</b>	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	7 - 10
<p>To approve as correct the minutes of the meeting held on 17 December 2019 (<i>Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.</i>)</p>	
3. <b>Declarations of Members' Interests</b>	
To receive any declarations of interest from Members of the Committee	
4. <b>Announcements</b>	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

**To consider the following reports of the Head of Development and to take such action thereon as may be necessary:**

5.     **Appeals** 11 - 14  
  
Applications for determination by Committee:
6.     **DC/19/2015 - Land North of Downsview Avenue, Storrington** 15 - 42  
Ward: Storrington and Washington  
Applicant: Wellbeck Strategic Land LLP
7.     **DC/19/2105 - Parsons Field Stables, Pickhurst Lane, Pulborough** 43 - 56  
Ward: Pulborough, Coldwaltham and Amberley  
Applicant: Mr and Mrs F Keet
8.     **DC/19/2119 - Land South of Kithurst Lane, Storrington** 57 - 66  
Ward: Storrington and Washington  
Applicant: Mr Philip Orpwood
9.     **DC/18/2402 - Ryecroft Nursery, Fryern Road, Storrington** 67 - 82  
Ward: Storrington and Washington  
Applicant: Mr P Godsmark
10.    **DC/19/1036 - Brookhouse Farm, West Chiltington Lane, Broadford Bridge, Billingshurst** 83 - 96  
Ward: West Chiltington, Thakeham and Ashington  
Applicant: Mr Dick
11.    **SDNP/18/05914/FUL - West Sussex Golf Club, Golf Club Lane, Wiggonholt** 97 - 120  
Ward: Storrington and Washington  
Applicant: Mr Alistair Adams
12.    **Urgent Business**  
Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

# Agenda Annex

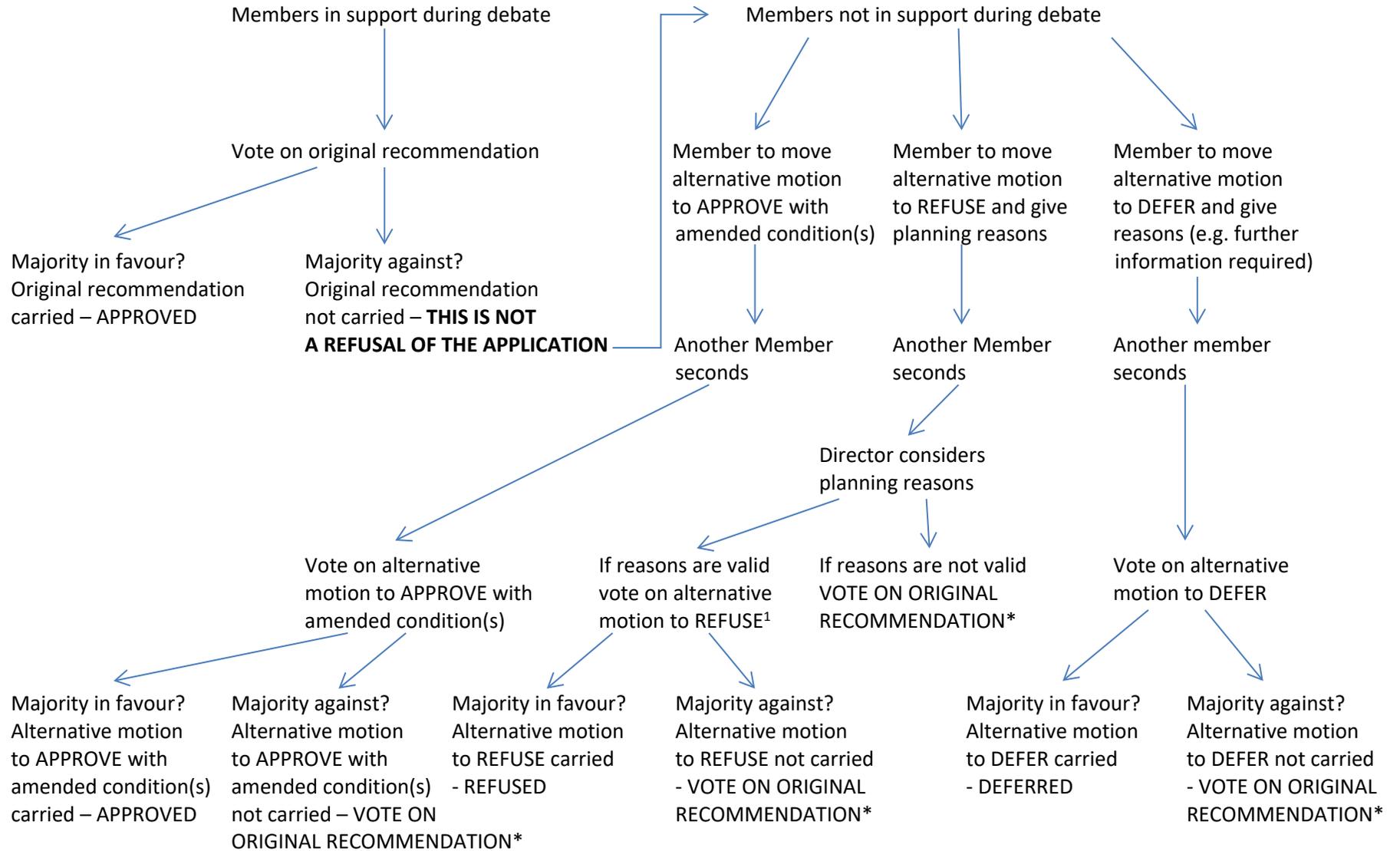
## GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

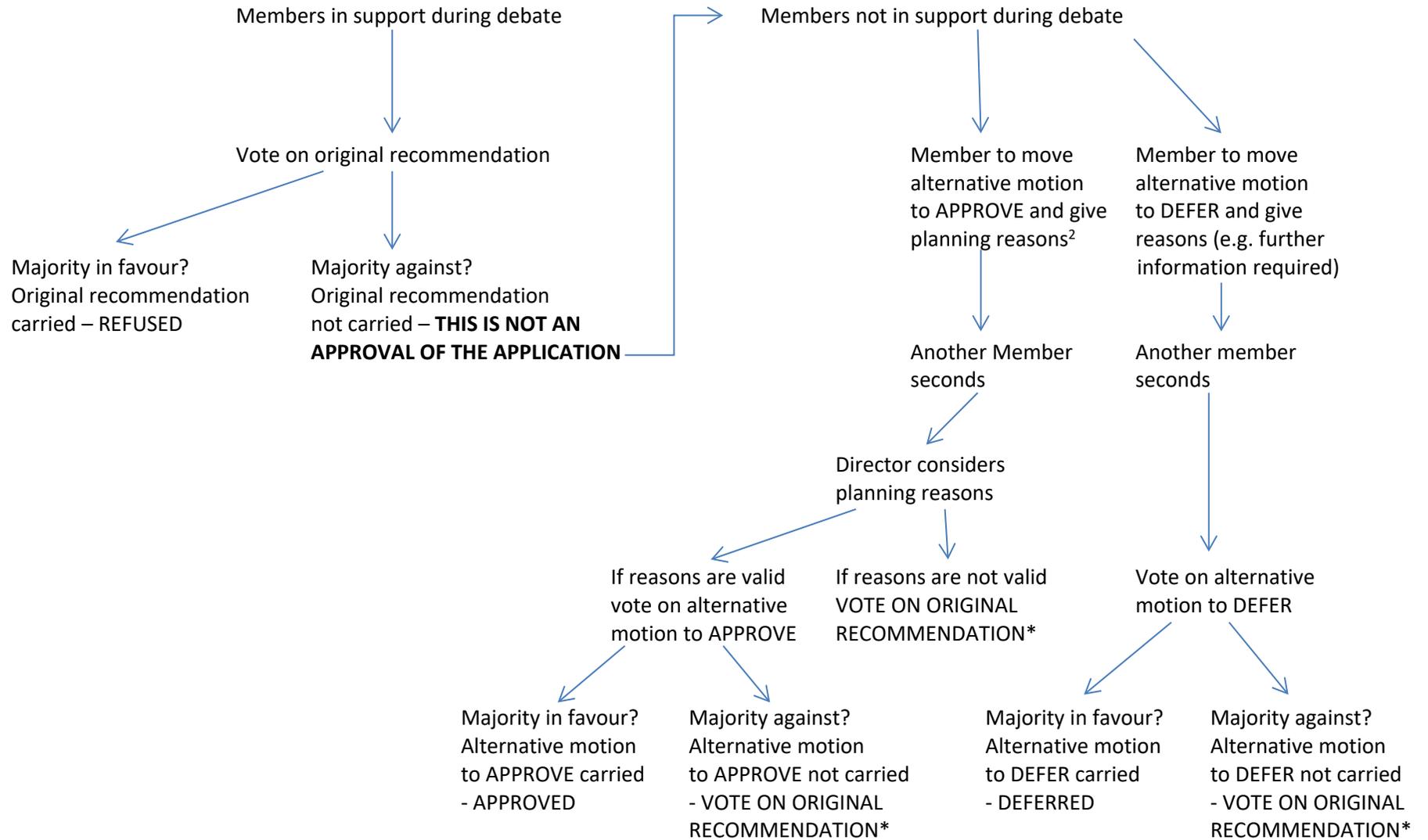
**Original recommendation to APPROVE application**



\*Or further alternative motion moved and procedure repeated

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

**Original recommendation to REFUSE application**



\*Or further alternative motion moved and procedure repeated

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

**Planning Committee (South)**  
**17 DECEMBER 2019**

Present: Councillors: Brian Donnelly (Chairman), Tim Lloyd (Vice-Chairman), John Blackall, Karen Burgess, Paul Clarke, Michael Croker, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Kate Rowbottom, Jack Saheid, Jim Sanson and Claire Vickers

Apologies: Councillors: Jonathan Chowen, Philip Circus, Ray Dawe and Diana van der Klugt

Absent: Councillors: Chris Brown and Nigel Jupp

PCS/47 **MINUTES**

The minutes of the meeting of the Committee held on 19<sup>th</sup> November were approved as a correct record and signed by the Chairman.

PCS/48 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCS/49 **ANNOUNCEMENTS**

There were no announcements.

PCS/50 **APPEALS**

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

PCS/51 **DC/19/1294 - SETYRES LTD, HIGH STREET, HENFIELD**

The Planning Officer reported that this retrospective application sought the remodelling of the garage building through the retention of external cladding and uPVC windows together with the proposed reduction in east-facing bays and the application of a dark grey film to existing and proposed glazing. In addition to the proposed remodelling, permission was sought for the erection of a 1.2m timber bin screen, provision of planted containers and the installation of a freestanding timber sign within the garage forecourt.

The site was located within the Henfield Conservation Area, opposite a series of Grade II and Grade II\* Listed Buildings on the High Street. The site was a designated employment site which fell within a defined town / village centre boundary and within the primary retail frontage for Henfield.

Henfield Parish Council made no objection.

The applicant's agent addressed the Committee in support of the application.

There had been 54 letters of representation from 38 different addresses. A public petition was additionally received in objection to the development with 28 signatures. One letter of support was received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were:  
Impact on neighbouring amenity and parking, highway safety and operation

**RESOLVED**

That planning application DC/19/1294 be delegated to the Head of Development minded for approval in consultation with the Chair, Vice Chair and Local Members, with a view to revising the position of the bin store, removing the pole (sign) and other matters related to the planters.

PCS/52 **DC/19/1211 - SETYRES LTD, HIGH STREET, HENFIELD**

The Head of Development reported that this application sought permission for the removal of 5 fascia signs to the north and east elevations of the main building and 2 fascia signs to the south elevation of a detached car wash and the installation of 1 fascia sign to the east elevation of the main building, 2 fascia signs to the north elevation of the main building and 1 pole mounted non-illuminated hanging sign within the forecourt.

The application site occupied an area of approximately 2190 metres squared to the west of Henfield High Street encompassing a garage building and car wash.

Henfield Parish Council raised no objection.

The applicant's agent addressed the committee in support of the application.

55 letters of objection from 40 different addresses were received. A public petition was additionally received in objection to the proposal with 28 signatures.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were:  
Amenity and public safety

**RESOLVED**

Members resolved to:-

**GRANT** advertisement consent for the installation of 1x fascia sign to east elevation of main building, and 2x fascia signs to north elevation of main building;

and,

**REFUSE** advertisement consent for 1x pole mounted non-illuminated hanging sign within forecourt, for the following reason:-

The proposed pole sign by reason of its siting, height and design, would represent unnecessary clutter to the frontage of the site and would be harmful to the character and appearance of the Conservation Area, detracting from visual amenity. The sign would therefore be contrary to policies 14 and 34 of the Horsham District Planning Framework (2015).

*The meeting closed at 3.06 pm having commenced at 2.30 pm*

CHAIRMAN

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## Planning Committee (SOUTH)

Date: 21<sup>st</sup> January 2020



**Horsham  
District  
Council**

Report on Appeals: 05/12/2019 – 08/01/2020

### 1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/19/1721	Wild Brook House Rectory Lane Pulborough West Sussex RH20 2AD	06-Dec-19	Application Refused	N/A
DC/19/2076	Hope Cottage Shoreham Road Small Dole Henfield West Sussex BN5 9YG	30-Dec-19	Application Refused	N/A
DC/19/1226	Rambledown House Common Hill West Chiltington West Sussex RH20 2NL	08-Jan-20	Application Refused	Application Refused

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/18/0661	Menzies Wood Farm Okehurst Lane Billingshurst West Sussex RH14 9HR	Written Representation	13-Dec-19	Application Permitted	Application Permitted
DC/19/0898	Bos Barn Marthas Barn Warehouse Hollinger Wheatsheaf Road Henfield West Sussex BN5 9AX	Written Representation	19-Dec-19	Application Refused	N/A
DC/19/1070	Oakfield Farm Wineham Lane Bolney RH17 5SD	Written Representation	19-Dec-19	Application Refused	N/A
DC/19/1226	Rambledown House Common Hill West Chiltington West Sussex RH20 2NL	Written Representation	06-Jan-20	Application Refused	Application Refused
DC/19/2076	Hope Cottage Shoreham Road Small Dole Henfield West Sussex BN5 9YG	Fast Track	08-Jan-20	Application Refused	N/A

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/19/0710	St Josephs Abbey Greyfriars Lane Storrington RH20 4GJ	Written Representation	Appeal Dismissed	Application Refused	N/A
EN/18/0001	40 Pound Lane Upper Beeding Steyning West Sussex BN44 3JD	Written Representation	Appeal Dismissed	Notice served	N/A
DC/19/0428	Barn North of The Granary Hurstons Place Farm Hurstons Lane Storrington West Sussex RH20 2EW	Written Representation	Appeal Dismissed	Application Refused	N/A
EN/18/0089	Two Hoots Furners Lane Woodmancote West Sussex	Written Representation	Enforcement Notice Quashed	Notice served	N/A

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**Horsham  
District  
Council**

## **PLANNING REPORT COMMITTEE**

**TO:** Planning Committee (South)

**BY:** Head of Development

**DATE:** 21<sup>st</sup> January 2020

**DEVELOPMENT:** Outline planning application for the erection of up to 62 residential units and the creation of a new vehicle access, all matters reserved except for access

**SITE:** Land North of Downsview Avenue Storrington RH20 4LU

**WARD:** Storrington and Washington

**APPLICATION:** DC/19/2015

**APPLICANT:** **Name:** Wellbeck Strategic Land LLP **Address:** (C/O agent, Paul Galgey) Magdalen House, 148 Tooley Street, London, SE1 2TU

**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 outline planning permission, subject to appropriate conditions and the completion of a Section 106 Legal Agreement.

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

1.1 To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

1.2 Outline planning permission is sought for the erection of 62 dwellings, with all matters reserved for later consideration except for access. The proposed dwelling mix is indicated to comprise 12x 1 bedroom units (including flats), 23x 2 bedroom units, 20x 3 bedroom units, and 7x 4 bedroom units. The proposal includes an on-site affordable housing contribution of 35% (equivalent to 22 dwellings). The site has been allocated for the development of at least 60 dwellings in the Storrington, Sullington and Washington Neighbourhood Plan, which was made in September 2019.

1.3 Access to the site would be achieved through the existing gated entrance to the site at the northern end of Downsview Avenue. The indicative plans detail an internal road network in a figure of 8 shape, with to back to back parcels of housing to the centre and north of the site, and a row of housing to the southern boundary of the site adjacent to the side of existing dwellings on Downsview Avenue and the rear of Bannister Gardens. Off-street parking, garaging and parking courts are included, in addition to visitors parking spaces set within on-street bays.

- 1.4 The site would include a landscaped public open space to the rear of the site (north-east), in addition to a pumping station. The application includes improvements to the Public Rights of Way (PRoW) 2448 which runs north-south along the western boundary of the site.

#### DESCRIPTION OF THE SITE

- 1.5 The site as existing comprises an open field of approximately 2.1ha in size, set immediately to the north of residential properties on Downsview Avenue, Storrington. The field comprises uncultivated agricultural land and is on higher ground than the adjacent fields and development to the north and east, sloping downwards towards the northern end of the site. Although sitting outside the defined built-up area boundary on the HDPF policies map, the site has been incorporated within the defined built-up area boundary within the made Storrington, Sullington and Washington Neighbourhood Plan.
- 1.6 The built-up area to the south comprises a mix of chalet-style houses, with development to the east comprising industrial units and a new housing development on Robell Way. Open fields sit to the north and west. The eastern and western site boundaries comprise relatively dense tree-lined hedgerows, with a public right of way extending alongside the western boundary (ROW2448) within the application site. The southern part of the eastern boundary is covered by a grouped Tree Preservation Order. The southern boundary is open to the adjacent dwellings whilst the northern boundary comprises a more scattered vegetated boundary. Grade II listed East Wantley Farm sits on significantly lower ground approximately 140m to the northwest, screened from the site by existing woodland.

## 2. INTRODUCTION

### 2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

### 2.2 RELEVANT PLANNING POLICIES

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

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

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 30 - Protected Landscapes

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  
Policy 42 - Strategic Policy: Inclusive Communities

Supplementary Planning Guidance:  
Planning Obligations and Affordable Housing SPD, 2017  
Storrington and Sullington Parish Design Statement, 2010

## 2.3 RELEVANT NEIGHBOURHOOD PLAN

### **Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 (made, September 2019)**

Policy 1 – A Spatial Plan for the Parishes  
Policy 2 – Site Allocations for Development  
Policy 14 – Design  
Policy 15 – Green Infrastructure  
Policy 17 – Traffic and Transport  
Policy 18 – Car Parking

## 2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

None

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

#### **HDC Landscape Architect:** No Objection / Comments

No disagreement to the findings of the LVIA, except paragraph 8.6 relating to the effects on the users of the PROW. There are too many elements in the communal amenity area which could be inappropriate / create a conflict for the wide range of users who would be using the area. e.g. the gravel garden and fruit trees in proximity to a children's play area. There is a failed opportunity to capitalise on the amenity potential of the linear area surrounding the PROW – which could have resolved the conflict issues above by providing a trim trail or similar. However, these issues could all be resolved at reserved matters stage.

#### **HDC Arboriculture:** No objection

The existing TPO specimen trees to the eastern boundary would remain in place, and measures have been put in place to reduce the impact of development within their RPAs. The overall protection methods included within the report are in accordance with the British Standard.

#### **HDC Conservation:** Comment

The proposed development would not have an impact within the immediate setting of the listed building and non-designated heritage assets to the north west. Though, there would be minimal harm to the wider rural setting which may lead to harm.

#### **HDC Environmental Health:** Comment

The layout of the proposed developed locates noise sensitive habitable rooms, especially bedrooms, in positions where they are fully exposed with windows facing directly towards the identified industrial noise sources. There is no indication that the proposed development has been designed to reduce exposure to this noise. It is recommended that the scheme be

redesigned to reduce the exposure of the habitable rooms to noise in accordance with the advice given in section 6.7.2 of the Noise Assessment Report.

**HDC Housing:** Support

The proposal is compliant with HDC planning and housing policy. However, no mention is made of a potential affordable housing provider, and Housing Officers would urge the applicant to reach an agreement with a provider as soon as possible.

**HDC Drainage Engineer:** Comment

Further justification for the current design should be sought, or an alternate drainage design.

**HDC Air Quality Officer:** Comment

The applicant should include an air quality mitigation contribution within the Section 106 Agreement, in addition to the submission of an Air Quality Mitigation Plan.

**HDC Waste Management:** Comment

The swept path analysis allows for the vehicle to pass parked vehicles without any issues. We will require details for the bin provision together with the communal bin stores locations at the reserved matters stage.

## OUTSIDE AGENCIES

**Archaeology Consultant:** No objection

Suggested attachment of a Written Scheme of Investigation condition (included).

**Ecology Consultant:** No objection

Following the submission of additional information, and subject to the attachment of suggested conditions.

**Southern Water:** Comment

Construction over or within the standoff distance of public water distribution main will not be permitted. Southern Water requests that this application is not determined until such time as the applicant produces a suitable layout. Suggested condition wording if approved.

**South Downs National Park:** Comment

The application site is located approximately 1.2km to the north of the National Park boundary. It is therefore considered that there would be minimal impact on the setting of the National Park. The SDNPA makes no comment on the principle of development, however would recommend that consideration be given to the International Dark Night Skies Reserve and dark night skies, which are a special quality of the National Park.

**WSCC Flood Risk Management:** No objection

Current water mapping shows that the proposed site is at low risk from ground and surface water flooding. No ordinary watercourses are in close proximity to the site. There are no historic records of flooding on the proposal site.

**WSCC Highways:** Comment

The development would not give rise to adverse highway impacts or result in adverse highway capacity issues. The submitted Road Safety Audit has not been formatted in accordance with the table template as per appendix F4 of GG119.

**WSCC Rights of Way:** Comment

Suggested pre-commencement condition (relating to design. Further improvements should be sought, including improvements of the path to the north, increasing the width of the path to 3m, and upgrading the path to a bridleway.

**WSSC Minerals and Waste:** No objection

Though the site is located within the Building Stone Minerals Safeguarding Area, the proposal is exempt from Minerals and Waste consultation, given the size of the site is less than 3ha.

## PUBLIC CONSULTATIONS

108 letters of representation received from 62 separate addresses *objecting* to the proposal on the following grounds (including comments on the revised plans):

- Overdevelopment (62 dwellings too dense for this site)
- Misleading parking space numbers, as garaging won't be used for parking
- Unsafe access
- Increased traffic in surrounding area
- Existing facilities in Storrington insufficient to meet the needs of 62 additional households (schools, shops and amenities)
- Increased pollution
- Insufficient services in Storrington to meet the needs of 62 additional households (doctors, police, fire, and ambulance services)
- Access would be better suited from Water Lane
- Irreversible impact on local ecology
- Noise disturbance during construction period
- Impact on public usership of the public right of way
- Loss of privacy
- Decrease local housing value
- Insufficient drainage and sewage systems
- Lack of information to the public
- The application was submitted too soon after the Neighbourhood Plan was made
- The site was once allocated as open green space and should remain as such
- Inappropriate housing mix
- Public documents are hard to decipher
- Storrington has no need for flats
- Storrington has no space for this level of development
- The development would restrict access to existing disabled bays
- The site has never been used for animal grazing, despite what the submitted statement states
- The site is too far from a bus stop
- Landscape impact
- Flooding is prevalent in the area hence the need for a pumping station
- The application uses the wrong post code
- There is no mention of the use of electric vehicles
- Construction traffic would worsen road surfaces on Melton Drive
- The site currently represents a greenfield buffer between Storrington and West Chiltington
- The revisions have not addressed comments/objections from consultees
- The revised layout has a worse impact on neighbouring amenity
- Increased litter in area

1 letter of representation received *supporting* the proposal on the following grounds:

- There is local and national housing demand
- Increase supply of affordable housing
- Traffic and construction issues would be temporary
- Increased income to Storrington and the District
- No adverse impact on the ecology on the site

3 letters of representation received *neither objecting to or supporting* the application received from 2 separate addresses, stating:

- Access appears to be smaller than what Manual for Streets allows
- Traffic within the area would be worsened only at peak times
- The site is denser than the surrounding area, though it is in line with the Neighbourhood Plan
- The dwellings on the access to the site do not respect the building line on Downsview Avenue
- The townhouses are located in the wrong area (should be moved further north)
- Excessive road layout
- Neighbouring developments have not yet completed, therefore the potential impact from them has not yet been realised
- Potential harm to users of the public right of way
- Potential visibility issues from access
- Potential harm to pedestrians from construction traffic
- Additional traffic calming measures should be included when the development is finished

**Storrington & Sullington Parish Council** have No Objection to the development in principle. The following comments have been made:

- The origin of the standard applied for journeys on foot is not referenced
- No mention has been made to capacity issues on School Hill/Manleys Hill
- Insufficient parking provision
- Cycle provision not included
- Swept path for reserving appears tight
- Southern Water's response does not confirm the findings of the submitted FRA
- Off-site noise mitigations should be included
- Overhead cabling it not acceptable
- No construction parking should occur on Downsview Avenue
- Members are satisfied with the relocated block of flats
- Smaller green spaces should be included

**Thakeham Parish Council** have raised No Objection to the proposal, but have provided the following comments for Officers' consideration:

- Affordable properties: while welcoming the number and mix of types/sizes of affordable units, there is a sense that the proposal could be improved in terms of integrated distribution around the development;
- The topography of the site, and how that relates to distant views, underlines the importance of retention and augmentation of boundary tree screening;
- The proposals recognise the need to retain the existing footpath along the east of the site, but Thakeham PC requests that this should include improvement of the surface to WSCC current standards extending northwards to the point that the path meets Northlands Lane;
- Environmental design/build standards. Council looks to HDC officers to scrutinise proposals in detail for compliance with latest environmental standards on energy efficiency, electrical charging points for all resident vehicle parking spaces, and water conservation features.
- Other environmental aspects: the site has been identified as a protected species habitat for dormice and it is essential that appropriate impact mitigation plans are implemented.

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

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

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

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

#### **6. PLANNING ASSESSMENTS**

##### Principle of the Development

- 6.1 The application site is located within the built-up area boundary, and is allocated for residential development within the Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 (Policy 2, vi).
- 6.2 Policy 3 (Development Hierarchy) of the Horsham District Planning Framework (HDPF) states that development will be permitted within town and villages which have defined built-up area. The policy establishes the District's settlement hierarchy, to which the settlement of Storrington & Sullington has been characterised as a small town / larger village – this is defined as a settlement with a good range of services and facilities, strong community networks and local employment provision, and also benefits from a reasonable public transport network.
- 6.3 Policy 15 (Housing Provision) of the HDPF establishes the District's housing need within the development plan period (2011-2031). This has been identified as 16,000 homes. Criterion (4) of the policy states that part of this provision is expected to be delivered through neighbourhood planning, amounting to 1,500 homes over the plan period.
- 6.4 Policy 2 (Site Allocations for Development) of the Storrington, Sullington and Washington Neighbourhood Plan (SSWNP) sets out the Plan's site allocations. The Land North of Downsview Avenue site (Policy 2, vi) states that development will be permitted where:
- a. At least 60 dwelling will be provided including a substantial number of one, two, and three bed units;
  - b. Access to the housing will be accessed from Downsview Avenue;
  - c. The development will incorporate the requisite amount of open and play areas;
  - d. The public right of way which abut the western side of the site will be enhanced as part of a green corridor that runs along the western perimeter of the site
- 6.5 The subsequent sections will detail how criterion (a)-(d) have been met as part of the proposal.
- 6.6 Given the location of the site within a built-up area, and the site's allocation within the SSWNP, there is no objection in principle to the development of this site. Consideration must therefore be given to any site-specific constraints, and the detail of the scheme. As such, the principle of development on the site is considered to be acceptable, subject to the detailed considerations as set out below.

##### Affordable Housing and Housing Mix

- 6.7 Policy 16 of the HDPF states that development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Market

Housing Mix study (Chilmark Consulting, November 2016) in order to create sustainable and balanced communities. Table 5.4 of the study shows that residential development in rural areas should comprise the suggested mix:

- 1 bedroom housing – 15%
- 2 bedroom housing – 40-45%
- 3 bedroom housing – 35-40%
- 4+ bedroom housing – 5%

6.8 The application seeks outline consent for the erection of 62 dwellings. Paragraph 6.21 of the applicant's Planning Statement indicates that the housing mix would comprise:

Dwelling Type	Quantum	Percentage
1 Bedroom Units	12	19%
2 Bedroom Units	22	36%
3 Bedroom Units	21	34%
4 Bedroom Units	7	11%

6.9 The proposed housing mix is considered to broadly comply with the Council's expectations for a residential development of this quantum and is therefore considered in accordance with Policy 16 of the HDPF. Further, criterion (a) of Policy 2 of the SSWNP states that the proposal should incorporate a 'substantial number' of 1-3-bedroom units. In total, the application proposes 55x 1-3-bedroom units, equating to 89% of the delivered units on the site. The Council considers that this demonstrates 'a substantial number' of 1-3-bedroom units. With the above in mind, Policy 2(a) of the SSWNP is considered to have been met.

6.10 Policy 16 of the HDPF continues to state that development providing 15 or more dwellings the Council will require 35% of the dwellings to be affordable. The proposal includes an on-site affordable housing provision of 22 dwellings, equivalent to 35% of the proposed dwellings.

6.11 Paragraph 6.22 of the applicant's Planning Statement confirms that the affordable housing would be housed within 8x 1-bedroom flats, 8x 2-bedroom flats, 4x 2-bedroom houses and 2x 3-bedroom houses. The affordable housing tenure would be split at a ratio of 70:30 in favour of affordable rent, as per the requirements of Policy 16 of the HDPF and the accompanying Planning Obligations and Affordable Housing SPD. A Section 106 legal agreement has been drafted to secure the provision, the tenure of the affordable housing, and the registered provider who will take on the site.

6.12 With the above in mind, the proposed affordable housing contribution is compliant with Policy 16 of the HDPF, and is therefore considered acceptable. The Local Planning Authority considers the provision of 40 market housing units and 22 affordable units as a benefit of the proposal, and should be afforded substantial weight in favour of its approval.

#### Layout, Amount and Scale

6.13 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, 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.

6.14 The proposal seeks outline consent with all matters except for highways access reserved for later consideration. Therefore, matters relating to layout, appearance, scale and landscaping are to be dealt with at the reserved matters stage. However, the application was

accompanied with varying parameter plans, including an indicative layout, building height, and landscaping plans.

- 6.15 The indicative layout (revised 20.11.2019) illustrates two back to back parcels of housing to the centre and north of the site, and a row of housing to the southern boundary of the site adjacent to the side of existing dwellings on Downsview Avenue and the rear elevations of Bannister Gardens. The dwellings to the entrance of the site have been rearranged and re-orientated to continue the line of development from Downsview Avenue, albeit staggered and set gradually further forward of No. 32 Downsview Avenue.
- 6.16 The dwellings are arranged on individual plots formed of detached, semi-detached, and terraced dwellings with their own private amenity space and associated parking and garaging. A 2-bedroom flat-over-garage (FOG) unit is located to the eastern side of the central parcel with a parking court to the rear, and a block of 21 flats is located to the north-eastern corner of the site with parking to the north and south.
- 6.17 The buildings heights parameter plan indicates that the housing over two-storeys in height would be located towards the centre and north-east of the site, where land levels drop. This has been revised in the current plan (6494 05, received 20.11.2019) to reduce any perceived impact on the dwellings to the northern side of Bannister Gardens.
- 6.18 Whilst indicative, the Council considers that the submitted indicative site layout and parameter plans demonstrate that this quantum of housing can be suitably accommodated on the site. Officers note the public representations received regarding the flatted accommodation not being characteristic of Storrington. However, flats are present and have been recently approved in Storrington – notable examples are Dem House and Havant House on Mill Lane, in addition to the various office-to-residential prior approval conversions at Old Mill Square. Notwithstanding, without such accommodation on this site the minimum quantum of 60 dwellings required by SSWNP Policy 2 vi would not be achievable, neither would the intention to accommodate a substantial number of 1-bedroom units. Furthermore, the Local Planning Authority does not object to the principle of the inclusion of flats in any development where a suitable housing mix has been proposed, as is the case for this proposal. Matters relating to the final design of the flat blocks are reserved however it would be expected that they appropriately reflect the scale and form of buildings elsewhere on the site to ensure a continuity of appearance.
- 6.19 Whilst the final layout of the site is subject to change through the submission of subsequent reserved matters applications, the submitted plans and documentation have established the expected parameters for future applications. As submitted, the proposed layout, amount and scale of the proposal are considered acceptable, subject to detailed considerations at the reserved matters stage.

#### Design, Appearance and Character

- 6.20 The design and appearance of the dwellings on the site has been reserved for later consideration. However, paragraph 5.4 of the submitted design and access statement indicates that a *'the scheme proposes traditional approach in terms form and materials, but given the surrounding context of this [site] could allow some contemporary but sympathetic features to be provided'* (sic). Paragraph 5.5 continues, illustrating examples of potential materials to be utilised in the detailed design such as slate roof tiles, natural timber cladding, and red brick.
- 6.21 The character of the surrounding area is predominantly formed of mid-to-late twentieth century residential housing stock. The dwellings towards the northern side of Downsview Avenue, Melton Drive, and Bannister Gardens are mostly formed of two-storey dwellings featuring asymmetrical pitched roofs, with a red/brown stock brick, and feature either

red/brown clay or concrete pan tiled roof. Many dwellings host either painted render or tile hung/cladded features, and some with front catslide roofs with dormers.

- 6.22 Whilst slate roofs and natural timber cladding are not particularly prevalent within the locale, the detailed design and material composition of the dwellings can be refined at the reserved matters stage.
- 6.23 The design and access statement appears to indicate that the design and style of the dwellings would reflect that of the surrounding area. Whilst the Local Planning Authority would not object to this approach, the site should not seek to replicate a pastiche of the housing on Downsview Avenue, but rather adapt motifs and other visual cues on the street and the surrounding area. Overall, the Council considers that the site could be detailed and design appropriately to integrate with the wider surrounding area and will be assessed as such in the reserved matters stage.

#### Landscaping

- 6.24 Whilst reserved for later consideration, the submission includes sufficient detail for general landscape considerations. A full assessment of the landscape arrangement and provision would be made when a reserved matters application received.
- 6.25 Horsham District Council have always been acutely aware of the value of its surrounding countryside, and the importance and influence this has on both the urban and rural character of the District as a whole. In order to retain and protect the most sensitive and important landscape features, the Council have commissioned several studies to help guide development:

#### *Horsham District Landscape Character Assessment (2003)*

- 6.26 The 2003 Horsham District Landscape Character Assessment identifies the site as falling within Character Area E1: Parham & Storrington Wooded Farmlands and Heaths, with the key characteristics described as *'Rolling landform of sandy ridges cut by small narrow stream valleys; Extensive pine and oak-birch woodland. Linear streamside woods. Small areas of heathland, such as at Sullington Warren Golf Course; Small, mostly well hedged pasture fields with mature hedgerow oaks; Historic parkland of Parham Park with distinctive tree clumps, groves and extensive tree belts; Major areas of sand and gravel extraction at Sandgate Park and Rock Common; Scattered farmsteads and cottages along roads. Traditional local materials of sandstone, half timber and plaster and brick.'*
- 6.27 Planning and land management guidelines for this landscape character area include:
- *'Conserve the undeveloped, rural tranquil character. Any large-scale development e.g. housing that results in the loss of small-scale field patterns and woodlands would damage character;*
  - *Ensure any small-scale housing development on the edge of Storrington responds to traditional settlement patterns and local design and materials;*
  - *Establishment of community woodlands near to urban edges;*
  - *Conserve and manage the existing hedgerow network to maintain small scale field patterns.'*

#### *Horsham Landscape Capacity Assessment (2014)*

- 6.28 The site lies within the Land North of Water Lane Character Area (Local Character Area 59 of the Horsham District Landscape Capacity Assessment, 2014). LCA59 covers a wider study area within the northern boundary of Storrington, and has been assessed as having "Low-Moderate" capacity for medium-scale housing development. This is mostly due to the areas high landscape character, with many of the landscape features and qualities are sensitive to development, together with the moderate-high visual sensitivity the capacity for

large scale housing development is limited. Careful siting is needed within this LCA to ensure it would not appear unrelated to the existing settlement edge.

### *Landscape Assessment*

- 6.29 The submitted Landscape and Visual Impact Assessment (LVIA) confirms that the development would be visible in long, medium, and short distance views, and would result in residual minor adverse effect on the landscape character area. The Council's Landscape Architect concurs with the findings of the LVIA, though disagrees with the conclusion that the development would result in a minor adverse effect on the users of the footpath, and that this conclusion is somewhat of an underestimation (at Paragraph 8.6). Officers agree with the Landscape Architect's comments regarding the public footpath. However, whilst the development would result in short to medium term adverse effect on users of the footpath, the proposal includes enhancements to the PRoW, which in the long term is considered as a significant benefit of the proposal.
- 6.30 Overall, it is accepted that the development would result in minor adverse effect on the landscape character area, in which this site has been assessed as having low-moderate capacity for medium-scale housing development. The site has though been allocated within the SSWNP for the development of *at least* 60 dwellings, a quantum which would lead to some inevitable impact. The site forms a small section of LCA59, and the development of 62 dwellings is considered medium scale. Resultant effects on users of the footpath are acknowledged, though in the long term the PRoW would be enhanced. On balance, this benefit is considered to outweigh this impact.
- 6.31 The Council's Landscape Architect initially raised a number of concerns with the indicative landscape arrangement. Comments on the scheme included the general layout, play equipment furnishing, planting, and lack of trees to residences. Revised plans have been received in response to these comments, with the illustrative layout plan now including 29 additional trees, totalling 65 new trees within the site (excluding the 13 to the buffer to the south of the site). The majority of these concerns have been satisfied, though the Landscape Architect has maintained comments regarding the numerous elements to the open space to the northern boundary of the site, and the missed opportunity for amenity potential along the PRoW. With regards to the northern amenity area, members should note that the submitted landscape masterplan is indicative and illustrates what can be achieved on the site. The final design of this area will be confirmed at the reserved matters stage. The comments regarding the PRoW are noted – however, the Local Planning Authority are satisfied with the indicative design of this part of the site, which would represent an overall reasonable improvement to the footpath. Overall, the plans as revised provide suitable evidence that the provision of 62 dwellings with the associated landscaping is capable of being provided to an acceptable level, with the final details to be confirmed at the reserved matters stage.
- 6.32 HDC Parks and Countryside have confirmed that a Local Area of Play (LAP) of at least 80m<sup>2</sup> would be needed to serve the site. A Local Equipped Area of Play (LEAP) is sited approximately 300m south of the site (as the crow flies), which would be accessible from the site by a 410m walk from the entrance to the site to the play area (play area east of Denshire Drive). The applicant has agreed that a LAP would be provided within the open public space area to the northern side of the site, details of which will be agreed at the reserved matters stage. A clause has been included within the Section 106 Legal Agreement to secure this provision. Criterion (c) of Policy 2(vi) of the SSWNP is therefore considered to have been satisfied.

### Trees

- 6.33 A number of trees within a grouped Tree Preservation Order (TPO) are located to the south-eastern corner of the site. No alterations are proposed to the existing tree-lined boundaries, and the construction of the dwellings closest to the TPO trees would be set sufficiently from

their root protection areas. Further, existing trees and hedgerows would be retained, in accordance with the Parish Design Statement. The Council's Arboricultural Officer confirmed that the proposed protected measures to be put in place accord with the British Standard. As such, no objections are raised on arboricultural grounds.

#### Amenity Impacts

- 6.34 Policy 33 of the Horsham District Planning Framework 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.

#### *Amenity of Existing Neighbouring Residents*

- 6.35 The dwellings to the entrance of the site are indicatively shown to face side-on to no. 32 Downsview Avenue and set at distance of approximately 9m. To the south, dwellings backing on to Bannister Gardens are set between 39-46m. The southern boundary of the site adjoins the rear boundaries of nos. 10-14 Bannister Gardens. The south-western corner of the site faces the front elevation no. 33 Downsview Avenue at a distance of 29m, and the south-eastern boundary facing no. 16 Pulla Hill Drive set at 20m distance.
- 6.36 The site is raised slightly from the adjacent dwellings on Downsview Avenue / Bannister Gardens to the south. The indicative layout shows a suitable separation can be provided between the existing and proposed dwellings to take account of this level change. Whilst it is appreciated that the introduction of dwellings on this site would increase the level of activity to the rear of the neighbours' dwellings, and would appear more overbearing compared to the existing vacant arrangement, based on the indicative layout plans submitted this would not be so harmful to warrant consideration of refusal. Given the change in land levels and the allocation of the site for housing, some loss of open outlook would be expected.
- 6.37 The indicative layout demonstrates that sufficient separation is capable of being retained between the proposed dwellings and the neighbours to the south to avoid harmful amounts of overlooking. The indicative masterplan includes a narrow landscaped buffer along the southern boundary that is not critical to mitigating this impact, but would nevertheless be of benefit. Details relating to obscure glazing and overlooking can if necessary be appropriately addressed at the reserved matters stage when the final layout and design is known.
- 6.38 As the site is set on slightly higher ground than its neighbours, and is located to the north, no loss of direct sunlight would likely be experienced by the existing neighbours as a result of the development.
- 6.39 No residential dwellings are immediately located to the northern, eastern, or western boundaries of the site. The new residential development at Robell Way is located to the southeast of the site behind the row of protected trees and on appreciably lower ground level. Consequently there would not be an appreciable impact on these new dwellings from the development of this site.
- 6.40 Whilst it is accepted that the development would result in an increase level of activity on the site, based on the indicative plans submitted it is considered that it has been suitably demonstrated that the resultant development is capable of not resulting in adverse harm to the amenities of the existing neighbouring dwellings. Whilst details of boundaries and internal room arrangement are yet to be confirmed, the amenity impact to existing neighbouring dwellings is considered to be acceptable. Perceived harm from this could be controlled by revised dwelling design and planning conditions (obscured glazing etc.). As such, no objection is raised with regards to this aspect of the proposal.

### *Amenity of Future Occupants*

- 6.41 The indicative layout of the proposed dwellings is considered appropriate with regards to their impact on each other. The scheme does include parcels of back-to-back housing, all of which feature gardens between each dwelling. Given their separation distance from each other, no harm is considered to arise by way of overlooking. Overall, this layout would not result in a significant sense of enclosure for future residents of the site, nor lead to undue harm by way of overshadowing and overbearing. Whilst details of the first floor windows and the internal layout of each dwelling has not been confirmed, this can be controlled at detailed design stages and through applying planning conditions.
- 6.42 The site is located directly adjacent to the Water Lane Industrial Estate and close to the Tesla manufacturing facility. Noise from the established business and commercial uses has been identified as a potential source of adverse impacts on the proposed dwellings, including during the night. A noise report (ref: LO10562) has been submitted in support of the application. The report details that the main sources of noise omit from the Tesla Engineering and the industrial premises on the Water Lane industrial estate to the east of the site. The survey indicates that the majority of the site would meet external and internal noise guideline levels without the need for any mitigation. However, some mitigation measures would be required to meet the noise guideline levels in the eastern parts of the site closest to the noise sources. These measures include: locating gardens to the screened sides of dwellings; use of double glazing and acoustic ventilation, and; internal room arrangements. Plot-specific mitigation measures will be confirmed on a plot by plot basis once the detailed layout of the site is confirmed at the reserved matters stage. An informative is attached to ensure that this is submitted with the subsequent reserved matters application, in accordance with section 5 of the report. Environmental Health Officers have noted that the indicative layout of the proposed developed locates noise sensitive habitable rooms, especially bedrooms, in positions where they are fully exposed with windows facing directly towards the identified industrial noise sources, and that there is no indication that the proposed development has been designed to reduce exposure to this noise.
- 6.43 The Environmental Health Officers concerns to this regard are noted. However, the layout of design of the site is currently indicative, and its final design has not yet been finalised. In any case, the Local Planning Authority are satisfied that the indicative layout has been designed to minimise the number of dwellings adjacent to the boundary with the Water Lane Industrial Estate, thereby resulting in minimal likely noise impact from the adjacent industrial estate, considering the requirement of the site to deliver at least 60 dwellings. Furthermore, whilst the plans would establish a guide for future applications, the internal layout and placement of dwelling types facing east would be detailed and finalised at the reserved matters stage, and can be addressed accordingly in line with the Environmental Health Officers' comments at this stage.
- 6.44 With this and the above in mind, on balance the proposal is neither considered to result in any undue harm to neighbouring amenities to the existing dwellings surrounding the site, nor give way to harm to the proposed neighbouring dwellings within the development. Concerns relating to noise will be addressed at the detailed design stage, which could include internal re-arrangements, re-siting of certain dwelling types, and alternate ventilation methods etc. As such, no objection is raised to this regard.

### Heritage Impacts

- 6.45 The Council recognises that the historic environment is an irreplaceable resource which should be conserved for its own sake for the benefit of future generations. Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic

environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset.

- 6.46 The site is located approximately 140m south-east of East Wantley Barn, a grade II listed dwelling off of Northlands Lane, and some 730m north of the Storrington Conservation Area. The Council's Conservation Officer is satisfied that the development would not have an adverse impact on either of the designated heritage assets, given the separation distances. However, it was noted that the development would impact within the wider rural setting and this may lead to harm.
- 6.47 Paragraph 196 of the NPPF states that less than substantial harm should be weighed against the public benefits of the proposal. The site has been designated for the development of least 60 dwellings in a made neighbourhood plan and would provide a 35% affordable housing contribution equivalent to 22 units. To this end, the Local Planning Authority attributes significant weight to the delivery of housing on an allocated site and substantial weight to the provision of affordable housing. Further, the improvements to the PRoW to the western boundary of the site would enhance the existing arrangement – significant weight is attributed to this public benefit. Given the less than substantial impact of the proposal to the identified designated heritage assets, the aforementioned public benefits of the scheme are considered sufficient enough to outweigh the less than substantial harm identified. As such, no objection is raised with regards to Policy 34 of the HDPF and Chapter 16 of the NPPF.
- 6.48 Further to the above, the Council's Archaeological Consultant has identified that the site is located approximately 650m north of a group of 10 bowl barrows (scheduled ancient monuments). Given the clear evidence for extensive prehistoric activity in the area, there is potential for archaeological remains to be present on this site. A condition is attached to ensure that a written scheme of investigation is submitted prior to the commencement of the development relating to any potential archaeological findings on the site.

#### Highways and Access

- 6.49 The application seeks detailed consent for the access to the site. The proposal comprises an access to the site from the northern end of Downsview Avenue, including a system of internal roads, footpaths, and driveways. In support of the application, the submission included a Transport Statement, and a Road Safety Audit (RSA).
- 6.50 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

#### *Site Access*

- 6.51 The site is currently accessed via a pedestrian gate to the PROW along the western boundary of the site, and a gated vehicular access. The proposal would be facilitated by an improved access to the site from Downsview Avenue, removing the vehicular gate, which would continue the highway through the site into a system of streets. The adoption status of the street will be confirmed at reserved matters stage.
- 6.52 The submitted transport statement has estimated vehicle trips anticipated as a result of the development. WSCC Highways have confirmed their agreement with the trip generation data supplied and are satisfied that the development will not result in any severe capacity highway impacts.

- 6.53 The stage 1 RSA designers' response (received on 12.11.2019) confirms that suitable visibility can be achieved from the access of the site on to Downsview Avenue, and that suitable signage and crossing points would be provided as part of the detailed design. WSCC Highways agree with the findings of the RSA. Further, the RSA confirms there are adequate rights to lay, construct, maintain, use, renew and upgrade an estate road and associated street furniture to serve the proposed development (to an adoptable standard), as long as it is not necessary to lay any new roadway beyond the boundaries of the existing roadway on the strip of land. The red line has been amended to include this strip of land, and the necessary ownership certificates have been submitted.
- 6.54 Criterion (b) Policy 2(vi) of the SSWNP states that access to the site should be achieved from Downsview Avenue. WSCC Highways have confirmed that the access to the site would have acceptable visibility and would not cause safety concerns for users of the highway. Therefore, the principle of the method of access from this part of the street is accepted in compliance with this Policy.

#### *Road Layout and Parking*

- 6.55 The layout of the site has been reserved for later consideration. The road layout and arrangement illustrated on the submission plans are indicative, and may change at the reserved matters stage. However, given the level of detail submitted, the plans are considered to establish the layout's broad parameters. The indicative site layout provides 130 parking spaces, with a minimum of 2 parking spaces for each house and one parking space for each flat, plus 22 visitor bays. The WSCC parking demand calculator recommends 147 parking spaces for a development of this housing mix in this ward. It is noted that Community Aim 3 of the SSWNP requires this quantum to be provided as a minimum.
- 6.56 Based on the indicative layout there is sufficient space to allow for additional parking either within the grounds of each dwelling or via additional street bays to suitably provide at least 147 spaces and meet the requirements of the WSCC Parking Standards and Community Aim 3 of the SSWNP. Final details of parking arrangements will be reviewed at the reserved matters stage once the final layout and housing mix is known. This will include the provision of appropriate disabled parking and electric vehicle (EV) charging points to meet the new WSCC standards (which currently require 28% of all parking spaces to provide EV charging facilities).

#### Public Rights of Way (PRoW)

- 6.57 The allocation of this site for housing development under Policy 2(vi)d of the SSWNP requires that the PRoW 2448 along the western boundary of the site be enhanced as part of a green corridor along the western perimeter of the site. PRoW 2448 travels south-north along the western boundary of the site and continues northwards of the site onto a network of PRoWs travelling to Northlands Lane. The application provides for improvements to PRoW 2448, by way of upgrading the existing grassed track within the site boundary to a 2m wide surfaced track. The hedgerows along the western boundary of the site would be maintained, including a 1m buffer between the track and the hedgerow, and the indicative landscape plan indicates that trees would line the eastern side of the PRoW between the PROW and the development.
- 6.58 WSCC PRoW Team have requested the footpath be upgraded to a 3m wide bridleway both within the site and on third party land to connect with Northlands Lane some 140m to the north. The justification for this is to provide better walking and cycling links from the development to recreation and employment sites to the north, as well as to Rydons School to the southeast. The WSCC PRoW team have requested this be secured at the applicant's expense via a s106 obligation.

- 6.59 Criterion (d) of policy 2(vi) of the SSWNP seeks enhancements to the pathway within the site, but does not specify to what standard, or that a 3m wide bridleway must be secured. Neither does it require an upgrade to the footpath outside of the site boundary. The applicant's proposal is to upgrade the existing unmade path within the site boundary to a 2m wide surfaced path with a buffer to the hedgerow along the western site boundary and to the roadway on the eastern side. This represents a significant enhancement on the existing arrangement in compliance with the requirements of Policy 2(vi).
- 6.60 WSCC's ambition to upgrade the existing unmade path to a 3m bridleway both within the site boundary and for an extra 140m to the north is acknowledged. However, in this instance it is not considered that a 3m bridleway to Northlands Lane is necessary to make the development acceptable in planning terms, given that the recently adopted neighbourhood plan policy requirement does not explicitly require such an improvement. Furthermore, the principal justification for the 3m bridleway within the site is to allow for cyclists and walkers to avoid conflict. As the indicative layout shows the footpath running alongside the internal streets, cyclists would be able to use the estate road alongside. This, in addition to the need to appropriately balance the requirement to provide at least 60 dwellings on the site, maintain the ecological benefit of the hedgerow on the western site boundary, and provide a good quality soft landscaped environment, leads Officers to conclude that the proposed 2m segregated footway within the site is acceptable as presented.
- 6.61 In respect of the WSCC request to improve the footpath north of the application site, as stated this is not a requirement of the policy allocation. The footpath as existing forms a narrow unmade pathway downhill through a woodland strip where it meets Northlands Lane. It is accepted that an improvement would be beneficial to promote improved walking links to the employment sites on Water Lane and to the wider countryside. However, the applicants have advised that the landowner is not in a position to agree to contributions to enhancements this path. Whilst this is regrettable, the proposed enhancements to the PRow within the site are considered sufficient to meet criterion (d) of policy 2(vi) of the SSWNP and are considered a benefit of the scheme standalone. The additional works off-site, although desirable, are not therefore considered necessary to make the development acceptable.
- 6.62 Details of the proposed materials and design of the improved PRow are to be secured by condition. The improvements to the PRow presented are therefore considered to suitably enhance the existing arrangement, thus demonstrating the proposals accordance with criterion (d) of policy 2(vi) of the SSWNP.

#### Ecology

- 6.63 An Extended Phase 1 Habitat Survey Report, in addition to Dormouse and Reptile surveys, has been undertaken in support of this planning application. The surveys assessed the potential presence of various species including: bats, reptiles, great crested newts, birds, dormice, small and medium-sized mammals, and badgers.
- 6.64 The surveys acknowledge that the site has mixed ecological value, and conclude that through the use of suitable mitigation and enhancement measures the scheme would not result in adverse impacts on the biodiversity of the area. This includes: the use of native plants species known to provide foraging opportunities for breeding birds and nectar sources for invertebrates; enhanced hedgerow planting to enhance its value for wildlife and offset any potential losses; safeguarding badgers through appropriate construction site layout; including night-flowering plants for bat foraging; retaining existing trees and hedgerows; reduced wattage / amounts of illumination; creating hedgehog holes to fencing, and; the sue of protective reptile fencing.
- 6.65 The Council's Ecology consultant has reviewed the submitted survey and, subject to adequate avoidance, mitigation and enhancement measures secured via suggested condition, does not object to the proposed development.

## Drainage

- 6.66 The Environment Agency's online flood maps show that the site is located within Flood Zone 1, meaning that the land is in a 'low probability' flood zone, and has a 'less than 1 in 1,000 annual probability of river or sea flooding'. No water courses run through the site. The site is located approximately 102m south-west of a designated flood zone 2/3 (sourced from an ordinary watercourse).
- 6.67 In order to manage the risks associated with surface water and flooding, Sustainable Drainage Systems (SuDS) have been incorporated to the layout, including two large attenuation tanks proposed beneath the rear parking courts of the larger parcels of housing, two smaller tanks south of the open space, in addition to two shallow swale / filter drains. The surface water and foul sewage would be directed to a pumping station towards the north of the site, treated, and would be taken out of the site via a new pipe travelling north through the adjacent field, discharging into the ordinary watercourse.
- 6.68 The Council's Drainage Engineer has stated that the proposed drainage design is practical, though somewhat basic. It is noted that the Council's Drainage Engineer has highlighted that the drainage design has been designed on Southern Water's current adoption policies but would prefer that the design is based on the recommendations of the more recent Sewers for Adoption 8<sup>th</sup> Editions (SfA8). The applicant's Drainage Engineer has confirmed that the design has been based on Southern Water's current recommendations, as they cannot give weight to forthcoming SuDS policy changes until they have been formally adopted by Southern Water. Until SfA8 is formally adopted, the design at this stage must align with Southern Water's current policy.
- 6.69 The Council's Drainage Engineer has also identified that SuDS should be better integrated within landscaped areas, although the density of the site restricts the site's ability to do so. It would also be preferable that an existing nearby sewer network is utilised. However, it is noted that as the site has been allocated for *at least* 60 dwellings, reducing the density would amount to a development in non-compliance with the SSWNP. Further, given the ecological sensitivities associated with the open space area to the north-eastern corner of the site, concentrating surface drainage to this area may have adverse consequences on the biodiversity of the site.
- 6.70 Nevertheless, and despite these restrictions, it is acknowledged that more could be done to improve the proposed drainage on the site in addition to better integrating it with the landscaping. For instance, the FRA states that trees pits could be integrated within the SuDS design. If the streets are to remain unadopted, there may also be scope to incorporate porous paving, thus introducing an additional SuDS method – this will be confirmed at the reserved matter stage. Having regards these matters it is considered that a condition should be attached to ensure that further details of the SuDS design are submitted prior to the commencement of the development.
- 6.71 In respect of foul disposal, it is noted that the applicant's submission includes a letter from Southern Water dated 28.12.2017 (Appendix C of the Wardell Armstrong Flood Risk Assessment (FRA)) which identifies to the applicant's Drainage Engineer that there is a capacity issue to the existing sewer network south of the site on Downsview Avenue. However, the subsequent consultation response received from Southern Water (dated 23.10.2019) states that Southern Water can provide foul sewage disposal to service the development.

## Other Issues

### *Air Quality*

- 6.72 The centre of Storrington is a designated Air Quality Management Area. Issues relating to the impact of the proposed development on air quality have been raised by numerous neighbouring letters of representation.
- 6.73 The submitted Air Quality Assessment concludes that the development would not result in significant air quality harm during the operational and occupation phases. Paragraph 5.2.25 details mitigation measures that could be implemented to reduce any potential impacts, such as: installation of electrical vehicle charging points; travel plan including mechanisms to reduce vehicle use and increase the uptake of low emissions fuels and technologies; low emissions parking provision; differential parking charges; incentives for low-emission vehicles; support local walking, and; contributions to local air quality action plan initiatives. The damage cost calculation has been calculated at £28,746 for mitigations – the Council's Environmental Protection Officer has accepted this figure.
- 6.75 However, it is noted that the Council's Environmental Protection Officer considers the mitigation measures within the assessment as generic, and that more detailed mitigations should be sought through an Air Quality Mitigation Plan. This has been secured by condition.
- 6.76 With the above in mind, it is accepted that necessary mitigations could be put in place to overcome potential air quality issues. This will be secured via the submission of an Air Quality Mitigation Plan, and the mitigations implemented at the expense of the developer.

### *Community Infrastructure Levy (CIL) and Section 106 Agreement*

- 6.76 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017. This development constitutes CIL liable development.
- 6.77 In the case of outline applications, the CIL charge will be calculated at the relevant reserved matters stage.
- 6.78 A Section 106 Agreement has been drafted to secure the affordable housing contributions (35%), landscape maintenance, and road surfaces. This will be agreed between the Council's legal department and the applicant's solicitors prior to issuing the decision notice if members are minded to agree with the Officer's recommendation to approve the planning application subject to the below planning conditions.

### Conclusions

- 6.79 The application seeks outline planning consent for the erection of 62 dwellings, with all matters reserved for later consideration except for access. Details relating to scale, appearance, design and landscaping have been reserved. The site has been allocated for the development of *at least* 60 dwellings in the SSWNP (Policy 2, vi). The proposal includes an appropriate housing mix, in addition to a policy compliant provision of affordable housing. Therefore, the principle of the development is accepted. The submission has further demonstrated accordance with the criterion within Policy 2(vi) of the SSWNP, including access to the site and enhancements to the PRoW, in addition to general compliance with local planning policies. Details relating to landscaping and open space provision will be agreed in detail at the reserved matters stage.
- 6.80 It has further been demonstrated that the proposal would not amount to an adverse impact on existing residents' amenity. The detailed design stage will confirm the layout and habitable room placement of the dwellings closest to the eastern boundary of the site in order to

minimise noise impact from the adjacent commercial units on the Water Lane industrial estate.

- 6.81 The development would amount to minor adverse impact on the landscape character, and less than substantial harm to the historic context of the site, in which the harm identified would be outweighed by the benefits of the scheme such as the provision of market and affordable housing, and enhancement to the existing PRow. No harm would occur to the existing TPO specimen trees adjacent to the site boundary. It has also been demonstrated that the access to the site can be achieved safely and would not cause harm to the operation or safe use of the existing highway network.
- 6.82 Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed to. An alternate design to the proposed method of drainage should be sought prior to the commencement of the development, which has been secured by way of planning condition. Issues relating to air quality mitigations will also be sought by way of planning condition, as agreed by the Council's Environmental Protection Officer.
- 6.83 Officers therefore recommend that this application for the development of the site approved, subject to the below detailed list of planning conditions and the completion of the necessary s106 legal agreement.

## **7. RECOMMENDATIONS**

- 7.1 To approve outline planning permission, subject to the following conditions:

### Conditions:

#### **1 Outline Consent Condition:**

- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

- 2 **Parameter Plans Condition:** The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate substantial compliance with the following parameter plans to fix the development principles, unless otherwise agreed to and approved in writing by the Local Planning Authority:
- Heights Parameter Plan : 6494-05, received 20.11.2019
  - Site Access from Downsview Avenue : SK06 B, received 20.11.2019

Reason: To enable the Local Planning Authority to control the development in detail and to ensure compliance with the parameter plans established within the outline consent throughout the development of the applications site.

- 3 **Reserved Matters Condition:** The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate that all ecological and biodiversity enhancement measures and/or works shall be carried out in accordance with the details contained in the submitted ecology reports (Extended Phase 1 Habitat Survey Report, Lockhart Garrett, June 2017; Dormouse Survey, The Ecology Partnership, October 2019; Great Crested Newt eDNA testing, The Ecology Partnership, June 2018; Reptile Survey, The Ecology Partnership, October 2017; and Badger Monitoring 2019, The Ecology Partnership, May 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 4 **Reserved Matters Condition:** The submission of the (landscaping) reserved matters application pursuant to the outline planning application hereby permitted shall be accompanied by a Landscape and Ecological Management Plan (LEMP). The content of the LEMP shall include the following:
- a) Description and evaluation of features to be created and managed (i.e. bats, dormouse and badger).
  - b) Ecological trends and constraints on site that might influence management (i.e. bats, dormouse and badger).
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organisation responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.

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

maintained in accordance with the approved details unless otherwise agreed to in writing by the Local Planning Authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Reserved Matters Condition:** A lighting design scheme shall be submitted with the subsequent reserved matters application. The scheme shall identify those biodiversity features on site that are particularly sensitive for nocturnal species (in particular bats, dormice and badgers) and that are likely to cause disturbance along important routes used for roosting, shelter, foraging and / or commuting; and show how and where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their territory both during construction and operation.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 6 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period unless otherwise agreed to and approved in writing by the Local Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction to avoid the Storrington Air Quality Management Area where possible,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, if required),
- hours of works,
- A site compound plan,
- details of public engagement both prior to and during construction works,
- Details setting out how the biodiversity on the site shall be protected during the construction phase of the development.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of existing neighbouring dwellings during construction in accordance with Policy 33 of the Horsham District Planning Framework (2015), and to conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, and the Wildlife & Countryside Act 1981.

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

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

- 8 **Pre-Commencement Condition:** Notwithstanding details previously submitted, 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 (to be submitted), and shall be designed so as to prevent the discharge of water onto the public highway. 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 Condition:** Prior to the commencement of the development the applicant must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to protect the public water main. Details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details, unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: In order to protect water apparatus, and ensure future maintenance in accordance Policy 38 of the Horsham District Planning Framework (2015).

- 10 **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, unless otherwise agreed to and approved in writing by the Local Planning Authority.

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).

- 11 **Pre-Commencement Condition:** Prior to the commencement of the development, a detailed mitigation strategy establishing the on-site measures to improve air quality at both the operational and construction phases shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be written in accordance with the Council's Planning Advice Document: Air Quality & Emissions Reduction Guidance (2019), and shall detail the calculated damage costs that will be spent on practical mitigation measures. The approved detail within the strategy shall thereafter be strictly adhered to unless otherwise agreed to and approved in writing by the Local Planning Authority.

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

- 12 **Pre-Commencement Condition:** Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the local planning authority:
- a) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

The development shall be completed in accordance with the approved details, unless otherwise agreed to and approved in writing by the Local Planning Authority.

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

- 13 **Pre-Commencement Condition:**
- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
  - ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 14 **Pre-Commencement Condition:** Prior to the commencement of the development, details of the proposed water pumping station (as shown on plan 6494-01 H, received 20.11.2019) including plans, elevations, material and boundary treatment shall be submitted to and approved in writing by Local Planning Authority. The water pumping station shall be fully operational prior to the occupation of the first dwelling. The works shall be undertaken in strict accordance with the approved detailed, and shall thereafter be maintained as such, unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory appearance in relation to the housing on the site, and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **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).

- 16 **Pre-Commencement (Slab Level) Condition:** Prior to the commencement of the development above slab level, details of the proposed improvement works to the Public Right of Way (ROW 2448) along the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to:
- A layout plan of the pathway at a scale of at least 1:500;
  - Horizontal sections of the proposed pathway at a scale of at least 1:20;
  - Details and construction of the proposed surfacing materials;
  - Details of any planting adjacent to the pathway (in accordance with landscape detail, to be submitted);
  - Details of the long-term management and maintenance of the pathways, and;
  - Details of (if any) street furnishings.

The works shall be undertaken in strict accordance with the approved details and completed prior to the occupation of the twentieth dwelling, and shall thereafter be maintained as such, unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To ensure that the improvement works to the Public Right of Way are undertaken in accordance with the standards accepted by the West Sussex County Council Public Right of Way Team, and to ensure satisfactory appearance in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

- 18 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

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).

- 19 **Pre-Occupation Condition:** No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing SK06 B, received 20.11.2019. The works shall be undertaken in strict accordance with the approved detailed, and shall thereafter be maintained as such, unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework.

- 20 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

- 21 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement prepared by Lizard Landscape Design and Ecology (LLD1167-ARB-REP-001, received 03.10.2019)

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

## *INFORMATIVES*

### Noise Mitigation Design

At the reserved matters stage seeking permission for the site's detailed design, the proposal should incorporate measures to reduce the exposure of the habitable rooms to noise to the dwellings closest to the eastern boundary of the site in accordance with the advice given in section 6.7.2 of the Noise Assessment Report requirements of the NPPF to secure good design in accordance with guidance given in Section 3 of ProPG: Planning & Noise Supplementary Document 2: Good Acoustic Design published jointly by the Association of Noise Consultants, Institute of Acoustics and Chartered Institute of Environmental Health

### Southern Water

A formal application for connection to the public sewerage system is required in order to service this development, Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

The planning application form makes reference to drainage using Sustainable Urban Drainage Systems (SUDS).

Under current legislation and guidance SUDS rely upon facilities which are not adoptable by sewerage undertakers. Therefore, the applicant will need to ensure that arrangements exist for the long term maintenance of the SUDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system. Thus, where a SUDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SUDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

Due to the vibration, noise and potential odour generated by sewage pumping stations, no habitable rooms should be located closer than 15 metres to the boundary of a proposed pumping station site.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), [www.southernwater.co.uk](http://www.southernwater.co.uk) or by email at [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk)

#### CEMP Biodiversity

The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities, including but not exclusive to pollution, vegetation clearance, open excavations particularly for dormice, bats and badger.
- Identification of "biodiversity protection zones" especially for dormice, bats (to include locations of trees with roosting potential) and badger.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

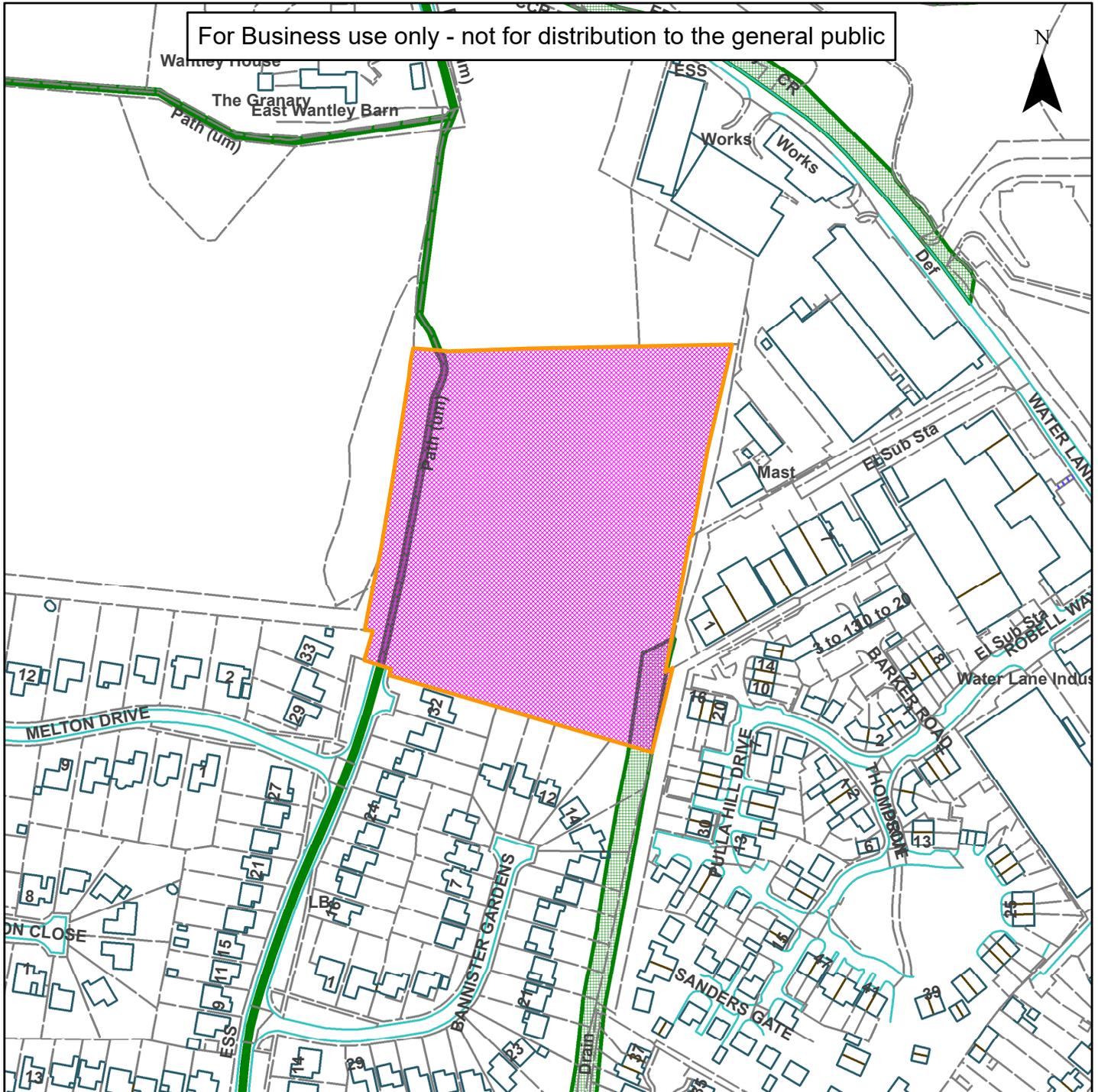
Measures to protect badgers from being trapped in open excavations and/or pipe and culverts may include:

- a) creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 150 mm outside diameter being blanked off at the end of each working day.

Background Papers: DC/19/2015



Land North of Downsview Avenue Storrington RH20 4LU



Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
ISA Number	100023865

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**Horsham  
District  
Council**

# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 21 January 2020

**DEVELOPMENT:** Removal of condition 2 to previously approved application DC/16/2388 (Change of use of land to caravan site for stationing of up to three caravans for occupation by gypsy-traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)-part retrospective) to allow for the permanent use of the site for use a caravan site for occupation by gypsies and travellers.

**SITE:** Parsons Field Stables Pickhurst Lane Pulborough West Sussex

**WARD:** Pulborough, Coldwaltham and Amberley

**APPLICATION:** DC/19/2105

**APPLICANT:** **Name:** Mr and Mrs F Keet **Address:** Parsons Field Stables Pickhurst Lane Pulborough West Sussex

**REASON FOR INCLUSION ON THE AGENDA:** Pulborough Parish Council have requested to speak on the application at Planning Committee.

The application has been called to Planning Committee by a local Ward Member.

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 permanent planning permission subject to conditions

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

To consider the planning application.

### **DESCRIPTION OF THE APPLICATION**

1.1 The application seeks the removal of condition 2 attached to planning application reference number DC/16/2388 to allow for the permanent use of the site for the stationing of up to 3no caravans for use by gypsies and travellers.

1.2 From a case officer site visit in November 2019 it was evident that the site was currently in use for this purpose following the initial granting of planning permission for the change of use of the site in 2011 under planning reference DC/09/2130. The site has benefited from a

number of temporary permissions to allow for its use as a gypsy and traveller caravan site, the latest of which expired on the 31/12/2019.

- 1.3 It is noted that the application has been submitted seeking either a permanent or a further temporary permission. Given that the site has operated as a caravan site for gypsies and travellers for a considerable period under two temporary consents, it is considered appropriate to now consider the merits of a permanent permission on this site in the first instance. In the event a permanent permission is considered unacceptable, it would be appropriate to then consider whether a further temporary permission would overcome the identified concerns.

#### DESCRIPTION OF THE SITE

- 1.4 The site is situated within a rural location to the south of Pickhurst Lane, approximately 600m (as the crow flies) north of the built-up area boundary to Codmore Hill. Within the site are 2no static mobile home, a wooden clad outbuilding, a utility trailer, pole barn and a touring caravan. At the entrance to the site is a brick wall with timber inserts and gate, on the boundary to the north of the site is panel fencing, which is continued on the south eastern boundary. On the inner side of the fence leylandii trees have been planted. The site also benefits from a pole barn, a utility shed, a septic tank, and an ancillary building.
- 1.5 A mature hedgerow runs along the boundary to Pickhurst Lane. There are public footpaths to the east and west of the site. The boundary of the South Downs National Park is located some 175 metres to the west of the site. Whitehall Cottage a grade 2 listed building is located to the north east of the application site, on the opposite side of Pickhurst Lane. The site is not located within in a Conservation Area or a Flood Risk Zone.

## 2. INTRODUCTION

#### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

#### RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework
- 2.3 The Government also published 'Planning Policy for Traveller Sites' in 2015 alongside the NPPF. Policy H advises on the determination of planning applications for traveller sites.

#### 2.4 RELEVANT PLANNING POLICIES

##### **The National Planning Policy Framework (NPPF)**

##### **Planning Policy for Traveller Sites (PPTS)**

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

- Policy 1 - Strategic Policy: Sustainable Development.
- Policy 2 - Strategic Policy: Strategic Development.
- Policy 3 - Strategic Policy: Development Hierarchy.
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations.
- Policy 22 - Gypsy and Traveller Sites.
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation.
- 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 40 - Sustainable Transport.
- Policy 41 - Parking.
- Policy 42 - Strategic Policy: Inclusive Communities.
- Policy 43 - Community Facilities, Leisure and Recreation

#### RELEVANT NEIGHBOURHOOD PLAN

2.5 The Parish of Pulborough was designated as a Neighbourhood Development Plan Area in February 2014. To date no draft Plan has been prepared for public consultation.

2.6 Supplementary Planning Guidance: Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) 2017

#### 2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/09/0513	Stationing of mobile home for settled gypsy accommodation	Application Refused on 09.09.2009 Under Delegated Powers
DC/09/2130	Retrospective change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hard standing	Application Permitted on 28.04.2011 at Planning Committee. Permission granted for temporary and personal permission for use of the site until 19.04.2013.
DC/13/0577	Removal/variation of condition 1 and 2 (relating to timescale for permission and occupancy) pursuant to application DC/09/2130 (Change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hardstanding)	Variation of Condition 1 Permitted on 22.01.2014 at Planning Committee extending permission to 19.11.2015, with personal occupancy Condition 2 retained in full.  Removal of Condition 2 Permitted at Appeal by the Planning Inspectorate 04.02.2015, with further temporary permission granted for use of the site until 31.12.2019.
DC/16/2388	Change of use of land to caravan site for stationing of up to three caravans for occupation by gypsy-traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)-part retrospective	Application Permitted on 18.01.2017 at Planning Committee. Temporary Permission granted until 31.12.2019 in line with DC/13/0577.
DISC/17/0027	Approval of details reserved by conditions 2, 8, 9, 11 and 13 on DC/16/2388	Split Decision on 18.04.2017

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

- 3.2 **Strategic Planning**: No objection  
Verbal Comments. No objections raised given the current need and lack of 5-year supply for Gypsy, Traveller and Travelling Showpeople accommodation.
- 3.3 **Environmental Health**: No Objection.  
This caravan site has been operating on a temporary basis with a Caravan Site Licence for over 2 years, with no issues occurring with regards to the Licence conditions or issues having been raised to this department over the site in that time. I would therefore have no objections to the renewal of the planning permission on a permanent basis.
- 3.4 **HDC Heritage Officer**: No objection  
Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, in considering whether to grant planning permission.

Parsons Field is identified on the early additions of the Ordnance Survey on the southern side of Pickhurst Lane, to the west of the application site. To the east of the site are the grade 2 listed properties of Whitehall Cottage and Cherry Tree Cottage. Cherry Tree Cottage is described in the HE listing description as; "C17 or earlier timber-framed cottage with painted brick infilling, south end rebuilt in ashlar. Tiled roof. Casement windows. Two storeys. Three windows. Modern L-wing to west." Whilst Whitehall Cottage is described as "C17 cottage with modern wing to east. The original portion has two storeys and two windows. Stone, now painted. Hipped tiled roof with pentice behind. Casement windows." Both Whitehall and Cherry Tree Cottage are traditionally scaled rural vernacular buildings which reflect their rural setting. Their rural surroundings form part of the understanding of the dwellings.

Pickhurst Lane is a narrow rural lane, with sporadic buildings facing onto the road. The application site on its northern boundary is enclosed by hedging, and the road curves in this location. It is considered that the curvature of the road and the position of the application site, in conjunction with the distance to the listed buildings on the northern side of the road would result in limited/if any intervisibility between the listed buildings and the application site. The experience of the listed buildings in their rural setting would be retained, and the understanding of the listed buildings would not be harmed by the proposal. No objection would therefore be raised to the scheme.

- 3.5 **HDC Property Services (Drainage)**: Comment  
No drainage information has been submitted to make any relevant comments or observations. Therefore if this development is permitted suitable drainage conditions should be applied that show full details of the measures to dispose of both foul and surface water.
- 3.6 **HDC Planning Compliance**: No Objection  
Verbal Comments – No instances of reported issues have occurred or been received.

#### OUTSIDE AGENCIES

- 3.7 **Southern Water**: No Objection

### 3.8 **WSCC Highways:** No objection

The site is accessed by an existing established access on Pickhurst Lane. Whilst visibility at the access is somewhat restricted, Pickhurst Lane is considered lightly trafficked and vehicles are not anticipated to be travelling at the posted speed limit. This application is merely to make the site permanent and does not propose any additional mobile homes or caravans. Therefore there is no material intensification of use associated with this proposal.

There appears to be sufficient space on-site to accommodate enough vehicular parking to meet the needs of the site. There is also sufficient space for on-site turning to be achievable, allowing vehicles to exit onto Pickhurst Lane in a forward gear.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts 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.

## PUBLIC CONSULTATIONS

### 3.9 **Pulborough Parish Council:** Objection

- This is not a proven case for a travelling way of life.
- The application refers to 3 caravans. Does this mean 3 separate caravan 'pitches' together with supporting infrastructure?
- Ref Plan 1, although not explained, the adjoining field to the west of the application site has already been sub-divided into an additional 3 plots by using Leylandii and Laurel hedging. Has the ownership of this land been established and is it included in this application?
- The application site/s are well outside the defined Built Up Area and adjacent to the SDNPA boundary.
- The 'yard' site was originally illegally occupied in 2005 without planning consent and given temporary permission for the education of a child. The site has subsequently been sold and this temporary permission expires at the end of December 2019.
- The site was the subject of failed appeals, on the grounds of "being harmful to the character of the surrounding area". This situation continues today, especially when the site is used for the parking of commercial vehicles, which are not consistent with the temporary permission.

There are many letters of objections from local residents, who refer to:

- The lack of road safety for drivers and pedestrians in Pickhurst Lane.
- The dangerous junction of Blackgate Lane with the A29, a local accident black spot.
- The distance from local amenities.
- Inappropriate lighting within the site.
- Numerous vehicle movements from the application site and parking of vehicles in the adjoining field.
- The close proximity to 2 listed dwellings.
- The applicants have a history of similar development with East Hants District Council, involving a site in Liphook.

- The Parish Council strongly support the comments made by The Wiggonholt Association and Batcheller Monkhouse.
- Pulborough Parish Council will send a representative to the Planning Development meeting to speak as an objector.

3.10 A total of 23 letters of objection from 21 separate households/bodies have been received for this application. The letters of objection can be summarised as follows:

- Conflict with national, regional and local neighbourhood planning policies.
- No need for additional gypsy sites
- Highways and Parking Concerns
- Issues with regards to drainage
- Unsuitable site owing to its location
- Lack of essential services to site
- Noise disturbance and Loss of privacy
- Detrimental effects on the character of the area
- Impact on listed buildings to the east

#### **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 considerations material to this application relate to the principle of development, the suitability of the location; highways, parking and access; the amenities of the occupiers and adjoining properties; the impact on the landscape character of the area.

##### **Principle of Development**

6.2 This site has a complex planning history. Planning permission was granted on the site in April 2011 under DC/09/2130 for the change of use of land to a caravan site for two caravans for occupation by a single gypsy family, with a timber shed and hardstanding. Condition 1 of the permission required the permitted mobile home and touring caravan on the site to be removed on or before 19 April 2013. Condition 2 was a personal condition which restricted the occupation of the mobile home to Sarah Barnes and her family only.

6.3 In April 2013 application DC/13/0577 was submitted which sought to remove both conditions 1 and 2 to allow unrestricted permanent occupancy as a gypsy and traveller site. Rather than remove Condition 1, it was determined that the Condition should be varied to allow the mobile home to remain until 19 November 2015. It was determined that Condition 2 should not be amended. This permission was subsequently taken to appeal, with the Inspector allowing the appeal subject to Condition being revised to permit the temporary use of the site until 31 December 2019. The date of 31 December 2019 was considered appropriate by the Inspector as it would align with the end of the applicant's son's secondary education (but recognising that this matter alone was not necessary to justify the temporary permission), and with the anticipated timeframe by which the Council would be able to demonstrate a plan-led provision of gypsy and traveller sites.

- 6.4 The Inspector also determined to remove Condition 2, which restricted occupancy to the applicant only, so that any Gypsy and Traveller family (provided they meet the current definition contained within the Planning Policy for Travellers Sites (PPTS) document) could occupy the site.
- 6.5 Planning permission was then subsequently granted under planning reference DC/16/2388 to amend the red edge of the application site in order provide for an additional caravan, allowing for up to 3no caravans on the site (one of which would be a touring caravan) a utility trailer, utility block and septic tank.
- 6.4 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. This national policy document informed the Inspector's decision to extend the temporary use of the land to 31 December 2019 and remove the personal occupancy condition. Policy H of the PPTS relates to the determination of planning applications for traveller sites. At paragraph 23, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. Also, paragraph 24 of the Planning Policy Guidance requires Local Planning Authorities to consider the existing level of local provision and need for sites, along with the availability (or lack) of alternative sites for the applicants, and other personal circumstances of the applicant. It is noted at Paragraph 27 of this document that if a local planning authority cannot demonstrate an up-to-date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.5 In terms of local planning policy, Policy 21 of the HDPF: 'Gypsy and Traveller Site Allocations' makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017 in order to fulfil the backlog of unmet need identified through the Council's current Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2013). The policy confirms that Horsham District Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Gypsy and Traveller Site Allocations Development Plan Document (DPD).
- 6.6 However, it is acknowledged that a number of sites allocated through Policy 21 of the HDPF have yet to come forward and the DPD was not able to progress, therefore the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites.
- 6.7 The application site was put forward as a possible site within the draft DPD document but was subsequently excluded from the draft allocations on the grounds of impact on the landscape and historic impact. However, the draft DPD has not advanced owing to draft site allocations subsequently falling away. Consequently the draft DPD does not contain sufficient sites to meet the identified needs of the district. As a result the weight to be attached to the landscape and heritage justification not to allocate the site in the draft DPD is limited.
- 6.8 There have been no reported issues in relation to the use of this site and it appears to have been operating in accordance with the site licence in place. As the Council currently has a lack of identified sites for this purpose and cannot demonstrate a 5-year supply, the principle of retaining its use on a permanent basis is considered to be acceptable subject to all other relevant material considerations, including impact on landscape and heritage which is considered later in this report.

### **Landscape Character**

- 6.9 Policy 22 of the HDPF: 'Gypsy and Traveller Sites' sets out criteria for allocating land for pitches for Gypsies and Travellers, including the use of publically owned land; and the allocation of sites in strategic development sites or stand-alone allocations. Policy 23 (1) of the HDPF: 'Strategic Policy: Gypsy and Traveller Allocations' confirms in relation to any

planning applications for non-allocated sites that there must be no significant barriers to development that exist in terms of flooding, drainage and ground stability; that the site is served by a safe and convenient vehicular and pedestrian access; that the site has essential services; that the site is located in or near to existing settlements and that the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties.

- 6.10 The Inspector's decision on DC/13/0577 and the subsequent permission for three caravans on the site under DC/16/2388 are material consideration in the determination of this current application.
- 6.11 In respect of landscape matters, the Inspector concluded that 'the view of the site from the lane does not produce any harm to character or appearance that is relevant to my decision'. In the near 5 years have passed since the Inspector's decision it is noted that the existing boundary hedging has been left to mature thereby providing improved screening of the site, particularly when viewed from Pickhurst Lane. On this basis it is considered that the Inspector's conclusion remains relevant.
- 6.12 The Inspector did however identify that although the site was relatively small and neatly set out in well-kept surroundings contained, the harm to the rural character and appearance of the countryside was considerable. This was on the grounds that the site was distinctively residential in nature set in the corner of a larger field with only buildings of an agricultural nature adjoining. In the intervening years however, Leylandii have been planted to create a buffer screen along the previously open western site boundary, thereby reducing the visual impact and harm of the development on the rural character and appearance of the area. Whilst some of the landscape character harm identified by the Inspector remains, it is not considered so significant as before with the caravans and associated buildings/structures not appearing as such prominent additions within the landscape. The conflict with Policy 23(e) is therefore now considered moderate.

### **Impact on Listed Buildings**

- 6.13 Policy 34 of the Horsham District Planning framework states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. The proposal would be required to ensure it has no adverse effect upon the historic character and appearance of the listed building or its setting.
- 6.14 As stated above, there are two Grade II Listed properties located to the north-east of the site on the opposite side of Pickhurst Lane. It is noted that the site was rejected as part of the considerations of the draft DPD document because of the impact on the setting of these heritage assets. Notwithstanding this, following a case officer site visit and consultation with the Council's Design and Conservation Officer, who also carried out a site visit to assess the relationship, it is considered that the existing boundary treatments to the site and the distances maintained to the listed buildings ensure that there is no detrimental impact on the setting of these heritage assets. As such, the proposals to allow for the permeant use of the site are considered to be acceptable from this standpoint, and would not have a detrimental impact on the special historic interest of the heritage assets or their setting, in accordance with Policy 34 of the HDPF, chapter 16 of the NPPF, and the requirements of s.66 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

### **Sustainable Development**

- 6.15 The application site is outside of the built-up area and as such is classified as being in a countryside location. The nearest settlement is Codmore Hill, defined in the HDPF alongside Pulborough as a small town/larger village, which are settlements with a good range of services and facilities. Paragraph 21 of the PPTS states that applications should be assessed and determined in accordance with the presumption in favour of sustainable

development. As such, given the countryside location of this site at some distance away from these services it could be considered that the proposal is contrary to the Government guidance.

- 6.16 Notwithstanding the above, it must be noted that there is another gypsy and traveller site located approximately 200m away to the south-east (as the crow flies) at Oakdene Blackgate Lane, which was initially granted planning permission for this use in 2012 under planning reference DC/12/2093. Two further applications have been submitted and approved to allow for additional caravans to be stationed on this site. In Policy terms, Oakdene Blackgate Lane is also considered to be located within the countryside and outside of any defined built up areas and is considered to be viewed in the same context as Parsons Field.
- 6.17 Similar to the site at Oakdene, the application site has an existing and established access onto Pickhurst Lane which then connects to the A29 and to existing settlements. There are bus stops along the A29 which provide sustainable transport routes into Codmore Hill and Pulborough to the south.
- 6.18 It is accepted that walking is more likely to replace short car trips, if the distance is under 2 km, whilst cycling has the potential to substitute short car trips and to form part of a longer journey by public transport, particularly if under 5km. It is recognised that most local facilities are not within walking distance of the application site, with the school and railway station approximately 2.7 km and approximately 3.4 km away respectively. However, it should be recognised that many facilities e.g. the railway stations and the local school, appear to be within cycling distance, which suggests this location is not wholly unsustainable. It is also understood that buses do run daily along the A29, which is within walking distance of the site (approximately 610m away). It is a fact that the site is outside the settlement boundary, but it is not so isolated as to make non-private vehicle journeys inconvenient or unlikely. In that respect the site is considered to be in a reasonable distance of local services and facilities to accord with Policy 23(d).

### **Impact on Neighbouring Amenity**

- 6.19 Policy 33 of the HDPF require consideration be had to the resulting amenities of neighbouring occupiers of nearby land and properties and that development should consider the scale, massing and orientation between buildings.
- 6.20 With regard to the impact of the proposed development on neighbouring occupiers, there are two residential properties close to the site. 'Whitehall Cottage' a listed building is located to the north east of the site, whilst "Cherry Tree Cottage" also a listed building is adjacent to Whitehall Cottage. Whitehall Cottage is approximately 60 metres from the site boundary. It is considered that given the single storey nature of the caravans/buildings/structures on site, the distances maintained and the existing boundary treatments, the existing make-up of the site does not cause harm to neighbouring amenity and the permeant retention of this use and the caravans would not alter this beyond that of the current situation on site. In reaching this determination it is noted that there have been no recent issues reported to the Council's Environmental Health or Compliance teams.
- 6.21 The Inspector as part of the earlier appeal noted that "I do not consider that the possible effect of noise from the caravan affecting the persons using an area of hardstanding near an outbuilding on the opposite side of the Lane is unlikely to involve material harm." Overall, it is not considered that the scheme would contribute to any harmful impact on the privacy or amenity of the occupiers of the neighbouring residential properties, or users of adjoining land.

## **Highways & Parking Considerations and Implications**

- 6.22 Criterion (b) of Policy 23 of the HDPF requires that sites for gypsy and traveller accommodation are served by a safe and convenient vehicular and pedestrian access, and that proposals should not result in significant hazard to other road users. This is supported by Policies 40 and 41 of the HDPF which require, amongst other matters, safe and suitable vehicular access and adequate parking facilities. Paragraph 109 of the NPPF sets out that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 6.23 The site benefits from an existing and established access from Pickhurst Lane which has functioned appropriately for a number of years in relation to the use of the site. It is noted that no incidents or accidents have been recorded over the last 5 years which is confirmed by collision and accident data held by WSCC, indicating that the access is operating safely. It is also evident that there is sufficient parking and turning on site. WSCC Highways have raised no objections to the proposals and have stated that there would not be a severe impact on the operation of the highway network. Overall, it is considered that the continued permanent use as a gypsy and traveller site would accord with the relevant section of Policies 23, 40 and 41 of the HDPF.

## **Drainage**

- 6.24 It is noted that a condition pertaining to the foul and surface water drainage provision on site was attached to the previously approved application, reference number DC/16/2388. There have been a number of representations received in relation to the drainage on site and given that the condition has not been previously discharged, it is considered appropriate to attach a condition to this application which requires details of drainage to be submitted within two months of the date of permission.

## **Conclusion**

- 6.25 In conclusion, it is acknowledged that the Council cannot currently identify sufficient sites to meet the identified gypsy and traveller accommodation need or future need as required by the PPTS. This is a material consideration that weighs heavily in favour of the grant of permission.
- 6.26 Although the site was not allocated within the 2017 draft Gypsy, Traveller and Travelling Showpeople Site Allocations DPD, it must be noted that the site has operated as a gypsy and traveller caravan site for a number of years with no apparent issues or contraventions of planning control. Whilst concerns have been previously identified in respect of impact on landscape character, the planting around the site has suitably reduced the level of harm previously identified by the Inspector. In respect of the impact on the setting of the nearby Grade II listed buildings, no harm is now identified. Furthermore, the site is within a reasonable distance from services and facilities and the setting would not be dissimilar to an existing example of gypsy and traveller accommodation within a very short distance away at Oakdene, Blackgate Lane.
- 6.27 Overall, given the clear need identified by the Council with regards to gypsy and traveller sites, and the existing use of the site, the permanent use of the site for gypsies and travellers and the stationing of up to three caravans is now considered to be acceptable, with the benefit of the permanent retention of this accommodation considered to outweigh the identified harm to the landscape character of the area. The proposal would therefore be in accordance with Policy 23 of the HDPF and the guidance within the Planning Policy for Traveller Sites 2015. In reaching this recommendation regard has been had to the opportunity to extend the temporary permission for a further period of time, however for the

reasons set out above a permanent permission is considered most appropriate, and therefore recommended.

## 7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

1 A list of the approved plans and documents.

2 **Regulatory Condition:** Within two (2) months of the date of this permission a drainage strategy detailing the means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage strategy shall be implemented in full accordance with the approved scheme within two (2) months of approval and shall be retained as such thereafter.

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).

3 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework 2015.

4 **Regulatory Condition:** No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), of which no more than 2 shall be a static caravan or mobile home, shall be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework 2015.

5 **Regulatory Condition:** There shall be no more than one (1) touring caravan stationed on site at any time and this shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition:** No industrial, commercial or business activity shall be carried out on from the site, including the storage of materials.

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

7 **Regulatory Condition:** No Heavy Goods Vehicles (defined as any vehicle having 3 axles or more and with a weight exceeding 3,500kg) shall operate to or from the site or be stationed, parked or stored on the site at any time.

Reason: In the interest of highway safety and amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.

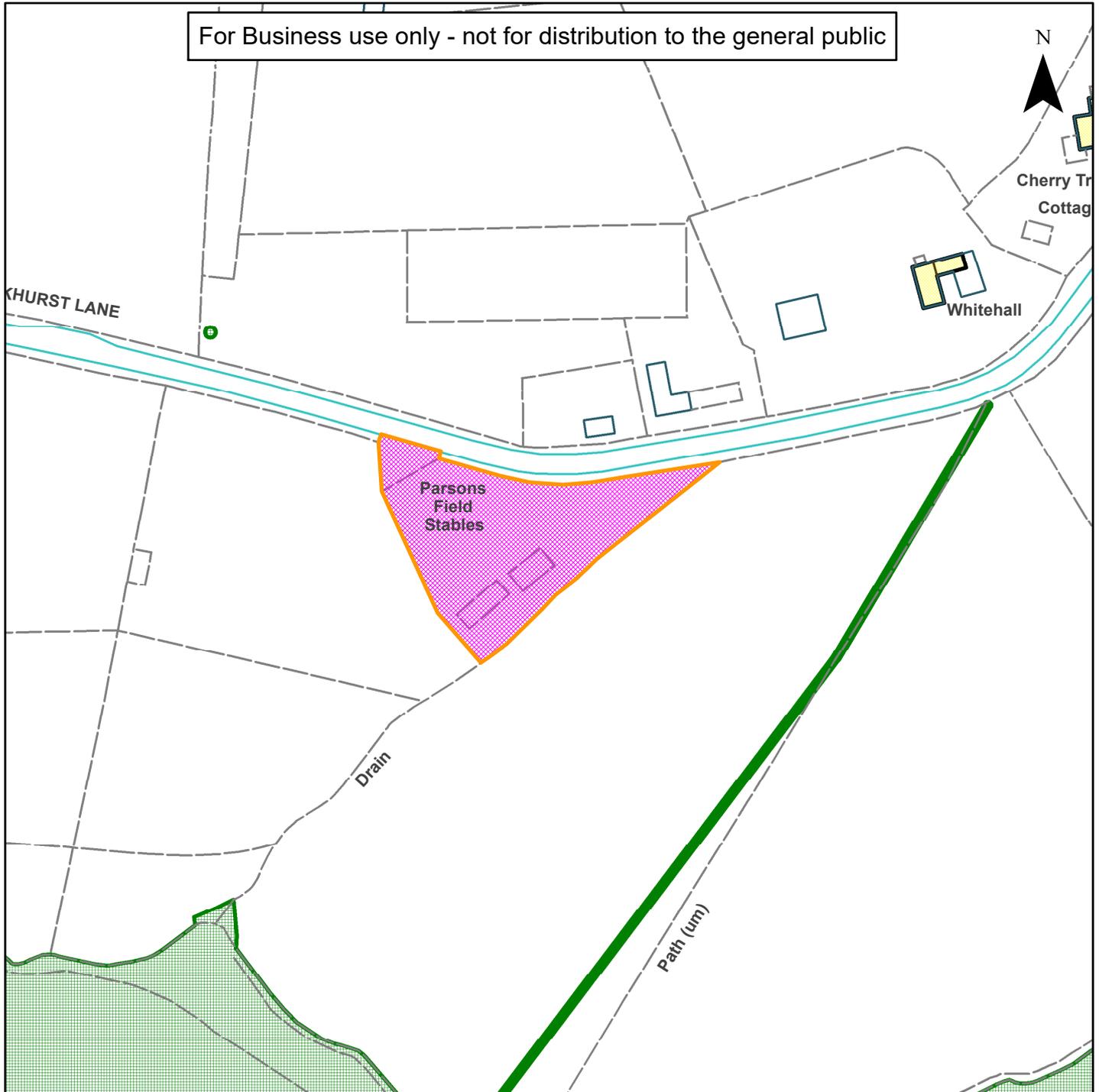
Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

Background Papers: DC/09/2130, DC/13/0577, DC/16/2388, DC/19/2105



Parsons Field Stables Pickhurst Lane Pulborough West Sussex

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 21st January 2020

**DEVELOPMENT:** Variation of Condition 5 of previously approved application DC/18/1695 (Construction of storage barn and retention of access) Relating to use of existing barn for volunteers

**SITE:** Land South of Kithurst Lane Storrington West Sussex

**WARD:** Storrington and Washington

**APPLICATION:** DC/19/2119

**APPLICANT:** **Name:** Mr Philip Orpwood **Address:** 8 Priory Close Storrington West Sussex RH20 4FQ

**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 planning permission subject to conditions

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

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

Permission is sought for the variation of condition 5 of DC/18/1695 which granted planning permission for the construction of a storage barn and retention of its access. Condition 5 of approved application DC/18/1695 states:

*Condition 5: The barn hereby permitted shall only be used to store equipment on behalf of the Norbertine Order to maintain land within their ownership and management control.*

This application seeks permission to vary this condition to allow the barn to be used as a muster point for volunteers where they would be given instructions, tools and also be able to take shelter in bad weather, to store their goods in the barn whilst working and taking light refreshments. This would be in addition to the use of the barn for the storage of tools and equipment previously permitted under application DC/18/1695.

The application documents refer to the storage of minor serving equipment such tools including sharpening tools within the barn. As these would fall under the definition of equipment to maintain the land on behalf of the Norbertine Order in relation to the current

condition 5 of DC/18/1695, they do not need to be included within this variation of condition application. The Supporting Statement also refers to reduction of a Leylandii hedge located outside the red edged application site. As this hedge lies outside the red edged application site, any maintenance works to hedges or trees would not need to be included in this material amendment application. The Applicant has however been notified that depending on the location of this hedge separate consent may be required under the Hedgerow Regulations.

## DESCRIPTION OF THE SITE

The application site comprises a timber barn set within an open area of land outside the built up area of Storrington, which adjoins the southern edge of the village and with the northern edge of the South Downs National Park running some 250m to the south. The site lies between a cemetery to the south, Kithurst Lane to the north and residential properties, a residential plot to the west 'Furzedown', and open area called 'Matt's Meadow / Matt's Wood' to the east.

The application site has vehicular access off a track which leads to the cemetery, a couple of residential properties and St Joseph's Hall further to the south. There is a very pronounced change in ground levels between the access track and the application site, with recently re-graded and newly defined vehicular entrance and planted area off the track, and a well screened and vegetated boundary along the northern side (Kithurst Lane). It is noted that the land to the east of the application site, Matt's Wood, is within the Storrington Conservation Area. The wider application site and Matt's Meadow retain some connection to the Norbertine Order who used to occupy the Monastery that lies to the north-east.

## PLANNING BACKGROUND

The wider application site is currently subject to an appeal Prior Notification application for the re-surfacing of an alternative field access from Kithurst Lane (DC/19/1113). Before the application for the storage barn was made in August 2018, two separate applications were made by the applicant in 2017 (DC/17/1989 and DC/17/1990) for the erection each of 1 detached chalet bungalow on the wider land shown as two subdivided parcels. Both planning applications were refused and subsequently dismissed at appeal, with the Inspector noting the site as having a 'pleasant, reasonably open and undeveloped quality' which makes an 'important contribution to the attractive character and appearance of this part of the countryside interface'.

Prior to these applications, permissions were sought by the same applicant in 2014 for the erection of 4 dwellings under DC/14/2139 and DC/14/0675, both refused with DC/14/2139 also dismissed at subsequent appeal.

Permission for a new storage barn was approved by the Planning Committee (South) at the end of November 2018 (DC/18/1695). The approved barn was to have a simple rustic vernacular, with open sided entrances to the west side and along the southern side, with the oak frame and dark-stained timber cladding emphasising the traditional rural farm building heritage. The approved design set out a simple three-bay design at ground floor only, with the interior stepped to relate to the sloping ground levels. The half-hipped roof was also of a simple and unbroken form.

The simple open-sided barn was approved on the basis that it would support the land management duties undertaken on behalf of the Norbertine Order and volunteers who continued to actively manage various land parcels off Kithurst Lane, including Matt's Wood to the east and the wider application site. The wider land also includes a storage shed at the southern end of the wider land parcel, close to the pond and orchard which has been planted and managed by volunteers over the past 5 years or so. The approved barn was

intended for equipment storage, including vehicles used for land management duties. The approved barn did not include any roof-lights, windows, nor was there a provision for a loft / storage space. The open structure was considered to be sufficiently secure owing to the location of the barn away from public view, and the presence of gates across the lane.

The barn now occupying the site has not been built in accordance with the plans approved under application DC/18/1695. The following deviations were noted on site: east and west-facing gable-end casement windows with diamond leaded lights, and three large roof-lights to the southern elevation. It is also noted that the barn as-built does not accord entirely with the approved design, as the gable-ends are higher than the approved scheme, estimated to be some 1m higher than the approved line, leading to an increased ridge length and massing of the roof-slope, and an apparent increase in ridge height over and above the approved scheme. The installed loft level, which was boarded out and provided with roof lights and windows, was being used for small machinery and equipment, and was accessed by way of a hatch and ladder. There was no apparent electricity supply in the barn, and the approved solar panels had not been installed as part of the as-built structure. A timber log store has also been added to the southern elevation of the building. More recently, doors have now been installed on the open sides of the barn on the southern and western elevations.

A material amendment application (DC/19/1638) was sought to application DC/18/1695 to amend the approved design of the barn and regularise the barn as constructed. This application was refused by the Council under delegated powers on the 4<sup>th</sup> October 2019. Officers considered that the increased bulk of the roof allied with the addition of the two windows and three roof lights on prominent elevations to the building had resulted in a more visually intrusive and dominant structure that was more residential in appearance and harmful to the prevailing rural character and appearance of the site and surrounds. The amendments were therefore considered to detract from the visual amenities of the rural locality contrary to Policies 10, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015) and policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan (2019). The Applicant has submitted an appeal against DC/19/1638 which was validated by the Planning Inspectorate on the 27<sup>th</sup> November 2019.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

#### 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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 10 - Rural Economic Development

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

## RELEVANT NEIGHBOURHOOD PLAN

The Storrington, Sullington & Washington Neighbourhood Plan 2018 – 2031

Policy 1: A Spatial Plan for the Parishes

Policy 8: Countryside Protection

Policy 14: Design

Policy 16: Local Green Spaces

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/1638	Variation of Condition 1 of previously approved application DC/18/1695 (Construction of storage barn and retention of access). Part-retrospective alterations to amend the roof form and include two gable end windows and three roof lights. Proposed addition of barn doors and a temporary log store.	Application Refused on 04.10.2019  Appeal Lodged
DC/19/1113	Prior notification for resurface of an existing access track	Pending Consideration  Appeal Lodged against Non-Determination
DC/18/1695	Construction of storage barn and retention of access.	Application Permitted on 23.11.2018
DC/17/1990	Erection of a four bedroom detached chalet bungalow featuring 3x dormers to southern elevation, 1x dormer to northern elevation, conservatory to southern elevation, open-sided integral double garage and log stores with associated hardstanding and parking.	Application Refused on 21.02.2018  Appeal Dismissed on 18.12.2019
DC/14/2139	The erection of 4 dwelling houses	Application Refused on 04.12.2014  Appeal Dismissed on 18.12.2015
DC/14/0675	The erection of 4 dwelling houses	Application Refused on 19.08.2014

### 3. OUTCOME OF CONSULTATIONS

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

#### INTERNAL CONSULTATIONS

**HDC Conservation:** Comment.

Any external lighting should not be prominent and should not result in light spillage so close to the rural edge of the conservation area.

## OUTSIDE AGENCIES

### **Storrington & Sullington Parish Council:** Strong Objection.

- Proposal contrary to Storrington, Sullington & Washington Neighbourhood Plan, is outside the Built Up Area Boundary and the proposed storage barn has makings of a house.
- The site was rejected for allocation within the Neighbourhood Plan due to the negative effects on landscape, transport, rural character of the area, South Downs National Park, loss of hedgerows and impact on the Listed Building to the south.
- The condition should not be changed. The variation suggests that noise, light pollution, traffic and disturbance will only increase in this rural location.
- It is believed that the Norbertine Order is no longer resident in the area, nor has it been for a number of years.

## PUBLIC CONSULTATIONS

10 Letters of Objection have been received from 9 separate households. The concerns relevant to this application are summarised below:

- The barn was granted under exceptional circumstances with relevant restrictive conditions. Proposal to vary condition 5 will create more noise, traffic, light, pollution and will urbanise rural location.
- Volunteers will create additional parking pressures in an area of limited parking.
- Insufficient justification to allow volunteers to shelter in barn.
- Query whether Norbertine Order own the site.

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

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

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

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

## **6. PLANNING ASSESSMENTS**

### Principle

Planning permission DC/18/1695 was previously granted for the barn on the basis that it was for the storage of equipment for the active maintenance and management of the remaining parcels of land with the help of volunteers. In consideration of the previous application, DC/18/1695 it was noted that some of the larger work involves more organised volunteering events, where volunteers can travel to the site from further afield to help, for instance, with the tree planting at the adjacent Matt's Wood, the digging of the pond in the south-western field and the planting of the vines to the south. More day-to-day tasks were noted as being managed by the applicant, who remains the Estates Manager for the Order in Storrington, and three volunteers. Condition 5 of DC/18/1695 sought to restrict the use of the barn to its intended purpose:

*Condition 5: The barn hereby permitted shall only be used to store equipment on behalf of the Norbertine Order to maintain land within their ownership and management control.*

It is acknowledged that the barn has not been built in accordance with the plans approved under application DC/18/1695. These amendments have been refused by the Council under application DC/19/1638 and are now subject of a pending appeal.

The principle of a storage barn for equipment has though been approved on this site under DC/18/1695. Permission is now sought for the variation of condition 5 of this permission to allow the barn to be used for the temporary shelter of volunteers who are maintaining the land within the wider site. The Supporting Statement submitted with this application states that there are currently four regular volunteers with a possibility of a further seven volunteers who might assist with the planting and maintenance of the land.

The Supporting Statement states:

*“We believe it is important to treat volunteers well and make life as comfortable and rewarding as possible and we wish to use the barn as a muster point for volunteers where they will be given instructions, tools and also be able to take cover in bad weather, store their goods whilst working and probably take light refreshments.”*

Given the nature of planting and maintenance works that occur within the wider site and the assistance provided by volunteers, it is not considered unreasonable to allow volunteers temporary shelter within the barn during periods of bad weather, store their goods within the barn whilst working, and take light refreshments. There were no kitchen facilities located within the barn at the time of the Officer’s site visit in October 2019.

The wording of condition 3 as set out in the Recommendations section below requires the barn only to be used for the storage of equipment and for the temporary shelter of volunteers on behalf of the Norbertine Order to maintain land within their ownership. The other activities included within the Supporting Statement, which includes the maintenance of equipment stored in the barn, are considered minor incidental activities that are not required to be included in the wording of the condition.

The planting and maintenance of the wider site is already assisted by volunteers and these volunteers could currently park within the site and the surrounding roads to muster, get their equipment from the barn and access the land. It is therefore considered that the proposed variation of condition 5 of application DC/18/1695 to allow the storage barn to be also used for the temporary shelter of volunteers in connection with maintenance of the land, the storage of their goods and their taking of light refreshments would have no material impact in terms of the parking capacity or on the visual amenity of the area.

## 7. RECOMMENDATIONS

To approve planning permission subject to the following conditions

Conditions:

1. List of Approved Plans
2. **Regulatory Condition:** The landscaping scheme approved under DISC/19/0059 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).*

3. **Regulatory Condition:** The barn hereby permitted shall only be used to store equipment and for the temporary shelter of volunteers on behalf of the Norbertine Order to maintain land within their ownership and management control as set out within the Supporting Statement submitted with this application. The barn shall not be used for the temporary shelter of volunteers overnight.

*Reason: Permission would not normally be granted for such development in this location under Policy 33 of the Horsham District Planning Framework (2015) but in granting permission exceptionally the Local Planning Authority have had regard to the particular circumstances relating to the proposal.*

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 33 of the Horsham District Planning Framework (2015).*

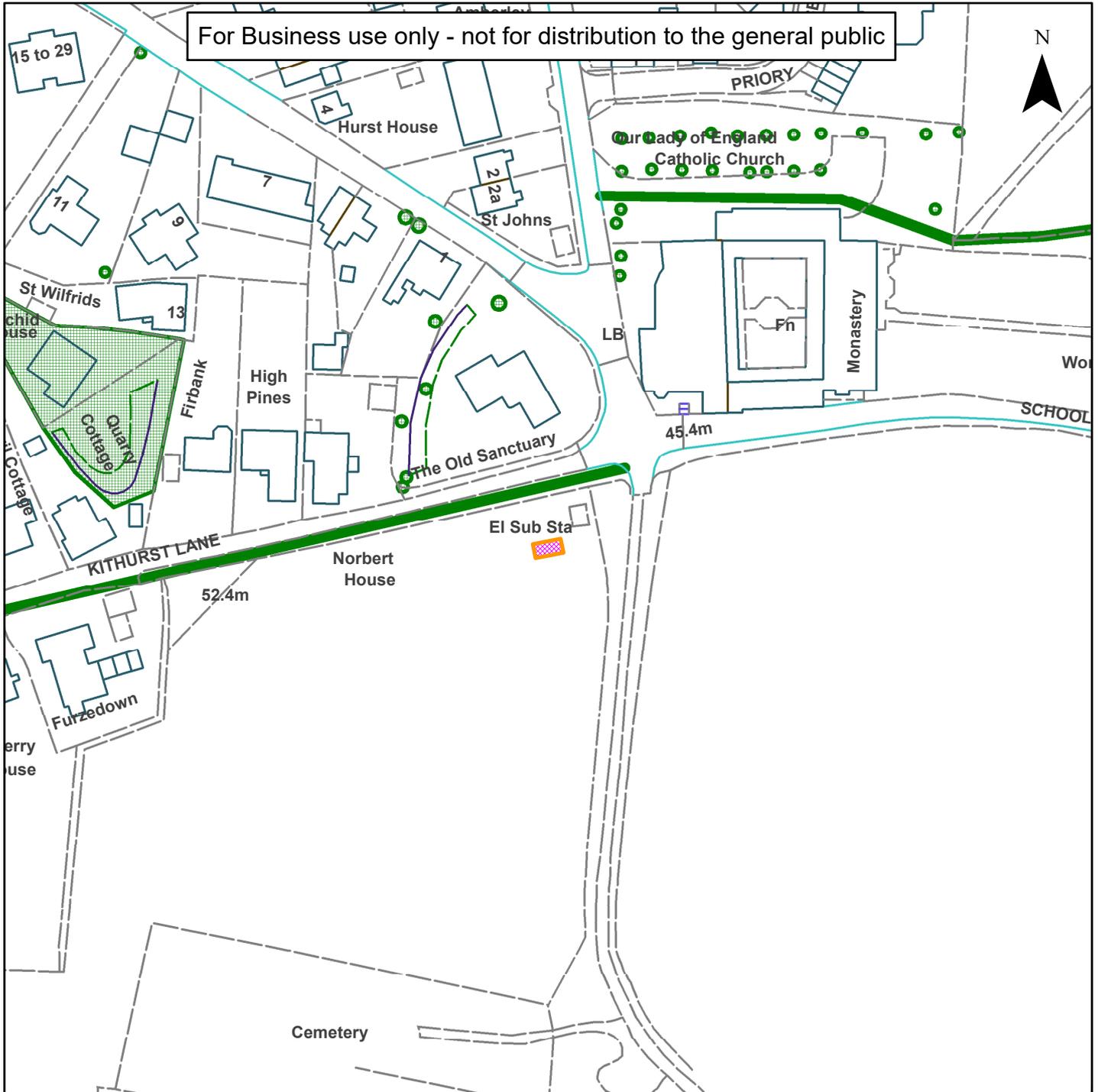
Background Papers: DC/19/1638 & DC/18/2119

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Land South of Kithurst Lane Storrington West Sussex

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**Scale:** 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
MSA Number	100023865

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**Horsham  
District  
Council**

## **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 21<sup>st</sup> January 2020

**DEVELOPMENT:** Erection of an agricultural workers dwelling.

**SITE:** Ryecroft Nursery Fryern Road Storrington West Sussex

**WARD:** Storrington and Washington

**APPLICATION:** DC/18/2402

**APPLICANT:** **Name:** Mr P Godsmark **Address:** c/o Agent Storrington RH20 4BJ

**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 refuse planning permission

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

To consider the planning application.

#### DESCRIPTION OF THE APPLICATION

- 1.1 The proposal seeks to erect a detached chalet-style dwelling on the south eastern corner of the site to provide a rural workers dwelling for the nursery owner and family.
- 1.2 The dwelling would have a broadly rectangular footprint, some 18m x 12m at its widest, with a ridge some 6.7m in height. Elevationally, the dwelling would be provided with generous windows and two dormers in the western roof-slope. Internally, the dwelling would provide for three bedrooms, two of which would be within the roof-space, living accommodation and a home office, amounting to some 170sq.m.
- 1.3 The proposed new dwelling would provide the applicants / owners with permanent on-site accommodation in order to support the nursery site, Ryecroft Nurseries, which are stated as being the largest growers of Dahlias in the UK. In 2006, the applicant purchased an adjacent field at Fryern Road, as more space was required for increasing the collection.
- 1.4 The business has four income streams:
  1. Growing dahlias for sale and cultivation of new varieties
  2. Raising and looking after chickens for egg production (currently some 450 on site)

3. Production of fresh garden produce for sale through our farm shop
4. Raising turkeys for Christmas (some 100 pullets for next year)

- 1.5 New varieties of dahlias are produced at the nursery. The seeds are collected in the autumn and then dried and stored over the winter. In April, the seeds are sown in trays and then pricked out into individual pots. The aim is to plant 5000 seedlings out into the field. As the seedlings grow and flower they are assessed for their quality. Only the best are kept. Over the next 4-5 years they continue to be trialled with only a small number making the grade before release to the public. Over the years, Ryecroft Nursery has created between 100-150 new dahlia varieties, including the first scented variety.
- 1.6 The applicants currently reside some 1.5km away in Storrington, and state that the growing dahlias is hard, physical work. Every October, before the cold and damp set in, over 8000 tubers are dug up by hand, cleaned, and labelled before being stored in dry boxes under cover. For security over the winter, many of the tubers are transported to a storage area at their current home.
- 1.7 Living on site would provide security against theft of hens and turkeys, dahlia plants and equipment that contribute to the applicant's livelihood. The applicant is the last breeder of dahlia's in Britain, so living on site would enable the continuation of breeding and growing new varieties, whilst providing safety and well-being of the livestock in order to provide an on-going livelihood.
- 1.8 Recent night-time thefts have resulted in the loss of an entire new variety of dahlia, equipment, as well as livestock. Additionally, the applicant suffers from health issues, so having the potential for accommodation at one level and on site would sustain the growing business and assist with theft prevention, whilst also leading to health benefits.
- 1.9 The application is accompanied by 9 letters offering support, from nearby residents and customers, as well as from the Show Chairman, Vice Chair and General Secretary of the National Dahlia Society.
- 1.10 Additional information has been received regarding the financial viability of the business, following officer requests, and again to address comments in relation to the Council's Agricultural Advisor's initial assessment.

#### DESCRIPTION OF THE SITE

- 1.11 The application site comprises a site in use for horticultural purposes, producing and breeding Dahlias, incorporating an element of a produce growing which is sold on the nursery site shop.
- 1.12 The site is located off the western side of Fryern Road and is not subject to any designations apart from being situated in a rural area, some 480m south of West Chiltington Built Up Area Boundary and some 550m north of the Storrington Built Up Area boundary. The nursery site lies some 80m south of a designated Flood Zone.
- 1.13 Aerial views show the site and its wider environs having been sub-divided from the larger agricultural field patterns over the last twenty years to form smaller fields, land holdings and paddocks. The adjacent land holding to the south of the application site was developed some 8 years ago to provide a stable building and tack room to support the horse paddocks on the land. The existing Dahlia nursery has been active on site for some 12 years.
- 1.14 The site of the proposed new dwelling itself is separated from the eastern growing field by an established hedgerow, and a hedgerow forming the southern boundary to the site. The

existing built development within the site, forming a timber barn and poly-tunnels, is clustered along the western side of the hedgerow, set some 97m back from Fryern Road.

## **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 20 - Rural Workers Accommodation

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 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 Community Infrastructure Levy (CIL) Charging Schedule (2017)

### RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Storrington, Sullington and Washington Neighbourhood Plan has now been formally 'Made' (adopted Sept 2019)

Policy 1: Spatial Plan for the Parish

Policy 8: Countryside Protection

Policy 9: Green Gaps

Policy 14: Design

Policy 17: Traffic and Transport

## PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/09/1281	Polythene Tunnel	Permitted 08.09.2009
DC/07/1210	Glasshouse	Permitted 13.07.2007
DC/06/0422	Erection of polytunnel and agricultural store	Permitted 13.04.2006
DC/05/1686	Erection of polytunnel and tractor shed	Withdrawn 05.09.2005

### 3. OUTCOME OF CONSULTATIONS

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

#### OUTSIDE AGENCIES

- 3.2 **Agricultural Consultant:** (Initial) Objection

Initial comments February 2019 based on submission documents including Planning, Design and Access Statement and Business Plan dated Nov 2018.

Background (summarised in parts):

- The applicant operates Ryecroft Dahlias which has been operating from the land at Fryern Road since 2006 when it was purchased. The holding appears to extend to some 1.5 hectares (3.8 acres), and according to the business plan, the soil has been improved over the years with 3,500 tonnes of soil enrichment compost and manure, and by 2011 the crop yields have increased producing over 8,000 dahlia tubers a year as well as sweet peas, zinnias and gladioli.
- The applicant also grows vegetables (runner beans, French beans, spinach, carrots and leeks), fruit trees and has diversified in to chickens for egg production and turkeys for meat.
- The website does not appear to have been updated since 2015
- Note has been taken of the nature of propagation involved in producing new varieties of prize-winning Dahlias, with over 8000 tubers hug up each year and most moved to the applicant's home, some 1.5miles away. Ryecroft Nurseries aims to plant some 5000 seedlings per year. Over the years Ryecroft Nursey has created between 100-150 new dahlia varieties which are sold around the world.
- The Business Plan details that the applicant resides some 1.5miles from the site, and given the previous thefts and security issues at the site, resulting in the loss of entire new varieties of Dahlias, many of the tubers are stored at the applicant's home. The theft of the turkeys in late 2016 resulted in the loss of the gross income for the business. No Crime Reference Numbers have been provided for this, or other, incidents.
- The applicant detailed to the Council that his son is interested in taking over the business, however this has not been stated in any of the submitted documents.

#### Functional / Essential Need:

- There are no automatic failsafe systems at Ryecroft Nursery and therefore all emergencies must be dealt with by the applicant who currently lives away from site in Storrington, located 1.5miles from the application site.
- It is considered that the essential need for a worker to be on-site at a nursery arises from the sowing, growing and caring of the plants, which due to weather conditions require the manual heating and operation of any ventilation systems.
- The documents submitted do not detail whether the applicant has any manual or automatic irrigation, heating or ventilation systems.
- Whilst there are alarm systems that could warn of any sudden drops in temperature or boiler failures, but these would not rectify the problem. Given the time taken to react to such emergencies could lead to inevitable loss of susceptible plants
- The applicant stores Dahlia tubers in plastic crates in greenhouses at their property in Storrington, which has electricity and heating blankets. There is no electricity at Ryecroft Nursery which means limited ability to overwinter the tubers and propagate on site. The application does not detail that there is an intention to supply and connect electricity to the site which would be required.
- There are no standard labour requirements for intensive horticultural units, although results from Reading University's Horticultural Production in England suggest that the average nursery of a similar type would employ some 5 FT workers per hectare of protected cropping, in addition to casual labour. Given the application site has an area of protected cropping of some 0.07ha, this would yield a labour expectation of 1PT worker.
- The submitted Planning, Design and Access Statement and Business Plan state the primary need for the dwelling arises from the security of the site, with only a brief mention of animal welfare, although at the time, no details are provided with regard to the number of chickens or turkeys kept on the site.  
(Labour requirement: turkey = 24minutes per bird/year; chicken = 15 mins per bird/year)
- The guidance in the revoked PPS7 does not consider that site security in itself is not sufficient for the siting of a permanent rural workers dwelling.
- The Business Plan sets out that the applicant is not able to travel the 1.5 mile distance from home to the site quick enough to deter thieves, nor can they afford stronger or higher security barriers around the property, and sensors, alarms and lighting have been dismissed. There is reference to the use of dummy cameras

#### Alternative Dwellings:

- A search of Rightmove displays 52 dwellings available for sale within 1/2 mile of the application site ranging from £435,000 for a three-bed house to £1million for a five-bed house, which are generally considered to be beyond the means of an agricultural worker.
- The applicant currently lives 1.5miles from the site, within Storrington and has been able to meet the needs of the holding for the previous 10 years.

#### Conclusion:

- The application proposes the erection of a three-bed chalet bungalow to provide residential accommodation for a worker at Ryecroft Nursery. The applicant would reside in the proposed dwelling and as such the property would be occupied by persons employed in the horticultural business.
- From the additional supporting documentation provided, it is not considered that it has been demonstrated that there is a proven essential need for an on-site dwelling at Ryecroft Nursery in order to meet the general management and protect the growth of plants. The application documents details that the need for a dwelling relates to the security of the site, which in itself and alone, it not a suitable justification for a rural workers dwelling.

- Overall, the proposed erection of a rural workers dwelling is not in compliance with the NPPF or Policy 20 of the Horsham District Planning Framework.

**Agricultural Consultant: (2<sup>nd</sup>): Objection**

2<sup>nd</sup> comments September 2019 following submission of a Rural Workers Justification by the applicant:

- The submitted Rural Workers Justification (Sept 2019) details the site covering approx. 6 acres (2.4ha) – in contrast to the submitted site plan which amounts to a site of 3.8 acres (1.5ha)
- The updated document details that the applicant has purchased some 450 chickens and is awaiting the arrival of some 100 turkey pullets.
- In terms of the animal welfare labour requirements on the site, this would amount to some 13.5 SMDs for 2020 and 14.8 SDMs in 2021 (standard man days per year), which is not considered to equate to the essential need for a full-time worker to be resident on site.
- New Planning Practice Guidance titled ‘Housing Needs of Different Groups’ (July 2019) provides some guidance relevant to paragraph 79 of the NPPF in the section ‘How can the need for isolated homes in the countryside for essential rural workers be assessed’?

These include:

- *“Evidence of the necessity for a rural worker to live at or in close proximity to their place of work to ensure the effective operation of agricultural, forestry or similar land-based rural enterprise (for instance where farm animals or agricultural processes require onsite attendance 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
- *The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
- *Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
- *Whether the need could be met through improvements to existing accommodation on the site; providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
- *In the case of new enterprises whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.”*

It further notes that: *“Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings”*

- It is noted that the applicant does not have detailed trading profit and loss accounts, or balance sheets either as a sole trader or as a limited company, with all book keeping done on paper and therefore not presentable for a full assessment of viability.
- Summary accounts for the years 2008 – 2012 and 2016 – 2017 have been provided. There are no labour costs attributed to the business and personal expenses have not been detailed. Whilst income and expenses are set out in the summary accounts, it has not been clarified what these can be attributed to.
- The financial accounts show a loss in the years 2008-2009 and 2010 – 2012 and a small profit in the years 2009 – 2010 and 2016-2017
- It is detailed that the net profit was lower in the 2010/11 year as the applicant purchased the neighbouring field, however there is limited information on this purchase and its cost and any bank charges or repayment costs. Whilst the Appendix

shows increased expenses in 2010/11, the income also increased and therefore it is not clear whether the expenses are linked to the land purchase or cost of sales

Conclusion:

- It is not considered that the additional document provided has demonstrated that there is a proven essential need for an on-site dwelling at Ryecroft Nursery in order to meet the general management and protect the growth of plants. The application documents detail that the need for a dwelling relates to security of the site, which in itself and alone is not a suitable justification for a rural workers dwelling. Furthermore, the additional information does not address the functional need for a dwelling on site.
- The summary of income and expenses for the years 2008-2012 and 2016-2017 provided in the Rural Workers Justification document together with the projected gross income in the Agricultural Workers' Business Plan do not adequately demonstrate that the business is financially viable and sustainable now and in the long term.

**Agricultural Consultant: (Final): Objection**

Final comments December 2019 following submission of an updated Agricultural Worker's Business Plan and 'Future Development / Financial Plan' dated November 2019:

- A Crime Reference has been provided for the theft of the turkeys. Although an additional recent theft is referred to in the recent information, relating to wood stolen from the site, no Crime Reference has been provided for this
- The Future Development/Financial Plan (2019-2021) notes that the very dry summer in 2018 meant that vegetable seeds did not germinate and as a result additional sowing was necessary and dahlia production was put back.
- The applicant's Future Development/Financial Plan notes that the applicant intends to increase to 125 turkeys in 2021.
- Mrs Godsmark does not drive and therefore is limited in the number of early morning orders which can be fulfilled. Although the on-site dwelling could lead to a potential increase in income from these additional orders, this does not result in a need to live on-site.
- There has been a reduction in gross income, owing to the applicant's poor health and the theft of turkeys in one year.
- Whilst it is noted that the applicant's son is interested in taking over the business, there are no details regarding his current experience, knowledge or involvement in the business and whether there is any succession
- More recently, it would appear that the applicant has been keeping accounting procedures and records in a more organised format (last 9 months). Although the submitted projections show an increased net income in 2020 and 2021, by way of the introduction of turkey, sale of chicken meat and dahlia cuttings, additional early morning orders, improved farm shop and rare breed chickens, the cost of sales, expenses and the applicant's labour have not been taken into account
- Without a full business plan that accounts for and details the sources of all business income and the costs associated with each income stream within the business, it is not possible to appraise the full projections.
- On the information available to date, it is not possible to determine whether the applicant's business is financially viable or sustainable, or has the potential to be financially viable

Conclusion:

- The additional information has not demonstrated that there is a proven established functional need for the dwelling in accordance with HDPF 20. Whilst it is accepted

that there is an established business use, the applicant has been able to operate successfully from the site for the past 10 years living 1.5miles away.

- It is not considered that there is a proven and justified full-time labour requirement at the application site.
- The applicant would reside at the dwelling and therefore the property would be occupied by persons employed (part-time) in the horticultural business
- It is not considered that the additional supporting information and documentation has demonstrated that there is a proven essential need for an on-site dwelling at Ryecroft Nursery in order to meet the general management and protect the growth of plans. The details raise a need relating to site security, which in itself is not a suitable justification for a rural workers dwelling.
- The summary of income and expenses for the years 2008-2012 and 2016-2017 provided in the Rural Workers Justification document, together with the projected gross income in the Agricultural Workers' Business Plan and Future Development/ Financial Plan (2019-2021) do not in RAC's view demonstrate that the business is financially viable and sustainable now and in the long term

### 3.3 **WSCC Highways:** Comment

- No alterations to the existing access onto Fryern Road are proposed. Vehicular visibility in the leading direction appears sufficient for the anticipated road speeds. Visibility in the trailing direction appears restricted. However, the access has been operating for some time at this location and an inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing access is operating unsafely or that the addition of an agricultural workers dwelling would exacerbate an existing safety concern. The addition of a single workers dwelling is not anticipated to generate a significant increase in vehicle movements to or from the site over the potential of the existing agricultural use.
- With applications such as this the provision of workers' accommodation can be seen as a benefit in highways terms as it limits the number of vehicular movements associated with commuting to the site. No highways concerns would be raised the provision of the workers' accommodation. It would be asked that its use is linked to the agricultural use by way of a suitably worded planning condition.
- The plans indicate that two parking spaces will be provided on site. This parking provision is anticipated to be sufficient for a dwelling of this size and location. The proposed spaces meet the minimum specifications of 2.4m x 4.8m as set out in Manual for Streets (MfS). There also appears to be sufficient space on site for vehicles to turn on site and exit onto the publically maintained highway in a forward gear.
- The LHA does not consider that the proposal for a single agricultural workers dwelling 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 LPA are minded to approve the application, a condition securing car parking and a suitably worded planning condition securing the use of the dwelling in relation to the agricultural use of the site would be recommended.

### 3.5 **Southern Water:** No objection

### 3.6 **PUBLIC CONSULTATIONS**

To date, 17 letters of representation have been received in response to the application, all expressing SUPPORT for the proposal on the following grounds:

- good local business
- proven viability
- local produce being sold is good quality and should be supported
- theft over the last few years has had financial burden / impact on the applicant - one year losing all Christmas order turkeys a few days before Christmas - living on site would be able to prevent such instances
- dwelling on site would make a huge difference to running the business and allow expansion
- scale and design of the proposed new dwelling would not be visible and is some way off road
- popular place to buy prize winning dahlias at affordable prices (3<sup>rd</sup> top grower in the world)
- local source for fresh produce (eggs, cut flowers and veg)
- dwelling on site would reduce need to travel / mileage necessary for applicant to travel to / from home to run the business
- No concerns from nearest / adjacent neighbours and landholders

3.7 **Storrington and Sullington Parish Council:** No Objection

- Valued Local business that has been subject to theft
- No Objections to proposals providing there is an agricultural occupancy condition attached

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

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

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

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

**6. PLANNING ASSESSMENTS**

**Principle of Development**

6.1 The key considerations in the determination of this application is the impact of the proposal on its countryside location, whether the proposal is suitable in the countryside location, and if there is a justifiable need for the proposed development.

6.2 In this instance, the application site lies within the countryside and so Policy 26 of the Horsham District Planning Framework (2015) would be relevant. This requires development outside the built-up area boundaries to be essential to its countryside location in order to protect the rural character and undeveloped nature of the countryside against inappropriate development. In addition, it must meet one of the following criteria:

- 1) Support the needs of agriculture or forestry
- 2) Enable the extraction of minerals or the disposal of waste
- 3) Provide for quite informal recreational uses, or
- 4) Enable the sustainable development of rural areas

6.3 Furthermore, Policy 26 requires that development does not lead, cumulatively or individually, to a significant increase in the overall level of activity in the countryside, and protects, and/or

conserves, and/or enhances the key features and characteristics of the landscape character in which it is located.

- 6.4 HDPF Policy 20 provides support for new rural workers accommodation, outside the built-up area, provided there is a functional need for the dwelling and the occupation thereof would be in support of an established business, and provided that evidence is submitted which demonstrates the viability of the rural business for which the housing is required.
- 6.5 The application site is noted to be an established horticultural business, which falls under the definition of agriculture.

#### **Justification of Need**

- 6.6 Paragraph 79 of the NPPF as noted above, recognises the need for new dwellings in the countryside in special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. This guidance is reflected in policy 20 of the HDPF which states; "Outside the defined built-up area new housing for rural workers will be supported provided that;
- a) There is a functional need for the dwelling and the occupation of the dwelling is to support the established business use, and
  - b) Evidence is submitted to demonstrate the viability of the rural business for which the housing is required."

Parts a and b of the policy are required to ensure that only development which can justify a countryside location may be permitted in order to protect the character and appearance of the countryside.

- 6.7 In order to demonstrate that there is an essential need for a worker to live on site, it is necessary to consider whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night to deal with emergencies that may occur out-of-hours and to potentially rectify a problem, or in relation to animal welfare requirements.
- 6.8 It is generally held that new permanent rural dwellings should only be allowed to support existing agricultural / rural activities on well-established agricultural / rural units, and where the unit and rural activity should have been established for at least three years and have been profitable for at least one of them, along with being financially sound and having a clear prospect of remaining so. Clearly, any new development should also be able to be adequately funded from the business and the ongoing costs associated with the dwelling should also be met as part of the business expenses.
- 6.9 Policy 20 states that evidence must also be submitted to demonstrate the viability of the rural business for which the housing is required. This report, as presented, includes additional information that has been prepared and submitted in support of the proposal, including summary accounts and future development / financial plans, all of which have been assessed by the Council's Agricultural Consultant.
- 6.10 In this instance, it is recognised that the nature of the Dahlia nursery requires intensive work to propagate new varieties, with tubers having to be dug up by hand each autumn, cleaned, labelled, stored and maintained at a gentle heated temperature until planting time. Seedlings need to be raised and planted and nurtured, with each new variety taking up to 5 years to develop. The applicants undertake this work themselves, and transport the majority of the tubers to their home, some 1.5miles away. The site does not have electricity to heat the polytunnels, and currently, there are gas-fired heaters which keep the tubers at a gentle heat over winter.

- 6.11 In addition to the Dahlia nursery, which has produced a number of prize-winning varieties over the years and Ryecroft Nurseries take part in most of the annual Horticultural shows in the UK, and even in the USA, there is a small on-site farm-shop where produce is grown on site. Currently, hens also produce eggs for sale and the nursery has also reared Christmas Turkeys, and is anticipating doing so this year again. It is understood that a number of years ago, the nursery suffered a break-in and the flock of Christmas Turkeys were all stolen, a series of other break-ins have resulted in new varieties of Dahlia tubers being stolen, as well as equipment being taken.
- 6.12 The site visit took in all the aspects of the nursery and the site as a whole, and the scale of the Dahlia cultivation was acknowledged.
- 6.13 Following robust assessment of the information that has been submitted and made available, it is acknowledged that the business has been managed for a number of years from the applicant's home, some 1.5 miles away. Furthermore, given that the number of poultry (chickens and turkey) at the site is relatively small requiring a limited labour requirement for their welfare, there is no evidence of an essential need for a full-time employee to be resident on the site. It is therefore concluded that the total labour requirement relating to the horticultural and poultry enterprises on the site could be met by a part-time worker, as detailed within the RAC assessment.
- 6.14 In terms of the financial viability and sustainability of the business, it is noted that there has been an effort to keep more organised accounts over the past 9 months, with additional financial details made available to the Council recently. The submitted details show that some years have ended with financial losses whilst some years have achieved profit. However, it is apparent that the figures fail to incorporate costs of sales, expenses and the applicant's own labour (as a salary), and so fail to present a true full business plan that can be assessed and broken down into the relevant income stream within the business.
- 6.15 Overall, and following detailed consultation with the Council's Agricultural Consultant, it is not considered that a dwelling on the site is justified. Based on the information submitted the nature of the business is not considered to be sufficiently financially viable or sustainable now or in the long term, whilst there is no functional need for a full-time employee to permanently reside on site. In the absence of evidence that a dwelling is needed to serve a viable business, it is not considered that the proposal would meet the criteria of HDPF 20 and HDPF 26.

#### **Design and Appearance**

- 6.16 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 requires developments to relate sympathetically with the built surroundings.
- 6.17 The creation of a new permanent rural workers dwelling on this site is submitted to be in support of the existing horticultural nursery. Although the physical proximity of the proposed dwelling could be said to be linked to the ongoing operations of the existing nursery business, with the location set away from the public highway and separated by intervening agricultural land, thus maintaining, to an extent, the overall perception of the rural character.
- 6.18 However, for any development to be considered acceptable in principle to its countryside location, it must first fulfil the criteria set out under HDPF policy 26, as well as be assessed in line with HDPF policy 20, in order to establish an essential / functional need for new agricultural workers dwellings. In this instance, the proposal has not been adequately demonstrated as being associated with a rural business that is financially viable or sustainable in the long term.

- 6.17 It is therefore considered that as the proposal is fundamentally harmful to the countryside by its very location, where new development continues to be strictly controlled, there would be no mitigating circumstances to offset the harm that a new permanent dwelling, along with the associated residential paraphernalia, would cause in this instance.
- 6.18 The proposed development therefore fails to comply with policies 2, 25, 27, 32 and 33 of the HDPF.

#### **Trees and Landscaping**

- 6.19 No adverse impacts are envisaged as part of the proposal and all works should be possible to be carried out without loss of the boundary hedge to the site's eastern boundary. The development site itself currently forms part of the productive agricultural holding, currently used as part of the rotational chicken coops.

#### **Amenity Impacts**

- 6.20 Policy 33 of the HDPF (2015) also seeks to avoid unacceptable harm to neighbouring amenity. The application site lies some distance off any residential properties and their curtilages and would therefore not give rise to any associated impacts on neighbouring residential amenities.
- 6.21 The proposal is therefore considered to meet the criteria of HDPF policy 33.

#### **Highways Impacts**

- 6.22 The LHA notes the existing access to the wider site off the publically maintained highway, which is an existing and established vehicular access to the site. Therefore, the creation of a new staff dwelling would not lead to a material intensification of the access and use, as the applicant's currently have to carry out a number of car-borne trips daily to / from the site.
- 6.23 Overall, the proposal would not lead to a 'severe' impact on the operation of the Highway network which would be contrary to the NPPF or local planning policies. Accordingly, a planning condition is recommended to secure the provision of parking and turning space as indicated on the submitted plans.
- 6.24 The proposed on-site staff dwelling would lead to the applicant's being on site as part of the business, and would therefore likely lead to a reduction in car-based trips to and from the site to their current residence, where Dahlia tubers are stored over winter.

#### **Conclusion**

- 6.25 In conclusion, the site lies in the countryside where the rural policies of restraint apply, and where sustainable growth patterns are sought. It is noted that the Development Plan policies do provide support for new dwellings only in exceptional circumstance, such as where there is an essential need for rural workers to live on or near their place of work. In order for these exceptional circumstances to apply, there has to be robust evidence to demonstrate that the rural business is viable and can financially support the costs of the proposed new dwelling, as well as being functionally required in order to support the established business.
- 6.26 National planning policies and guidance, as well as the HDPF policies, seek a robust level of comfort from the fact that the relevant rural business is currently financially viable and has the ability of remaining viable for the foreseeable future, to retain a link to the surrounding land or an active rural business, or that the need arises from an operational need or animal welfare requirement. Local and national planning policies seek to ensure that any new rural housing serves its purpose, and can be retained as such to support an ongoing viable rural business.

- 6.27 In this instance, Officers acknowledge the existence of the established and well-known local business, renowned in the horticultural industry for prize-winning Dahlia cultivation. Furthermore, it is understood that the business has previously suffered as a result of criminal damage and theft, which leads to the practice of removing the Dahlia tubers from site at the end of each growing season to store off-site, before returning them to site at the start of the new year. The provision of an on-site dwelling, and the ability for the applicants to live on site, would alleviate the need for this off-site storage and associated work involved, and is also seen as providing on-site security and a deterrent against potential future criminal activities and theft. Officers are also sympathetic to the applicants desire to be closer to their business, which is noted to be physically demanding, as well as emotionally and financially detrimental when theft occurs, such as the theft of the turkey pullets some years ago, and the theft of new Dahlia cultivars.
- 6.28 Ryecroft Nursery currently accommodates a relatively small number of birds at the site, which would not result in the requirement of a full-time employee to reside on site for any animal welfare purposes. Furthermore, the Dahlia cultivation, although requiring lifting in autumn, storing off-site and then being returned to site in the following spring, has been successfully managed for the past 10 years by the applicant, whilst residing some 1.5 miles away from the site. There is therefore not considered to be a proven essential need for a permanent dwelling to support the business.
- 6.29 From the financial details that have been made available to the Council for assessment it would appear that the business has been 'ticking over' during the past 10 years, with small profits and losses apparent over the years. However, the supplied figures appear to omit the costs of sales, labour and expenses, thus failing to provide a full business plan that accounts for and details the sources of all business income and associated costs of each income stream within the business. As a result, it has not been robustly demonstrated that the current business is currently financially viable and sustainable, either now or in the long term, to justify the permanent siting of a dwelling in the open countryside.
- 6.30 The proposal seeks a modestly proportioned 3-bed chalet bungalow, set within what is currently a small agricultural business and therefore potentially physically and visually linked with the nursery operations as they exist at the current time of determination. However, as set out above insufficient information has been provided to demonstrate that the proposal would meet the essential, functional, financial and sustainable policy tests that must be satisfied to justify a new dwelling in the open countryside. Furthermore, whilst there may be a desire to live on site in order to provide some on-site security, this in itself is not sufficient justification to fulfil an essential and functional need for a new workers dwelling in the open countryside.
- 6.31 Accordingly, the proposal to erect a new agricultural workers dwelling on this site runs contrary to the requirements of local and national rural planning policies. The application is accordingly recommended for refusal.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	170.00	0	170.00
		<b>Total Gain</b>	<b>170.00</b>
		<b>Total Demolition</b>	<b>0.00</b>

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

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

## 7. RECOMMENDATIONS

7.1 It is recommended that the application is Refused for the following reason

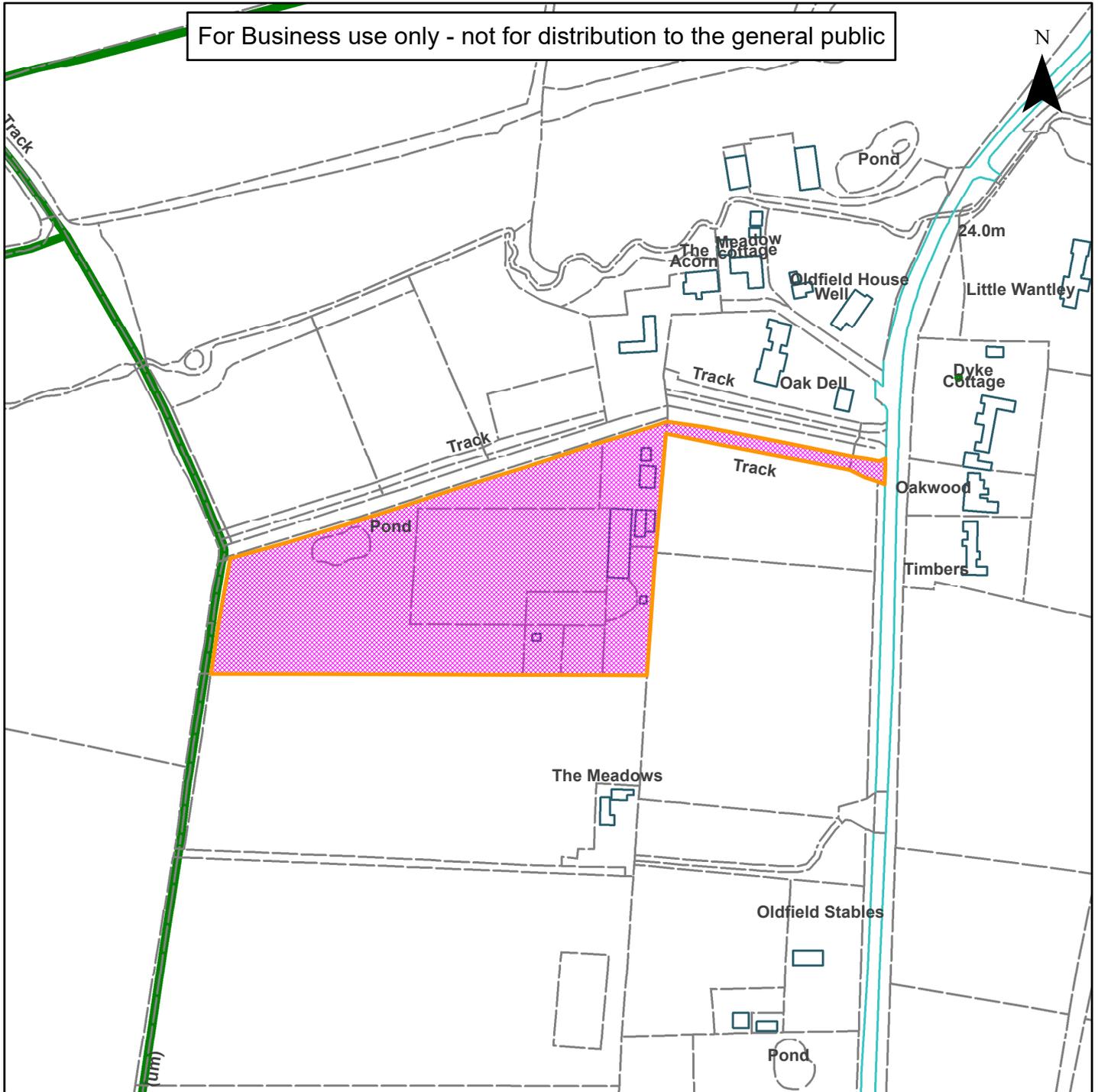
1. It has not been demonstrated to the satisfaction of the Local Planning Authority that there is a functional need for a permanent agricultural workers dwelling on the site, or that the business that it would serve is viable and sustainable. In the absence of such evidence the proposed dwelling represents housing development in the open countryside contrary to Policies 1, 2, 20, 26 and 40 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework 2019.

Background Papers: DC/18/2402



Ryecroft Nursery Fryern Road Storrington West Sussex

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
ISA Number	100023865

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**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 19 December 2019

**DEVELOPMENT:** Demolition of existing outbuilding and erection of a single storey dwelling with associated parking

**SITE:** Brookhouse Farm West Chiltington Lane Broadford Bridge Billingshurst West Sussex RH14 9EA

**WARD:** West Chiltington, Thakeham and Ashington

**APPLICATION:** DC/19/1036

**APPLICANT:** **Name:** Mr Dick **Address:** care of agent Melton Lodge Rusper Road Newdigate RH5 5BX

**REASON FOR INCLUSION ON THE AGENDA:** The application, if approved, represents a departure from the development plan.

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

**1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

**DESCRIPTION OF THE APPLICATION**

- 1.1 The application seeks full planning permission for the demolition of an existing outbuilding and its replacement with a 4-bed single storey dwelling.
- 1.2 The proposed dwelling would be positioned to the north-east of the site and would comprise two staggered pitched roof bays, with the dwelling oriented to face west. The proposal would measure to an overall length of 25m and a width of 13m, and would incorporate a dual pitched roof measuring to an overall height of 6.2m. The proposal would incorporate full height glazing to the north, south, and east elevations, with roof lights to the eastern roof slope. The proposed dwelling would be finished in brick and oak cladding, with clay tile to the roof. The proposed dwelling would provide kitchen/dining/snug/living room, 4no. bedrooms (each with ensuite) and utility room.
- 1.3 The proposal would utilise the existing vehicular access from West Chiltington Lane, and would provide an area of hardstanding to the west of the dwelling.
- 1.4 During the course of the application the residential curtilage to the proposed new dwelling has been reduced, with the proposed dwelling re-positioned further to the west of the site closer to the existing outbuilding.

## DESCRIPTION OF THE SITE

- 1.5 The application site is positioned to the north-east of West Chiltington Lane, and is located outside of any defined built-up area boundary.
- 1.6 The site therefore lies within the countryside in policy terms. The site comprises a single storey utilitarian building used for storage purposes, with the wider site used for agricultural purposes.
- 1.7 A Grade II Listed Building known as Brookhouse Farm is positioned to the west of the site, with sporadic residential development located along the public highway. The wider area is characterised by open countryside. The application site lies within Flood Zones 2 and 3.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

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

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

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 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 41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Billingshurst Parish Neighbourhood Development Plan  
- Designated (Regulation 7)

### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/0063	Prior Approval for proposed change of use from B8 storage/warehouse use to C3 residential dwelling.	Prior Approval Required and PERMITTED on 06.03.2019
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### **3. OUTCOME OF CONSULTATIONS**

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

#### **3.2 HDC Drainage Engineer: No Objection**

No objection to the drainage proposal set out in the Flood Risk Report. Recommend that the development be implemented with flood proofing/resilience/resistance techniques as per the Flood Risk Report.

#### OUTSIDE AGENCIES

#### **3.3 WSCC Highways: No Objection**

The Local Highway Authority (LHA) does not consider that this 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.

#### **3.4 Environment Agency: No Objection**

Appropriate finished floor levels and flood mitigation measures should be provided within the dwelling.

#### **3.5 Ecology Consultant: No Objection**

The bat survey is considered to have been appropriate and the conclusions and recommendations are reasonable. Necessary licensable actions do not need to be covered by condition, as there is a legal obligation on the applicant, but should the Council be minded to give consent, the recommended enhancement measures outlined in section 7.3.1 should be followed in order that the development provides biodiversity net gain.

#### **3.6 Southern Water: No Objection**

#### PUBLIC CONSULTATIONS

#### **3.7 Billingshurst Parish Council: Objection on the following grounds:**

- Outside of the built-up area
- Contrary to Policy 26 of the Horsham District Planning Framework (2015)
- Does not comply with the emerging Neighbourhood Plan

### **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 for the demolition of the existing building and the replacement with a 4-bed dwelling.

### **Principle of Development**

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any 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 settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced. Furthermore, policy 26 seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.
- 6.3 The application site is located outside of any defined built-up area, and therefore lies within the countryside in policy terms. While the provision of a new dwelling in the countryside would not usually be supported in policy terms, it is noted that the site currently benefits from a fall-back position. This fall-back position relates to planning reference DC/19/0063 for the conversion of the existing storage building to a residential dwelling under Class P of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. This Prior Approval consent was granted on 6 March 2019 and remains extant until March 2022.
- 6.4 Fallback is a material consideration in the decision making process, and when making a determination, weight needs to be given to the fallback position. The weight to be given to such material consideration varies according to whether what could have been built under previous applications would result in a broadly similar or worse impact to the development proposed; and the reasonable likelihood that if permission were refused, the previous approval(s) would be implemented.
- 6.5 In this instance the fallback position is considered a material consideration of significant weight, with the proposed scheme considered to improve the quality and provision of accommodation within the site. The proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality compared to the conversion of the existing storage building, and an opportunity to better control the development through the imposition of relevant conditions, including those related to occupancy and use. On this basis, the current application is considered to provide a better, more rational re-development of the site, with the development as proposed therefore considered acceptable as a departure from the development plan.

### **Design and Appearance**

- 6.6 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive,

functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

- 6.7 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.
- 6.8 The proposed single storey dwelling would be positioned to the north-east of the site and would comprise two staggered pitched roof bays, with the dwelling oriented to face west. The proposal would measure to an overall length of 25m and a width of 13m, and would incorporate a dual pitched roof measuring to an overall height of 6.2m. The proposal would incorporate full height glazing to the north, south, and east elevations, with roof lights to the eastern roof slope. The proposed dwelling would be finished in brick and oak cladding, with clay tile to the roof.
- 6.9 The wider area is characterised by sporadic residential development of a local vernacular, with the adjacent buildings to the north and west of the site incorporating barn styles and Sussex vernacular. The proposal seeks to reflect a utilitarian single storey barn style, with low eaves and a pitched roof. While acknowledged that the proposal would extend to a greater height than the existing building, it is considered that the design and form of the proposal reflects a rural utilitarian character that would be anticipated within this countryside location. The proposal is considered to appropriately reflect a rural character, and is considered to sit in appropriately within the context of the site.
- 6.10 The proposed development is considered to be of a reasonable scale, and is considered to be of a design, form, and appearance that would respect the rural character of the locality. The proposal would improve the quality of the built form on the site, and is therefore considered to result in a visual improvement, in a manner that would be reflective of the character and context of the rural locality. The proposal is therefore considered to accord with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

### **Amenity Impacts**

- 6.11 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.12 The proposed dwelling would be positioned to the north-eastern corner of the site and would be positioned at a distance of approximately 100m from the neighbouring properties to the north and west of the site. Given the separation distance and the relationship between the proposal and the neighbouring properties, it is not considered that the proposal would result in harm to the amenities or sensitivities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

### **Flooding**

- 6.13 Policy 38 of the HDPF states that development will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere.

- 6.16 The application site is located within Flood Zones 2 and 3. The Applicant has submitted a Flood Risk Report outlining that flood resistance and flood resilience measures would be put in place, including the raising of floor levels to a minimum of 600mm above external ground level, the positioning of internal components a minimum of 300mm above ground floor level, and the provision of temporary flood barriers in the building to cover ground floor access points.
- 6.14 Following consultation with the Environment Agency, the findings and recommendations within the Report are accepted by both the Environment Agency and the Council's Drainage Engineer. No objections are therefore raised, subject to the imposition of a suitably worded condition requiring the recommendations of the Report to be undertaken. Whilst the dwelling is within Flood Zones 2 and 3 and therefore at risk of flooding, this impact can be suitably mitigated as above and represents an improvement compared to the fallback position of the existing conversion granted under the Prior Approval consent.

### **Ecology**

- 6.15 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.
- 6.16 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. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.
- 6.17 The Applicant has submitted a Bat Survey and Assessment which outlines that no bats or evidence of bats was found during the site inspection, with the barn considered to have low potential to support day/transitional and feeding perches and roosts. The results of the emergence survey did however indicate the presence of a brown long-eared night roost within the internal area of the barn. This night roost was considered to likely be used by an individual or low numbers of brown long-eared, and is considered to be of low conservation status.
- 6.18 The recommendations of the Report outlines that due to the roost present within the barn and its low conservation value, the mitigation measures will be limited to requiring the demolition of the barn to take place during daylight hours only and providing a precautionary toolbox talk to all site workers to inform them of the presence of a bat roost, the protection afforded to bats, a suitable working approach and what to do in the unlikely event that a bat is found. In addition, including at least four roosting features for bats in the fabric of the new building would contribute towards enhancing the biodiversity value of the site, in line with the NPPF and local planning policy. This could be achieved by incorporating bat boxes/tubes into the cavity walls or providing access points for bats beneath roof tiles.
- 6.19 Following consultation with the Council's Ecology Consultant, it is considered that the proposed mitigation and enhancements as recommended within the Report are considered acceptable. No objections are therefore raised on ecology grounds, and these measures will be subject of an appropriately worded condition.

## Highways Impact

- 6.20 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.21 The proposal would utilise the existing vehicular access from West Chiltington Lane, and would provide an area of hardstanding to the west of the dwelling.
- 6.22 Following consultation with WSCC Highways, no objections have been raised to the use of this access, and it is considered that this established access functions appropriately in the current form. It is therefore considered that the proposal would provide suitable access. In addition, it is considered that an appropriate level of parking would be made available through the provision of the area of hardstanding to the west of the dwelling.
- 6.23 It is therefore considered that the proposal provides safe and adequate access and parking, in accordance with Policy 41 of the Horsham District Planning Framework (2015).

## Conclusion

- 6.24 The proposed development would be located outside of a built up area boundary and on a site not allocated for development within the HDPF or an adopted neighbourhood plan. The Council is able to demonstrate a 5 year housing land supply and consequently this proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the development is not considered essential to this countryside location. The proposal therefore fails to comply with policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015).
- 6.25 Although contrary to the above policies, there is an existing extant permission for the conversion of the existing barn to be converted into a residential dwelling under Class P of Schedule 2, Part 3 of the General Permitted Development Order 2015, which has established the principle of residential use on the site. This represents a fallback position that is a material consideration of significant weight. The proposed scheme would result in a built form that would improve and enhance the character of the semi-rural locality, would relate sympathetically to the rural character of the site and surroundings, would be suitably protected against flood risk, and subject to conditions is not considered to result in harm to the amenities or sensitivities of neighbouring properties. The proposed development is therefore considered acceptable as a departure from the development plan.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	242.75		242.75
		<b>Total Gain</b>	
		<b>Total Demolition</b>	<b>291.98</b>

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

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

## 7. RECOMMENDATIONS

7.1 To approve the application subject to the following conditions:

### Conditions:

- 1 Plans list
- 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 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).

- 4 **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 finished floor levels shall be set no lower than 600mm above external ground levels and internal resilience measures shall be set no lower than 300mm above finished floor levels within the development. 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 to protect the development from flood risk in accordance with Policies 33 and 38 of the Horsham District Planning Framework (2015).

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

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

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

- (c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

- 6 **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).

- 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 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).

- 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 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

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).

- 10 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling hereby permitted, the parking, turning and access facilities necessary to serve the dwelling shall be implemented in accordance with the approved details as shown on plan reference 001 rev 001 received 05.11.2019 and shall be thereafter retained as such.

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

- 11 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be first occupied unless and until provision for the storage of refuse and recycling has been provided within the side or rear garden. The facilities shall thereafter be retained for use at all times.

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

- 12 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be first occupied until the cycle parking facilities serving it have been provided within the side or rear garden. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 13 **Pre-Occupation Condition:** Prior to the first occupation of the 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).

- 14 **Pre-Occupation Condition:** Prior to first occupation of the dwelling hereby permitted the existing barn indicated on block plan 001 rev 001 shall cease to be used for any purpose whatsoever and shall have been demolished (including the removal of foundations) with all materials arising from such demolition removed from the site and the site of the demolished building restored in accordance with details of landscaping which have been submitted to and approved in writing by the Local Planning Authority prior to demolition works commencing.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Pre-Occupation Condition:** The dwelling hereby approved shall not be first occupied unless and until provision has been made for a minimum of 1no. Electric Vehicle Charging Point within or adjacent to the parking area as shown on plan reference 001 rev 001. The Electric Vehicle Charging Point(s) shall be retained thereafter.

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

- 16 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the recommendations within the Flood Risk Assessment reference HLEF67200/001R by RPS Consulting Services Ltd and dated December 2018. The measures detailed shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: As these matters are fundamental to safeguard the development and in accordance with Policy 38 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the recommendations and mitigation measures within Bat Survey and Assessment reference BRY101/R001V2 dated August 2019.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/1036

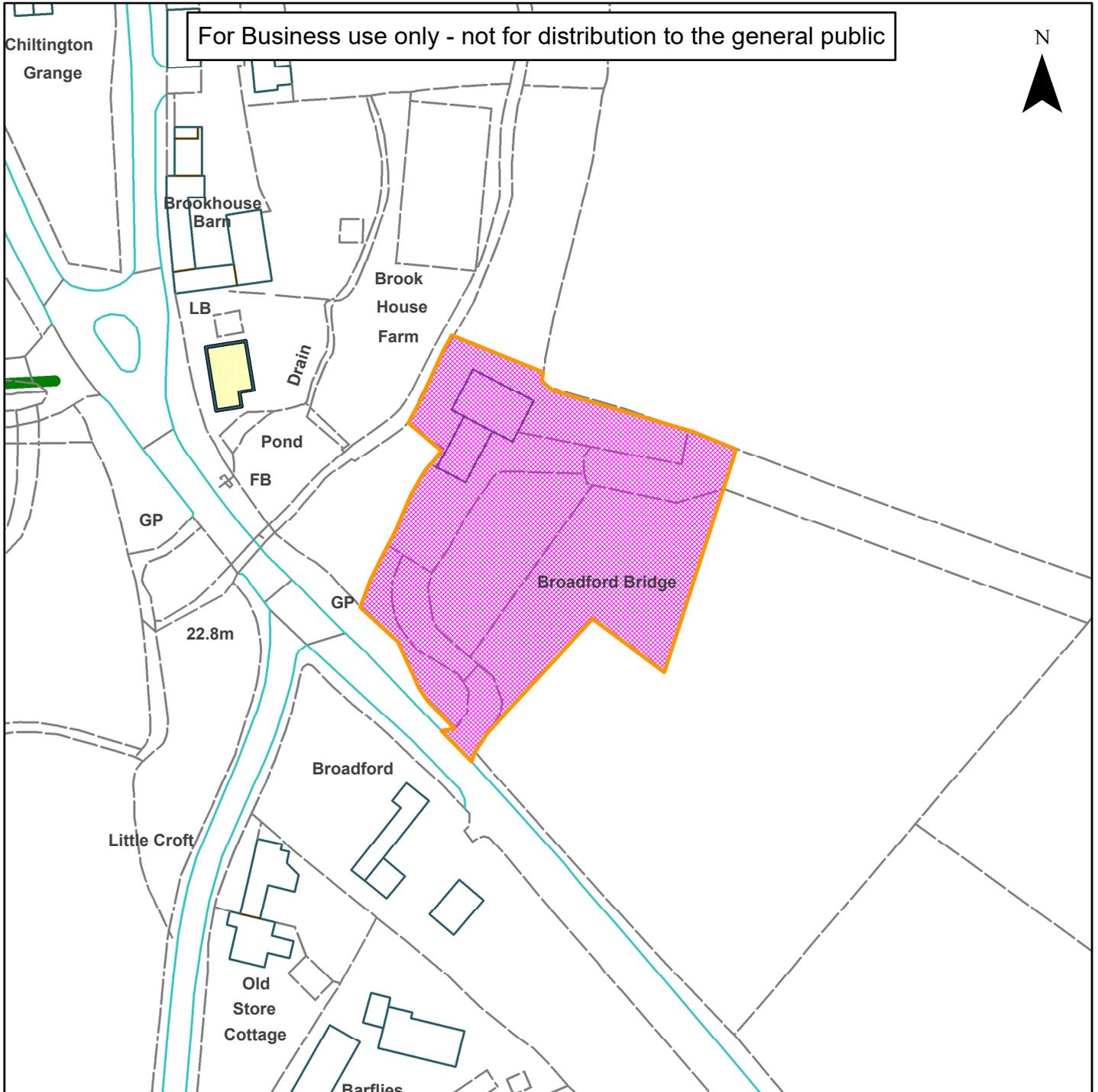
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# 10) DC/19/1036



## Horsham District Council

Brookhouse Farm West Chilton Lane Broadford Bridge Billingshu



**Scale:** 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
MSA Number	100023865

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Report to **Planning Committee**  
Date **21 January 2020**  
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**

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**Recommendation: That the application be permitted for the reasons set out in paragraph 5 of this report.**

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**The purpose of this report is to update Members following the resolution to defer the application at the meeting on 18 June 2019. This report should be read in conjunction with the report to the 18 June 2019 Committee, which is appended.**

## **1 Introduction**

- 1.1 The planning application reference SDNP/18/05914/FUL for the change of use of the land to provide a 6-hole practice short course extension to the existing golf club, was presented to Planning Committee South on 18 June 2019. At this meeting, it was resolved that the application be deferred to allow for:
- (a) Further consideration of the impact of the proposal on the neighbouring equestrian use
  - (b) Further consideration of the impact of the proposal on the Arun Valley Special Protection Area (SPA) [also known as the Arun Valley Special Area of Conservation]
- 1.2 The Authority's Agricultural Consultant was consulted on the application to provide comments on the impact the proposed use would have on the nearby equestrian facility, particularly in regard to noise. The Ecology Consultant has also been consulted to provide comment on the impact on habitats and biodiversity within the Arun Valley SAC.
- 1.2 The Applicant submitted a Preliminary Ecological Appraisal by Corylus Ecology dated November 2019. The Survey includes a Phase I Habitat Survey which provides information relating to the habitats within the site, and a Protected Species Assessment which identified potential for protected species.

## **2 Planning Policy**

- 2.1 Following deferral at Planning South Committee, the South Downs Local Plan has now been formally adopted by the South Downs National Park Authority. The local planning policy context has therefore been updated, with the Core Strategy (2007) and Horsham District General Development Control Policies (2007) now superseded by the South Downs Local Plan.
- 2.2 The relevant planning policies within the South Downs Local Plan are as follows:

- Core Policy SD1: Sustainable Development
- Core Policy SD2: Ecosystem Services
- Strategic Policy SD4: Landscape Character
- Strategic Policy SD5: Design
- Strategic Policy SD8: Dark Night Skies
- Development Management Policy SD11: Trees, Woodland, and Hedgerows
- Development Management Policy SD22: Parking Provision
- Strategic Policy SD23: Sustainable Tourism
- Development Management Policy SD43: New and Existing Community Facilities
- Development Management Policy: Provision and Protection of Open Space, Sport and Recreational Facilities, and Burial Grounds/Cemeteries

2.3 The draft Local Plan policies were considered when assessing the application. However, as the South Downs Local Plan is the most up to date development plan, the development must accord with the relevant planning policies within the plan unless other material considerations indicate otherwise. An updated assessment of the considerations are summarised below.

*Principle of Development*

2.4 Policy SD23 of the South Downs Local Plan relates to sustainable tourism, and 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; the design and location of development minimises the need for travel by private car and encourages access and/or subsequent travel by sustainable means; development proposals will not detract from the experience of visitors or adversely affect the character, historical significance, appearance, or amenity of the area; and where proposals are located outside settlement policy boundaries, they positively contribute to the natural beauty, wildlife and cultural heritage of the National Park, and are closely associated with other attractions/established tourism uses, including public rights of way network.

2.5 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.

2.6 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*

2.7 Policy SD4 of the South Downs Local Plan states that 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.

2.8 The proposal would involve minor landscaping works to facilitate the change of use, with the laying of 6no. tees 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.

2.9 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 Policy SD4 of the South Downs Local Plan.

### *Amenity Impact*

- 2.10 Policy SD5 of the South Downs Local Plan states that development proposals will be permitted whether they sensitive and have regard to avoiding harmful impacts upon, or from, any surrounding uses and amenities.
- 2.11 The impact of the proposal on the nearby equestrian use will be discussed in further detail below. Notwithstanding this, 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 however considered that such activity would be commensurate to the existing activity on the established golf course. It is not therefore considered that the proposal would result in harm to the amenities or sensitivities, in accordance with Policy SD5 of the South Downs Local Plan.

### *Highways Impact*

- 2.12 Policy SD22 of the South Downs Local Plan states that development proposals will be permitted if they provide an appropriate level of private cycle and vehicle parking to serve the needs of that development in accordance with the relevant adopted parking standards for the locality. All new private and public parking provision will: be of a location, scale and design that reflects its context; and incorporate appropriate sustainable drainage systems.
- 2.13 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.
- 2.14 No objections are therefore raised on highways grounds, and it is considered that the proposal would accord with policy SD22 of the South Downs Local Plan.

## **3 Consultation Responses**

- 3.1 **Reading Agricultural Consultant:** The proposal is an extension to an outdoor sports and recreational facility at West Sussex Golf Club, and it is accepted that this will introduce additional activity at the application site. The area of land subject of the application has previously been routinely maintained with mowing.

The Applicant's Noise Impact Statement accepts that small numbers of golfers, in groups of 2 or 4 will be playing in the proposed area, and that there will be sound of golf shots being hit. It also notes that there are already golf holes on the main golf course which have been heard for decades. It notes that the golf course itself is surrounded by a screen of pine and birch trees which afford both acoustic and visual cover.

It is accepted that trees and hedges offer a positive effect in minimising noise. The additional landscaping, in the form of tree planting and hedges, will greatly assist in minimising noise and maintaining the amenity of the neighbouring property. The Applicant has provided detailed mitigation and management proposals for club members through signage and behavioural etiquette to ensure that those areas closest to the bridleway are used appropriately by those using the 6-hole golf course. The distance from the bridleway and the proposed landscaping is considered acceptable.

The impact of noise on horses is addressed in the British Horse Society (BHS) document, and while it is accepted that there are variations in horse temperament, the nature of the environment, and the confidence/ability of the horse rider, it clearly accepts that horses become accustomed to noise whether short sharp sounds, continuous noise, or discontinuous noise, and any impact of noise on a horse can be reduced by acoustic barriers such as vegetation.

It is considered that the noise of a golf club hitting a golf ball is a very short discontinuous noise, and with the mitigation measures proposed, in the form of additional tree and hedge planting, it will reduce the impact of noise on horses in the vicinity of the application site as recommended and noted in the BHS document. Overall it is considered that the mitigation measures contained

within the Applicant's proposal will significantly reduce the impact of any noise and disturbance on the equestrian unit and users of the Public Right of Way/Bridleway.

3.2 **Ecology Consultant:** Recommend Approval subject to attached conditions

Following review of the Preliminary Ecological Appraisal by Corylus Ecology dated November 2019, the information is sufficient to provide certainty to the Local Planning Authority of likely impacts from the development, and that any necessary mitigation will be effective.

Impacts will be minimised such that the proposal is acceptable subject to conditions. In terms of measurable net gain for biodiversity, the enhancements proposed will contribute to this aim.

3.3 **Natural England:** Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Arun Valley SPA, and has no objection to the proposed development.

The Preliminary Ecological Appraisal by Corylus Ecology dated November 2019 identifies that the existing habitat, present within the application boundary, is not functionally linked to the Arun Valley SPA. In addition, Natural England considers that the proposed development will not damage or destroy the interest features of Amberley Wild Brooks, Pulborough Brooks, Waltham Brooks, Hurston Warren and Parham Park Sites of Special Scientific Interest (SSSIs).

## 4 Planning Assessments

### *Impact on neighbouring equestrian use*

- 4.1 The application site is located to north and east of Hurston Place Farm Stables that provides equestrian facilities including a sand school. The land subject of the application wraps around the sand school and paddocks of this neighbouring use, with the site boundary currently defined by post and rail fencing and hedging.
- 4.2 The Council's Agricultural Consultant has provided comment in regard to the proposed extension of the golf club, and the potential impact this would have on the nearby equestrian use, particularly in regard to noise.
- 4.3 The impact on horses is addressed in the British Horse Society document "The Impact of Noise on Horses", and this refers to the ways in which certain noises can trouble a horse and have a greater impact on behaviour. However, it also accepts that horses can become accustomed to noise whether through short sharp sounds, continuous noise, or discontinuous noise (gunshot, motorway, railway train) and that any impact of noise on a horse can be reduced by acoustic barriers such as vegetation.
- 4.4 The Agricultural Consultant considers that the noise of a golf club hitting a golf ball is a very short discontinuous noise, with the mitigation measures proposed (in the form of additional tree and hedge planting) considered to reduce the impact of noise on horses in the vicinity. It is therefore considered that these mitigation measures will significantly reduce the impact of any noise and disturbance on the nearby equestrian use and users of the Public Right of Way.
- 4.5 On the basis of the response of the Agricultural Consultant, it is considered that that the proposed use would not result in harm to the amenities or sensitivities of neighbouring properties, in accordance with SD5 of the South Downs Local Plan.

### *Impact on the Arun Valley Special Protected Area*

- 4.6 The Applicant has submitted a Preliminary Ecological Appraisal by Corylus Ecology dated November 2019. The Report identifies the ecological interest of the site and in the surrounding area, including the Arun Valley Special Area of Conservation some 1.5km west of the site. The Report concludes that the site contains limited habitat for protected species, with the majority of the site comprising well managed grass. The site is relatively well sheltered due to the scattered mature trees and woodlands that are distant from the site. Moreover, the settlement of West

Chiltington lies immediately to the east of the golf course, beyond which there is a mosaic of hedge-lined fields and scattered woodlands.

- 4.7 Areas of unmanaged grassland and tall ruderal are suitable for commuting and foraging amphibians and reptiles, however there are no opportunities for hibernation. The Report states that no further surveys for reptiles, amphibians, dormice or badgers are required.
- 4.8 In addition, the site offers limited value for wintering birds, and no further surveys are required. The Report outlines that the site is largely sub-optimal habitat for Bewick's swan, and therefore there is only a very limited chance that swans would use the site. The site does not therefore comprise prime foraging habitat for this species, and given the site's location, the habitats it supports, and the surrounding landscape, it is considered that the site does not comprise 'functional habitat' that may be used by Bewick's swan. Any change in land use would not therefore constitute a loss of habitat for this species.
- 4.9 Ecological enhancements have been proposed including log piles along the banks of the reservoir to provide suitable hibernacula for amphibians, planting of marginal and floating plants within the reservoir to provide amphibian cover from predation, planting of nectar-rich species, and the installation of bird, bat and insect boxes.
- 4.10 Natural England have raised no objection to the proposed development, and consider that the proposal will not have likely significant effects on the Arun Valley SPA. In addition, based on the information submitted, Natural England considers that the proposed development will not damage or destroy the interest features of Amberley Wild Brooks, Pulborough Brooks, Waltham Brooks, Hurston Warren and Parham Park Sites of Special Scientific Interest (SSSIs). Following consultation with the Ecology Consultant, it is considered that sufficient information has been provided to provide certainty of the likely impacts from the development and that any necessary mitigation will be effective. It is not therefore considered that the proposed development would result in harm to the Arun Valley SAC.

## **5 Conclusion**

- 5.1 The resolution of Committee raised concerns in respect of the impact the proposed development would have on the neighbouring equestrian use and the Arun Valley Special Area of Conservation.
- 5.2 The Council's Agricultural Consultant and Ecology Consultant have been consulted on the application, and have provided comments in regard to noise impact on the nearby equestrian use and the habitats and biodiversity within the site and Arun Valley SAC. No objections have been raised by these consultees, and the development is not considered to result in harm to the amenities of the nearby equestrian use or the ecological interest of the site and nearby Arun Valley SAC.
- 5.3 The proposed development is therefore considered acceptable in principle and is not considered to result in harm to the landscape character of the area, its ecological interest, and the amenities of neighbouring properties. The proposal is therefore considered to accord with relevant national planning policies and the policies within the South Downs Local Plan. The Officer recommendation is therefore to approve planning permission subject to the conditions listed below.

## **6 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.

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 SD5 of the South Downs Local Plan.

4. **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal Report reference 19145 dated November 2019.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

5. **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 policies SD5 and SD8 of the South Downs Local Plan.

6. **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 SD5 of the South Downs Local Plan.

## 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.

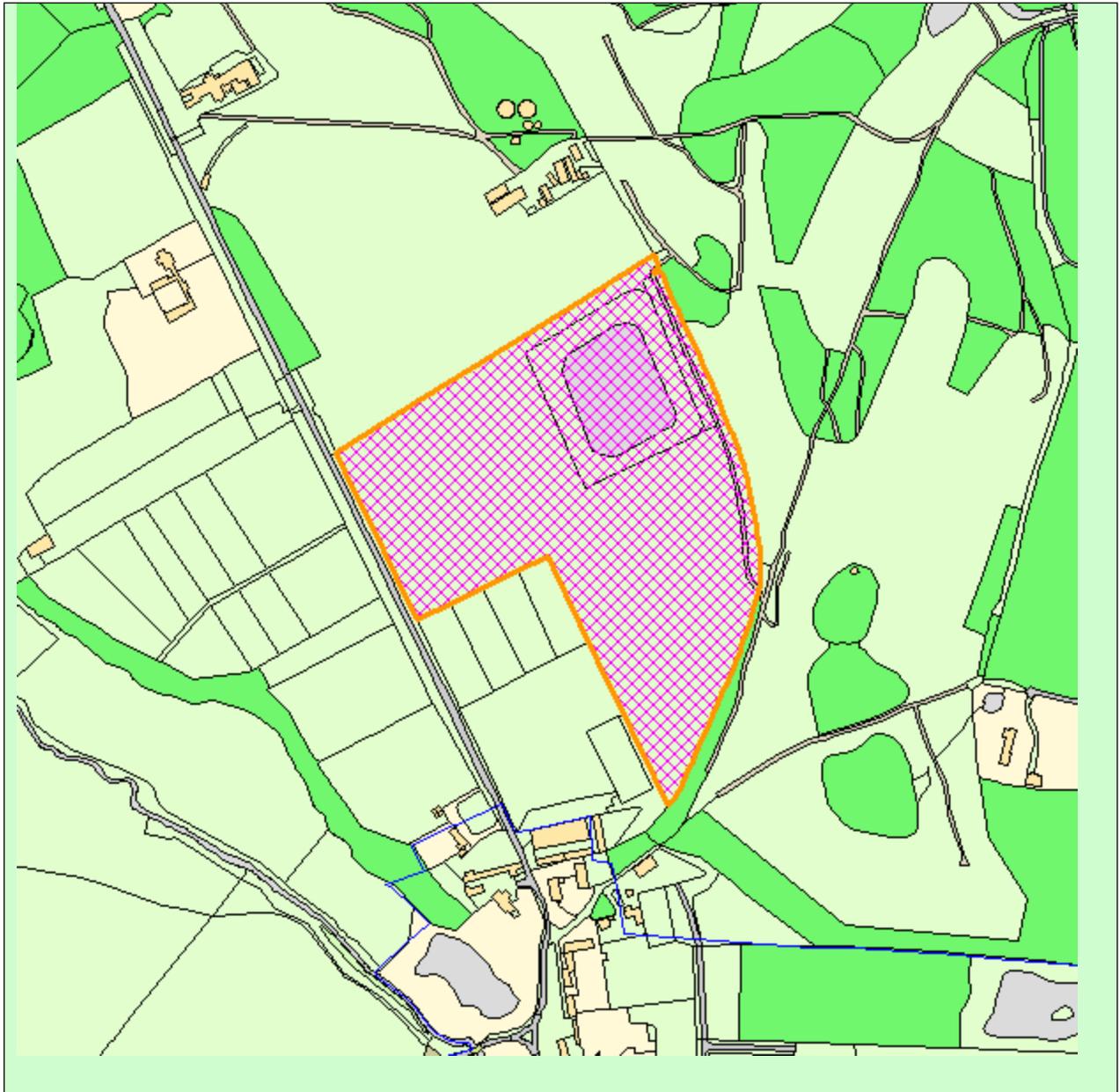
**Tim Slaney**  
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Appendices Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

## 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	Approved
Reports - Noise Impact Statement	NONE		19.11.2018	Approved
Miscellaneous - Photo	X 2		19.11.2018	Approved

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

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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**

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

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**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 1<sup>st</sup> February 2019 to 28<sup>th</sup> 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 SD1 - 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 whether they 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**

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Appendices Appendix 1 - Site Location Map  
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SDNPA Consultees

Background Documents

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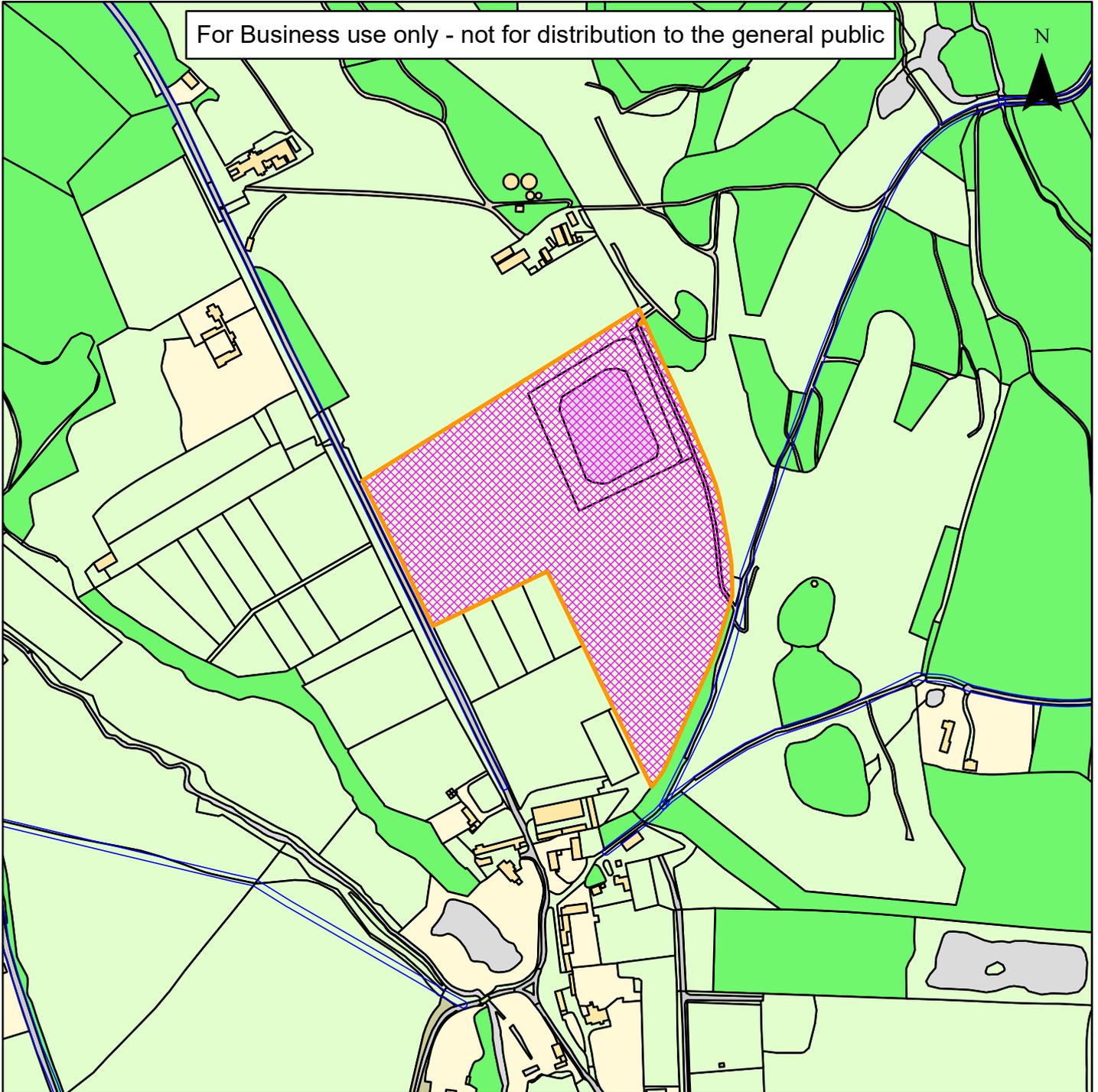
# 12) SDNP/18/05914/FUL



**Horsham  
District  
Council**

West Sussex Golf Club Golf Club Lane Wiggonholt RH20 2EN

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Organisation	Horsham District Council
Department	
Comments	
Date	09/01/2020
19A Number	100023865

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