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Planning Committee (South)

Tuesday, 18th February, 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.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
To approve as correct the minutes of the meeting held on 21 January 2020 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

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

5. **Appeals** 13 - 14

Applications for determination by Committee:

6. **DC/19/0908 - Abbots Lea, Littleworth Lane, Partridge Green** 15 - 26

Ward: Cowfold, Shermanbury and West Grinstead
Applicant: Mr Roger Lovell

7. **DC/19/0742 - Pear Tree Farm, Furners Lane, Woodmancote** 27 - 36

Ward: Henfield
Applicant: Tracey Tingey

8. **DC/19/2128 - Woodhouse Farm, Wheatsheaf Road, Woodmancote** 37 - 48

Ward: Bramber, Upper Beeding and Woodmancote
Applicant: Mr Colin Broucke

9. **Urgent Business**

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

Agenda Annex

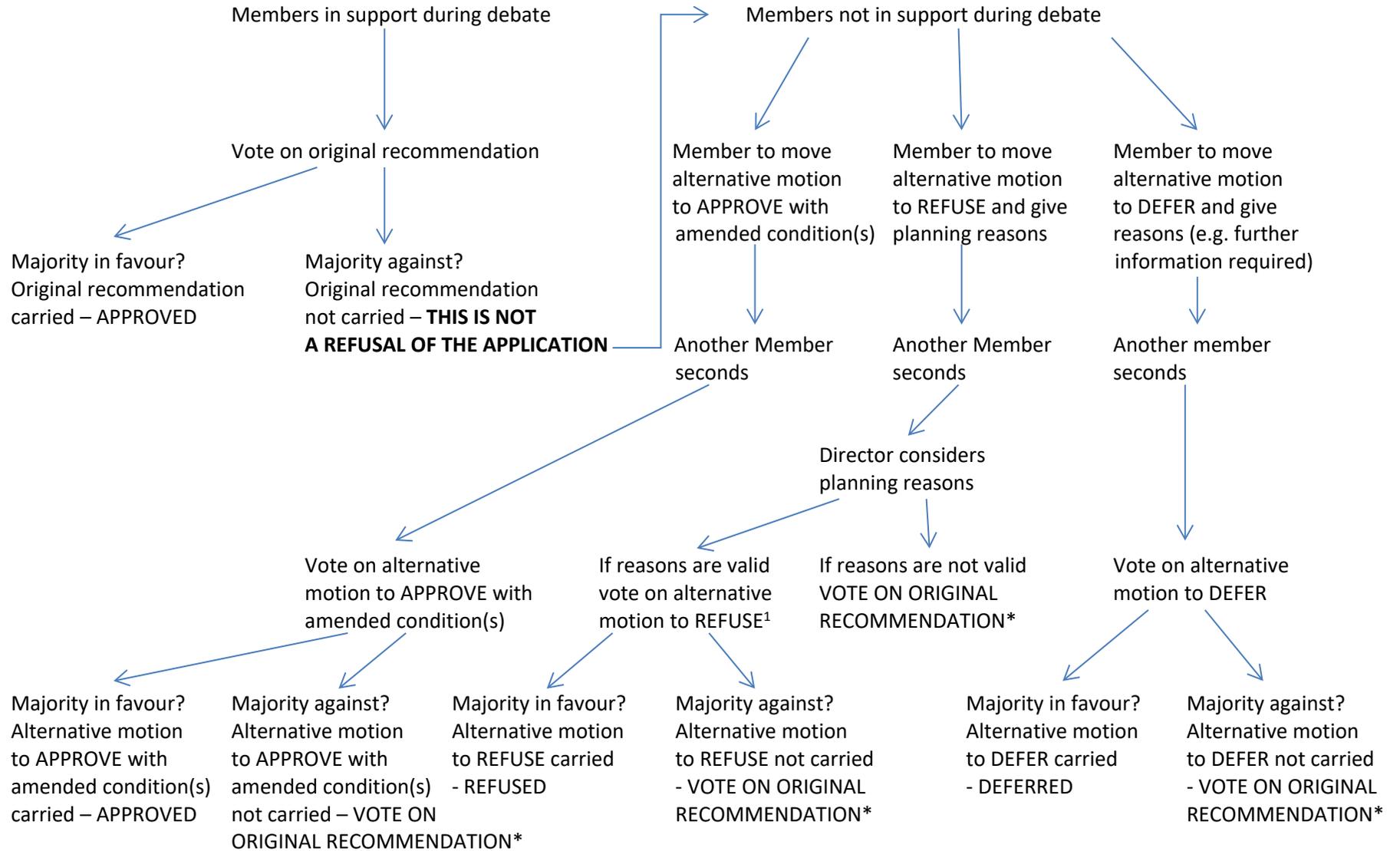
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

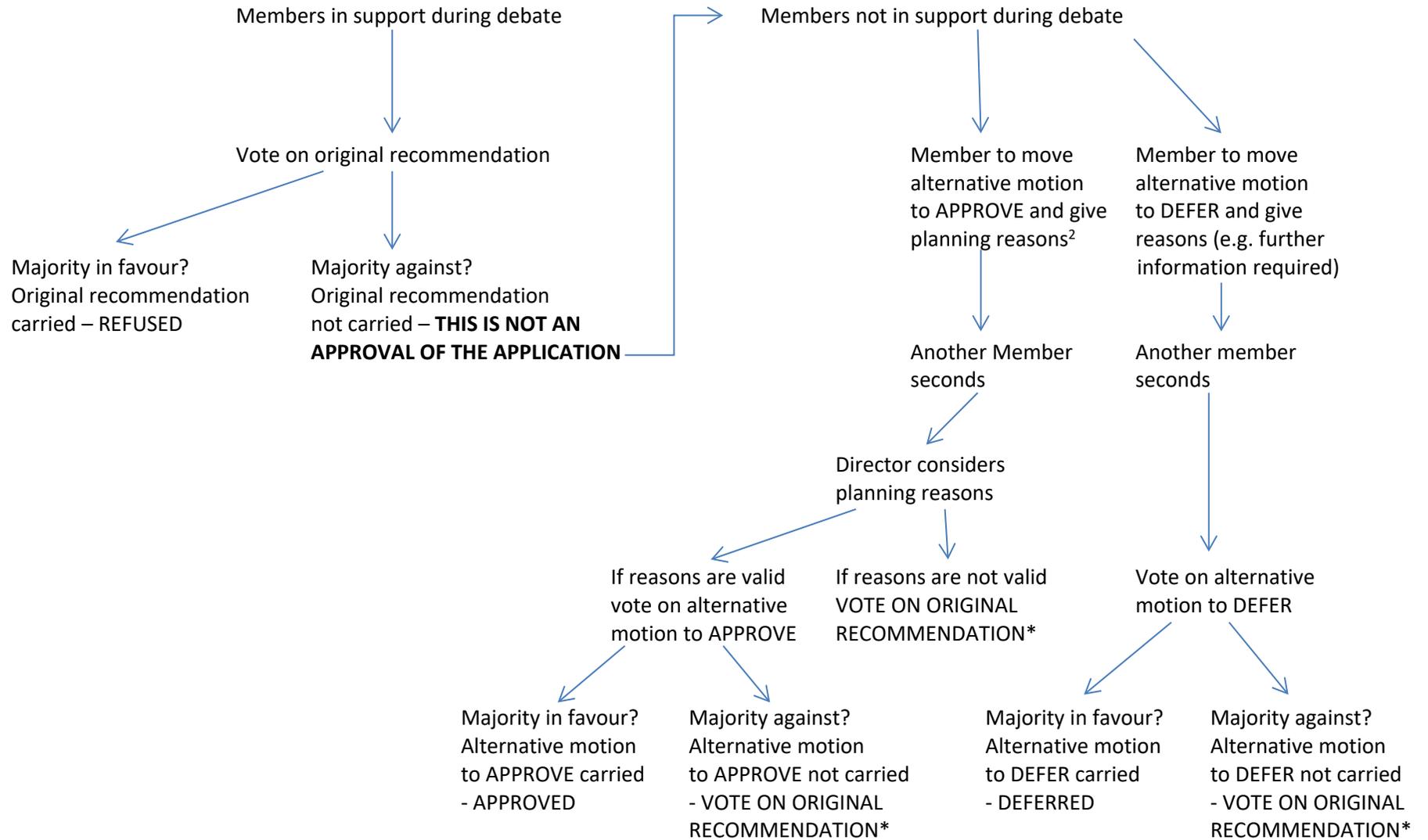
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
21 JANUARY 2020

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

Apologies: Councillors: Karen Burgess and Jonathan Chowen
Absent: Councillors: Chris Brown and Jack Saheid

PCS/53 **MINUTES**

The minutes of the meeting of the Committee held on 17 December were approved as a correct record and signed by the Chairman.

PCS/54 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/19/2119 – Councillor Jim Sanson declared a personal and prejudicial interest in this application. He withdrew from the meeting and took no part during its determination.

DC/18/2402 – Councillor Philip Circus declared a personal interest in this item because his wife was a regular customer of the applicant's business.

DC/19/1036 – Councillor Nigel Jupp declared an interest in this application. He withdrew from the meeting and took no part during its determination.

SDNP/18/05914/FUL – Councillor Nigel Jupp declared an interest in this application. He withdrew from the meeting and took no part during its determination.

PCS/55 **ANNOUNCEMENTS**

There were no announcements.

PCS/56 **APPEALS**

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

PCS/57 **DC/19/2015 - LAND NORTH OF DOWNSVIEW AVENUE, STORRINGTON**

The Head of Development reported that this application sought permission for the erection of up to 62 residential units and a new vehicle access, with all matters reserved for later consideration except for access.

The applicant indicated that 22 units (35%) would be affordable housing. The indicative housing mix comprised: 12 1-bedroom; 23 2-bedroom; 20 3-bedroom; and seven 4-bedroom units, as set out in paragraph 1.2 of the report (not as incorrectly stated in the table at paragraph 6.8).

The application site was located in an open field immediately to the north of residential properties on Downsview Avenue, Storrington. It was uncultivated agricultural land on higher ground than the adjacent fields and development to the south and east.

Storrington & Sullington Parish Council raised no objection to the application. Thakenham Parish Council also raised no objection to the proposal. There had been 109 responses to the public consultation objecting to the application, including one received since publication of the report, one in support, and three commenting on the proposal. Three members of the public spoke in objection to the application and the applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; affordable housing and housing mix; layout, number of units and scale; design, character and appearance; landscaping and trees; amenity impacts; heritage impacts; highways and access; public rights of way; ecology; and drainage.

The site was allocated for at least 60 dwellings within the Storrington, Sullington and Washington Neighbourhood Plan. It was noted that the Highway Authority raised no objection to the proposed access arrangements. Members were reassured that the access would be constructed as approved by the Highway Authority, as required by condition. Members discussed concerns regarding air quality and noted that an air-quality mitigation strategy was required under Condition 11.

RESOLVED

That planning application DC/19/2015 be granted subject to the conditions as reported.

PCS/58 **DC/19/2105 - PARSONS FIELD STABLES, PICKHURST LANE, PULBOROUGH**

The Head of Development reported that this application sought permission for the 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). The removal of this condition would allow for permanent use of the site for Gypsies and Travellers; the recent temporary permission had expired at the end of 2019.

The application site was located within a rural location to the south of Pickhurst Lane, approximately 600 metres north of the built-up area boundary of Codmore Hill.

Pulborough Parish Council objected to the application. There had been 23 representations objecting to the application from 21 households. Three members of the public spoke in objection to the application and a representative of the Parish Council also spoke in objection.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development and the current shortfall of Gypsy & Traveller pitches within the district; landscape character; impact on listed buildings; the sustainability of the development; neighbouring amenity; highways and parking; and drainage.

Members discussed the planning and enforcement history of the site and the impact of the development on the landscape character and neighbouring amenity. It was proposed and seconded that a temporary permission up to 30 September 2022 be granted. The motion was lost.

Members concluded that the development had a detrimental impact on the rural character of the area, was in an unsustainable location and the reason for granting temporary permission associated with the applicant's educational needs no longer applied.

RESOLVED

That planning application DC/19/2105 be refused for the following reasons:

The development is in an unsustainable location and has resulted in significant harm to the landscape character of the area. In the absence of the applicant's educational needs now being material to the application, and notwithstanding the absence of a five year supply of sites for the gypsy and traveller community, a further temporary permission is no longer justified. The development is therefore considered contrary to Policy 23 of the Horsham District Planning Framework.

PCS/59 **DC/19/2119 - LAND SOUTH OF KITHURST LANE, STORRINGTON**

The Head of Development reported that this application sought permission for the variation of condition 5 of previously approved application DC/18/1695 (construction of storage barn and retention of access). The application sought permission to allow the barn to be used as a muster point for volunteers.

The application site was located within an open area of land outside the built-up area of Storrington, which adjoined the southern edge of the village and with the northern edge of the South Downs National Park running 250 metres to the south.

The Parish Council objected to the application. There had been ten representations objecting to the application from nine households. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was the principle of development. Members also noted the planning background relating to the site.

Members sought reassurance that the primary use of the barn for storage would be retained and that the removal of the condition would not in time lead to the building being used for residential purposes. It was therefore agreed that, for the avoidance of doubt, the wording of Condition 3 be revised in consultation with Local Members.

RESOLVED

That planning application DC/19/2119 be granted, subject to the agreement of revised wording for Condition 3, in consultation with Local Members.

PCS/60 **DC/18/2402 - RYECROFT NURSERY, FRYERN ROAD, STORRINGTON**

The Head of Development reported that this application sought permission for the erection of an agricultural workers dwelling for use by the nursery owner and their family.

The application site was located off the western side of Fryern Road in a rural area 480 metres south of the built-up area of West Chiltonton.

Storrington and Sullington Parish Council raised no objection to the application. There had been 20 representations in support of the application, including three letters received after publication of the report. Three members of the public spoke in support of the application, and a representative of the Parish Council also spoke in support of it.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development and the justification of need; design and appearance; trees and landscaping; amenity impacts; and highways impacts.

Members discussed the proposal in the context of the Agricultural Consultant's comments and the business's standing to the local and wider community. Members concluded that the applicant should be given a further opportunity to submit information to prove they were a viable and sustainable business.

RESOLVED

That planning application DC/18/2402 be deferred to allow the applicant to provide further information on their business case.

PCS/61 **DC/19/1036 - BROOKHOUSE FARM, WEST CHILTINGTON LANE, BROADFORD BRIDGE, BILLINGSHURST**

The Head of Development reported that this application sought permission for the demolition of an outbuilding and the erection of a 4-bedroom single storey dwelling with associated parking. The existing access from West Chiltington Lane would be used, with an area of hardstanding to the west of the dwelling.

The application site was located to the north-east of West Chiltington Lane, outside of any defined built-up area boundary in the open countryside. There was sporadic development along the public highway.

Billingshurst Parish Council objected to the application. There had been no further responses to the public consultation.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; amenity impacts; flooding; ecology; and highway impacts. Members noted that there was prior approval consent to convert the outbuilding into a home, and considered the proposed design would enhance the site and its surroundings.

RESOLVED

That planning application DC/19/1036 be granted subject to the conditions as reported.

PCS/62 **SDNP/18/05914/FUL - WEST SUSSEX GOLF CLUB, GOLF CLUB LANE, WIGGONHOLT**

The Head of Development reported that this application sought permission for the change of use of the land for the extension to the existing golf course for a 6 hole practice short course. The application had been deferred by the Committee in June 2019 to allow for further consideration of the impact of the proposal on the neighbouring equestrian business, and to further consider its impact on the Arun Valley Special Protection Area (SPA) (Minute no. PCS/12 (18.06.19) refers).

Members were referred to the previous report which contained details of the location, relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

Three members of the public spoke in objection to the application. The applicant addressed the Committee in support of the proposal.

The Committee was satisfied that the proposal would not have a detrimental impact on the SPA.

Members noted the Agricultural Consultant's conclusions regarding the impact of the proposal on the neighbouring equestrian business, and were concerned that these conclusions had not taken into account the extent to which horses could be alarmed by unexpected noise and disturbance. It was also noted that the new tee box closest to the equestrian business was not screened by thick foliage. It was therefore proposed and seconded that the application be refused. The motion was carried.

RESOLVED

The proposal would result in a harmful impact on neighbouring amenities, in particular the neighbouring equestrian facility, contrary to Strategic Policy SD5 of the South Downs Local Plan.

The meeting closed at 6.15 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 18th February 2020



**Horsham
District
Council**

Report on Appeals: 09/01/2020 – 05/02/2020

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
EN/19/0436	Land at Grid Reference 510649 117859 Bramble Lane Thakeham West Sussex	17-Jan-20	Notice served	N/A
DC/19/1795	Calcot Farm Bungalow Horsham Road Steyning West Sussex BN44 3AA	17-Jan-20	Application Refused	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/19/1031	Land To The West of Hillside Harbolets Road West Chiltington Pulborough West Sussex RH20 2LG	Written Representation	27-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/19/0121	Southlands Farm Southlands Lane West Chiltington Pulborough West Sussex RH20 2JU	Written Representation	Appeal Allowed	Application Permitted	Application Permitted
DC/19/0656	Land East of Pemberley Mill Lane Partridge Green West Sussex	Written Representation	Appeal Dismissed	Application Refused	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 February 2020

DEVELOPMENT: Demolition of existing dwelling, garage and stables and erection of 2.No detached two storey dwellings with detached garaging. Retention of existing access and crossover and creation of a new access and crossover onto Littleworth Lane.

SITE: Abbots Lea Littleworth Lane Partridge Green Horsham West Sussex RH13 8JF

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/19/0908

APPLICANT: **Name:** Mr Roger Lovell **Address:** Fosters barn Butchers Row West Grinstead Horsham RH13 8NF

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, would represent a departure to the development plan.

RECOMMENDATION: To grant 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 consent for demolition of the existing detached dwellinghouse and associated outbuildings, and for the erection of a replacement development comprising two detached dwellings. Each dwelling would feature a hipped roof with front gables and a detached double garage building.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises a detached two-storey dwelling on land to the west of Littleworth Lane. The site is within Littleworth, an unclassified settlement formed by a cluster of residential development in a predominantly linear form either side of the highway. Littleworth is characterised by residential development of variable form, scale and design and a semi-rural character. The site is approximately 500 metres north of Partridge Green.

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:

2.2 National Planning Policy Framework

2.3 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 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 Local Plan Review - Issues and Options document (April 2018)

2.5 RELEVANT NEIGHBOURHOOD PLAN

The West Grinstead draft Local Plan has not been Made and is currently of limited weight.

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

There is no relevant history on the application site. Of relevance on adjoining land to the west is:-

DC/13/0984	Demolition of derelict glass housing and removal of former car park and the erection of two detached dwellings with access off Littleworth Lane	Allowed on Appeal 17.07.2014
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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

INTERNAL CONSULTATIONS

3.2 **HDC Environmental Health:** No Objection, recommend conditions.

OUTSIDE AGENCIES

- 3.3 **WSSC Highways:** No Objection. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.
- 3.4 **Southern Water:** Comment. A formal application for connection to the public sewerage system is required in order to service this development. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

PUBLIC CONSULTATIONS

- 3.5 **West Grinstead Parish Council:** Object for the following reasons:-
- The subject property is in the hamlet of Littleworth, which in the settlement hierarchy contained in the Horsham District Planning Framework (HDPF) is designated as an 'Unclassified Settlement'. Obviously, that is under review at the moment and there is a proposal that it be designated a 'Secondary Settlement.' Moreover, the subject property does come within the proposed Secondary Settlement Plan.
- Do not accept that this application represents 'infilling'. There is a perfectly adequate dwelling on the site at the moment. A 'small gap or plot' can only be created by demolishing that dwelling. There are 5 bedroom dwellings in the road, but on significantly larger plots. There are also dwellings close together, but they are nothing like as large as these units would be. Our view is that the scale of the proposed dwellings would not reflect the existing scale and character of the settlement function and form, but rather would represent serious overdevelopment of the site.
- The proposed development would have a serious detrimental effect on the environment and character of the rural hamlet of Littleworth, which does enjoy a very diverse mix of properties. Every dwelling with a fair size garden would be vulnerable to developers and the essential character of this and other secondary settlements throughout the district would be lost.
 - The proposed development would put further strain on the drainage system in Littleworth Lane, which has been prone to flooding over recent years in times of unusually high rainfall.

- 3.6 19 representations have been received objecting to the proposal for the following reasons:-
- Overdevelopment, the application is a continuation of a development consisting of two extremely large properties which have recently been built already within land which was originally part of Abbots Lea;
 - The application would set a precedent;
 - The dwellings would be too large and out of proportion and character in the street scene;
 - Loss of soft landscaping;
 - Impact on sewerage network;
 - The development is not sustainable;
 - Noise and disruption.

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

- 6.1 Policy 2 of the HDPF seeks to maintain the District's unique rural character, whilst ensuring that the needs of the community are met through sustainable development that has suitable access to services and local employment. The spatial strategy as set out in the HDPF is to focus development in and around the key settlement of Horsham and allow for growth in the rest of the District in accordance with the identified settlement hierarchy. Policy 3 of the HDPF states that development will be permitted within towns and villages which have a defined built-up area. The site the subject of this application is located outside of any defined built-up area boundary.
- 6.2 As the application site lies outside of any settlement boundary, it is considered for the purposes of planning policy to be within a countryside location. The development would therefore be contrary to the approach set out in policies 2 and 3 of the HDPF. In addition, there is no evidence to suggest that the proposed dwelling would be essential to its countryside location, and the proposal would also therefore conflict with Policy 26.
- 6.3 The application site is though located within the confines of Littleworth which although currently an unclassified settlement has been put forward as a 'secondary settlement' within the Local Plan Review – Issues and Options document (April 2018). The aim of 'secondary settlements' is to identify hamlets which may be able to support a degree of infill to support rural communities. This could be through the provision of rural worker accommodation or the conversion of existing buildings to residential. In respect of Littleworth the Issues and Options document states:-

Littleworth is a small hamlet which is predominantly centred along Littleworth Road, a short distance north of Partridge Green, which contains a reasonable level of services and facilities. There are a number of allotments within Littleworth which are available for the use of residents in both Littleworth and Partridge Green, and helps to provide evidence of an established community in this area. The dwellings in this area are a mix of sizes and ages which help to contribute to a sense of place.

- 6.4 The suggested policy wording within the issue and options document suggests that planning permission will be granted for residential infilling within defined secondary settlements provided that the site is a small gap or plot within an otherwise built-up settlement form; is limited in scale to reflect the existing scale and character of the settlement function and form; and does not result in significant increase in activity including traffic movement on narrow and rural roads.
- 6.5 While the local plan review is at an early stage the Issues and Options document has been consulted upon and does set out the thoughts and direction of the Council in terms of

development in rural areas in the near future. The application site is surrounded by linear residential development and is not therefore in an isolated location, and the Council acknowledges, through the local plan review, that the settlement could accommodate limited development.

- 6.6 The proposal, whilst located outside of any defined built-up area at present, involves the redevelopment of the site to replace a detached dwelling with 2 detached dwellings. The proposed siting would be broadly reflective of surrounding development, which as noted in the Issues and Options document comprises houses of a mix of sizes and ages. The site is therefore considered to provide a reasonable opportunity for infill development of the manner and scale envisaged in the Issues and Options document.
- 6.7 The approach to Littleworth within the Issues and Options document is broadly reflective of that outlined in an earlier appeal decision in 2014, which granted planning permission for the erection of two dwellings to the rear of the site (ref: DC/13.0984). In allowing this appeal the Inspector found that Littleworth has the character of a small hamlet, and due to the close proximity (of less than 1km) to Partridge Green, which was found to benefit from a 'rather good' level of service provision while also being readily accessible by foot, the settlement was in a sustainable location. There are no reasons to believe that these conclusions would not apply to this application site, which immediately adjoins the appeal site to the east.
- 6.8 It is therefore considered that while the proposal is contrary to the development plan in relation to its location within a countryside location the principle of development is acceptable could be supported, subject to all other material considerations, due to the location set amongst an existing, albeit unclassified, settlement and given the direction of travel set out in the Issues and Options document.

Character and appearance

- 6.8 Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats: development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.9 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.10 The siting of the proposed dwellings would reflect and supplement the generally linear pattern of development in Littleworth, where the majority of housing is along the roadside. The application has been amended as part of the application process to reduce the footprint, and the resulting bulk of each dwelling, and to revise the resulting design. As now proposed the dwellings would be characterised by a hipped roof with subservient front gables. This design approach would incorporate design features present in surrounding development and there is no objection to the detached garages, which would not be unduly prominent features of the site. As such while the development would be highly visible in views along Littleworth Lane it is considered the resulting appearance would not be incongruous or out of keeping with the prevailing character or appearance of the settlement.
- 6.11 The submitted plans indicate the retention of the existing hedgerow to the front boundary, except where a new access point is proposed, and there is potential for new planting to reinforce this boundary. Within the wider site there is no significant planting which would be adversely impacted by the development, with a landscaping condition recommended to require details of hard surfacing, boundary treatments and additional planting.

- 6.12 It is therefore considered that the proposed development, and the provision of one additional unit of housing, would not be harmful to the character or appearance of the area, and therefore accords with the above policies.

Impact on amenity

- 6.13 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.
- 6.14 The siting of the proposed dwellings would retain appreciable separation from shared side boundaries with adjoining properties, with the resulting relationship between buildings sufficient to ensure no harmful impact to neighbouring amenity. The introduction of an additional residential unit in an established residential location would not be expected to create potential for harmful levels of noise or disturbance, and the proposal would not result in a significant increase in the level of activity within Littleworth.

Highway impacts

- 6.15 Policy 40 of the HDPF recognises the need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users.
- 6.16 The development would create a new access point for the southern dwelling, with a width of approximately 3.5 metres. The existing and proposed accesses would benefit from sufficient visibility in both directions for a road of this speed. The development would provide 3 parking spaces for each dwelling, with space outside for additional spaces. This level of provision meets the required standards with the garages meeting the required minimum internal dimensions. It is therefore considered that each dwelling has sufficient parking allocation to meet their demand, and that the proposal would not result in any displaced vehicles to surrounding streets. The proposed layout would provide on-site manoeuvring space which would allow vehicles to exit onto Littleworth Lane in a forward gear.
- 6.17 There is sufficient space within the site for the storage of cycles and no further details are considered necessary in this regard.

Other considerations

- 6.18 A number of conditions have been recommended by Environmental Health relating to contamination and demolition works. The site is though an established residential dwelling with no evidence of issues relating to contamination. It would not therefore be reasonable or necessary to require further assessment and the proposal would not increase any risk to future occupants of the development. In respect of demolition, and construction, the works involved would not be particularly long-term or extensive, and given the size of the site any impacts should not spill onto adjoining land or highways. A condition is recommended to provide control over construction and demolition hours, and this approach is considered sufficient to protect neighbouring amenity.
- 6.19 It is noted that a number of representations have raised concerns relating to the impact of the development on sewerage infrastructure. Southern Water has not though advised of any capacity issues in this locality, with any connection to the foul sewer requiring their agreement. A condition is however recommended to secure details of the proposed connection for foul water disposal, as well as surface water, and this approach is considered sufficient to ensure no adverse impact on infrastructure or flooding.

6.20 COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	724	254	470
		Total Gain	470
		Total Demolition	254

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 planning permission is permitted subject to the following conditions-

1 **Approved Plans List.**

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

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

3 **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 (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, roofs and doors 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).

5 **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 shall 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).

- 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 details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 7 **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).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. 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).

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. 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).

- 10 **Regulatory Condition:** No part of the development shall be first occupied until the accesses and vehicle parking and turning spaces have been constructed in accordance with the approved plan. The access and parking and turning spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A and B of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and in order to protect the privacy and amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No works for the implementation of the development hereby approved, including works of demolition, shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

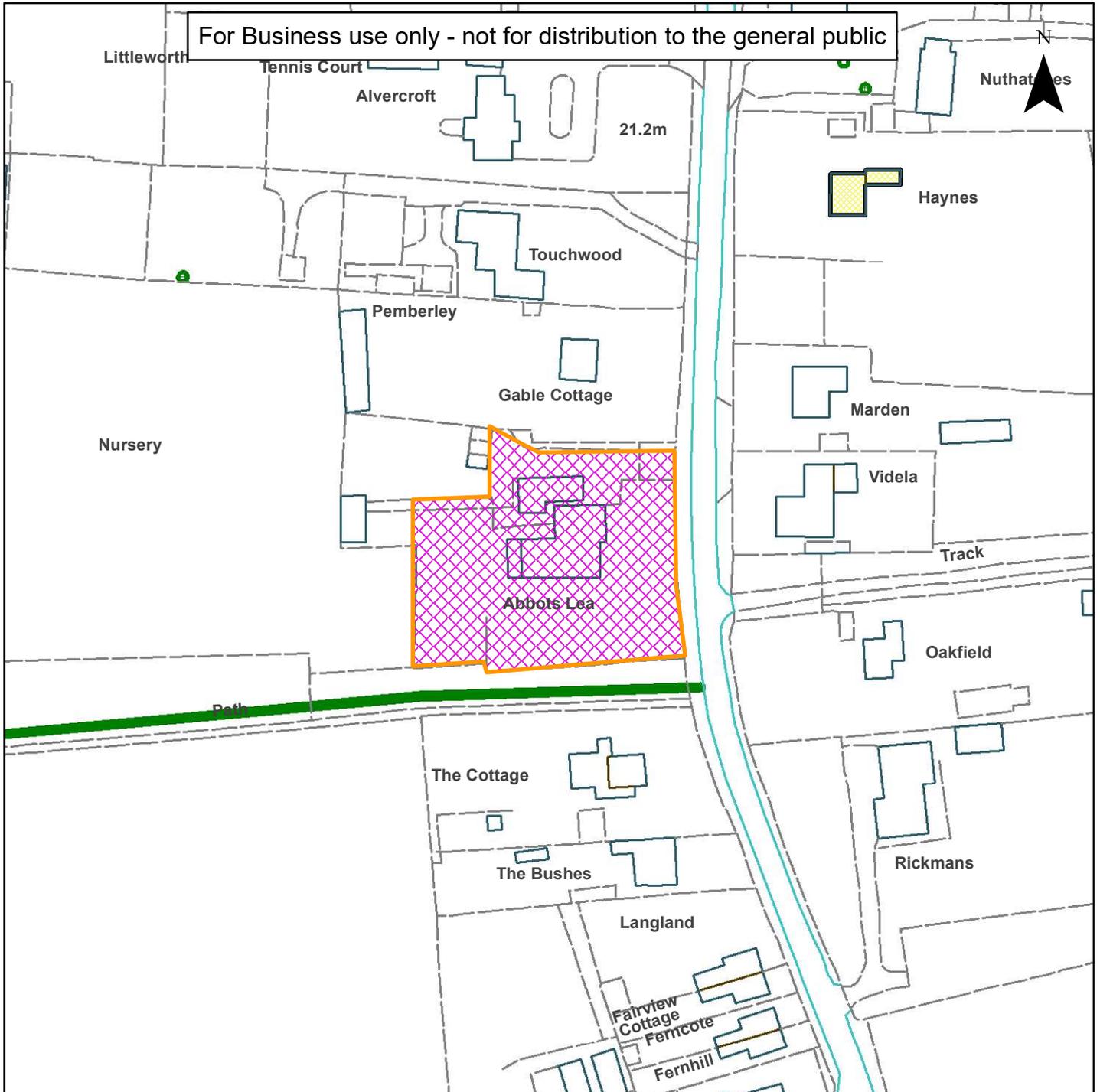
Reason: To safeguard the amenities of the occupiers of the neighbouring residential properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/0908
DC/13/0984

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Abbots Lea, Littleworth Lane, Partridge Green



Scale: 1:1,250

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 February 2020

DEVELOPMENT: Erection of 1 detached and 2 semi-detached single storey dwellings

SITE: Pear Tree Farm Furners Lane Woodmancote Henfield West Sussex BN5 9HX

WARD: Henfield

APPLICATION: DC/19/0742

APPLICANT: **Name:** Tracey Tingey **Address:** C/O Agent Melton Lodge

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, would represent 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 consent for demolition of the existing two buildings on the site and for the erection of two replacement buildings. The buildings would provide a detached 3-bed dwelling and a semi-detached pair of 2-bed dwellings. The building would reflect the siting, form and scale of the existing buildings which are to be demolished, with the key change being the insertion of fenestration, some of which would be full-height, to all elevations.

DESCRIPTION OF THE SITE

- 1.2 The application relates to two single-storey storage buildings sited on the southern edge of land to the north of Furners Lane. The buildings are currently in use for the storage of tyres. The site is enclosed by vegetation to the southern boundary, which adjoins Furners Lane, which is designated along its length as a Public Right of Way (Footpath No.2540).
- 1.3 The application site is outside of any settlement boundary, being sited approximately 720 metres east of Henfield. Pear Tree Farm has a single point of entry onto Furners Lane, which is currently a gated entrance. It is believed to have been an orchard some 30 years ago and was part of a wider land-holding, comprising the adjacent land which now forms part of the residential property, Turnham's Gill, to the west. The main use of the wider site is for private equestrian purposes.

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:

2.2 National Planning Policy Framework

2.3 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 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 30 - Protected Landscapes

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 40 - Sustainable Transport

Policy 41 - Parking

2.4 Henfield Parish Design Statement

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Henfield Parish Council formally submitted their draft Neighbourhood Plan 2017 - 2031 to Horsham District Council under Regulation 15 of the Neighbourhood Planning (General) 2012 (as amended) on 30 October 2019. In accordance with Regulation 16, Horsham District Council undertook consultation from Friday 8 November 2019 to 5pm on Friday 19 December 2019. The draft plan has not been Made and is currently of limited weight.

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/1401	Prior Approval for Change of Use falling within Class B8 (storage or distribution centre) to dwellings (C3 Use Class)	Prior Approval Required and PERMITTED on 31.08.2017
DC/07/2006	Change of use of approx. 180 square metres of agricultural land to hardstanding for private equestrian use of site (Retrospective)	Application Permitted on 24.10.2007
HF/103/02	Certificate of lawful development relating to the commercial storage of up to 600 used tyres for subsequent distribution	Application Permitted on 12.05.2003

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** Comment, additional information should be required in relation to noise, contamination and air quality.
- 3.3 **HDC Landscape Architect:** No objection. The approved DC/17/1401 application's submitted plans are identical to the current application (which could be implemented) and there is no identifiable increase in the effect on Landscape Character or Visual Amenity as a result

OUTSIDE AGENCIES

- 3.4 **Southern Water:** Comment. The applicant has not stated details of means of disposal of foul drainage from the site. There is no public foul sewer in the vicinity of the site. The applicant is advised to examine alternative means of foul sewage disposal. The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.
- 3.5 **WSCC Highways:** Comment. This proposal is for the erection of 1 detached dwelling and 2 semi-detached dwellings. Prior approval for this development was granted for this site, under application DC/17/1401. No highways concerns were raised in this application.
- 3.6 **WSCC Rights of Way:** Comment. Public Right of Way (PROW) Footpath 2540 runs along Furners Lane to the south of the proposed development, outside the red line of the planning application boundary. It is understood that the application does not propose any alteration to the PROW.
- 3.7 It is understood that Furners Lane is intended to be the vehicular access route to the proposed development. The increase in traffic, particularly of heavy plant and materials during the construction phase, raises the risk of conflict between users of the Footpath and vehicular traffic. The Applicant should be made aware of the fact that public rights to use the footpath take precedence over any private access rights along Furners Lane. The Applicant should ensure that all vehicles accessing the development are aware of the potential for conflict with walkers and their dogs and that vehicular traffic **MUST** give way to walkers exercising public rights along the footpath/lane.
- 3.8 **Henfield Parish Council:** Objection. Contrary to policies 1, 2, 3, 4, 26 and 27 of the Horsham District Planning Framework (HDPF).

PUBLIC CONSULTATIONS

- 3.9 None received.

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

- 6.1 Policies 3 and 4 of the Horsham District Planning Framework (HDPF) state that development will be permitted within towns and villages which have defined built up areas, and outside built up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location.
- 6.2 The application site is located within the countryside outside of any defined settlement, is not allocated in a Local Plan and there is currently no Made Neighbourhood Plan for the Parish of Henfield. Furthermore, there is no evidence to suggest that the proposed development is essential to its countryside location. On this basis, the proposal is contrary to the above policies and at odds with the spatial strategy set out in the HDPF.
- 6.3 Notwithstanding the above policy conflict, the site benefits from an extant prior approval for the conversion of the existing storage buildings to form three dwellings. These dwellings were granted prior approval through the Town and Country Planning (General Permitted Development) (England) Order 2015, with the change of use not requiring planning permission from the Local Planning Authority. The presence of this prior approval represents a viable and realistic fall-back position were the current application to be refused. A refusal of the current application would not therefore prevent the introduction of a residential unit on the site.
- 6.4 It is therefore considered, subject to detailed considerations, that refusal of the application on the basis of the conflict with Policies 3, 4 and 26 of the HDPF would not be warranted and would not prevent dwellinghouses from being created on the site. On this basis, therefore, the current application is considered in principal to be an acceptable departure from the development plan.

Character and appearance

- 6.5 Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats: development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.6 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.7 The proposed development would reflect the siting, scale, form and design of the existing buildings on the site which are proposed to be demolished. The proposal would not therefore introduce any additional bulk or mass to the site and would not, as a result, have any adverse impact on the character or appearance of the site or wider surrounding area. It is acknowledged that brief views of the buildings would be possible from the adjoining right of way to the south of the site. This is though no different to the existing arrangement, and given the form, scale and materials would be comparable to the existing buildings no harm would result to public views of the site.
- 6.8 The development would provide curtilages to each dwelling which would be slightly larger than those permitted under the existing prior approval. The wider visual impact of this would

though be limited due to the extensive and robust screening which encloses the site. There would be limited potential for future extensions and alterations to the dwelling, including through the erection of outbuildings, with permitted development rights for such additions to be removed through condition. It is therefore considered that the proposed incidental curtilages would not result in any harm to the landscape character of the site or surrounding area, with a condition recommended to secure details of boundary treatments to ensure an appropriate detail.

- 6.9 For the reasons outlined above it is considered that the visual impact and design of the proposed development would accord with the above policies.

Impact on amenity

Neighbouring residents

- 6.10 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.
- 6.11 The proposed location of the dwellings would be similar to the existing buildings which have prior approval for a change of use to residential. As such, and taking into account the significant separation from adjoining properties, it is considered the proposal would not result in significant harm to neighbouring amenity.

Future occupants

- 6.12 The development would create 1 x 3-bed and 2 x 2-bed dwellings with adequate room sizes, natural light and ventilation throughout. The proposed curtilages associated with each unit would be relatively modest, particularly in comparison to adjoining residential development. The curtilages are though considered broadly proportionate to the size of the associated dwellings, and given they are comparable to those which could be created through the existing prior approval it is not considered that any concerns in this regard would substantiate a reason for refusal. The nature of adjoining uses would not be expected to create harmful levels of noise or disturbance for future occupants, with no air quality concerns in the immediate vicinity of the site. A condition is recommended to resolve any outstanding queries relating to contamination. It is therefore considered that the development would create an acceptable standard of accommodation for future occupants.

Highway impacts

- 6.13 Policy 40 of the HDPF recognises the need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users.
- 6.14 The development would make use of existing access arrangements to the site and this reflects the approach taken for the existing prior approval on the site. In comparison to the existing use of the application site (for the storage of tyres) the proposal would likely represent a reduction in vehicular movements to and from the site and there are no reasons to believe this would adversely impact on highway safety, including for other users of the right of way.
- 6.15 The proposed development makes provision for 2 parking spaces to each dwelling, with the spaces meeting standards set out in the Manual for Streets. An amended plan has been received to include this parking within the red line of the application site with the level of provision considered acceptable in this location.

Other considerations

- 6.16 The neighbouring land to the north-east of the site is subject of a current appeal (against the refusal of planning permission) for a gypsy site comprising 3 pitches and associated utility building (ref: DC/17/1374). This case is linked with a further appeal against an enforcement notice relating to a change of use of land for the stationing of residential caravans and for the stationing of storage containers (ref: EN/18/0018).
- 6.17 This proposal would not affect or prejudice the above outcome of the above cases. While the site access would serve the proposed dwellings and the wider site to the north the lawful use of the site is primarily for equestrian related uses, including as a paddock. The arrangement of the proposed dwellings and adjoining land, which would reflect that resulting from the existing prior approval, would not be unexpected or unusual in a countryside location. The access to the site is well defined and the level of lawful activity on the site would not be at a level which would be undesirable in this location.
- 6.18 The proposal would result in the loss of buildings used for the commercial storage of tyres. While the HDPF seeks to retain land in commercial use in this instance its loss would result from the implementation of the extant prior approval. As the refusal of this application would not result in the retention of this commercial use there are considered to be no concerns in this regard.
- 6.19 There is no evidence before the Authority that the proposed development would impact upon protected species, habitats or trees. There are no relevant heritage assets or archaeological designations that would warrant consideration in this instance.

Conclusion

- 6.20 The site is within a countryside location and has not been allocated for residential development, with the proposal not comprising a development essential to this countryside location. The proposal therefore conflicts with policies 3, 4 and 26 of the HDPF. The principle of residential development on the site has however been established by the existing Prior Approval for the conversion of the existing buildings to 3no dwellinghouses. This is considered to form a realistic fall-back position carrying significant weight in the planning balance.
- 6.21 Whilst being a departure from planning policy the proposed development would not result in any greater material impacts than the extant prior-approval which would otherwise be implemented. The development, taking into account this fallback position, is therefore considered acceptable.
- 6.22 COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	278.8	278.8	0
	Total Gain		0
	Total Demolition		278.8

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

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

7. RECOMMENDATIONS

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

1 A list of the approved plans

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

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

3 **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) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

(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 development shall thereafter be carried out in accordance with the approved details. 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).

4 **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).

- 5 **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, roofs and doors 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).

- 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 confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall 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).

- 7 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until details of all boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

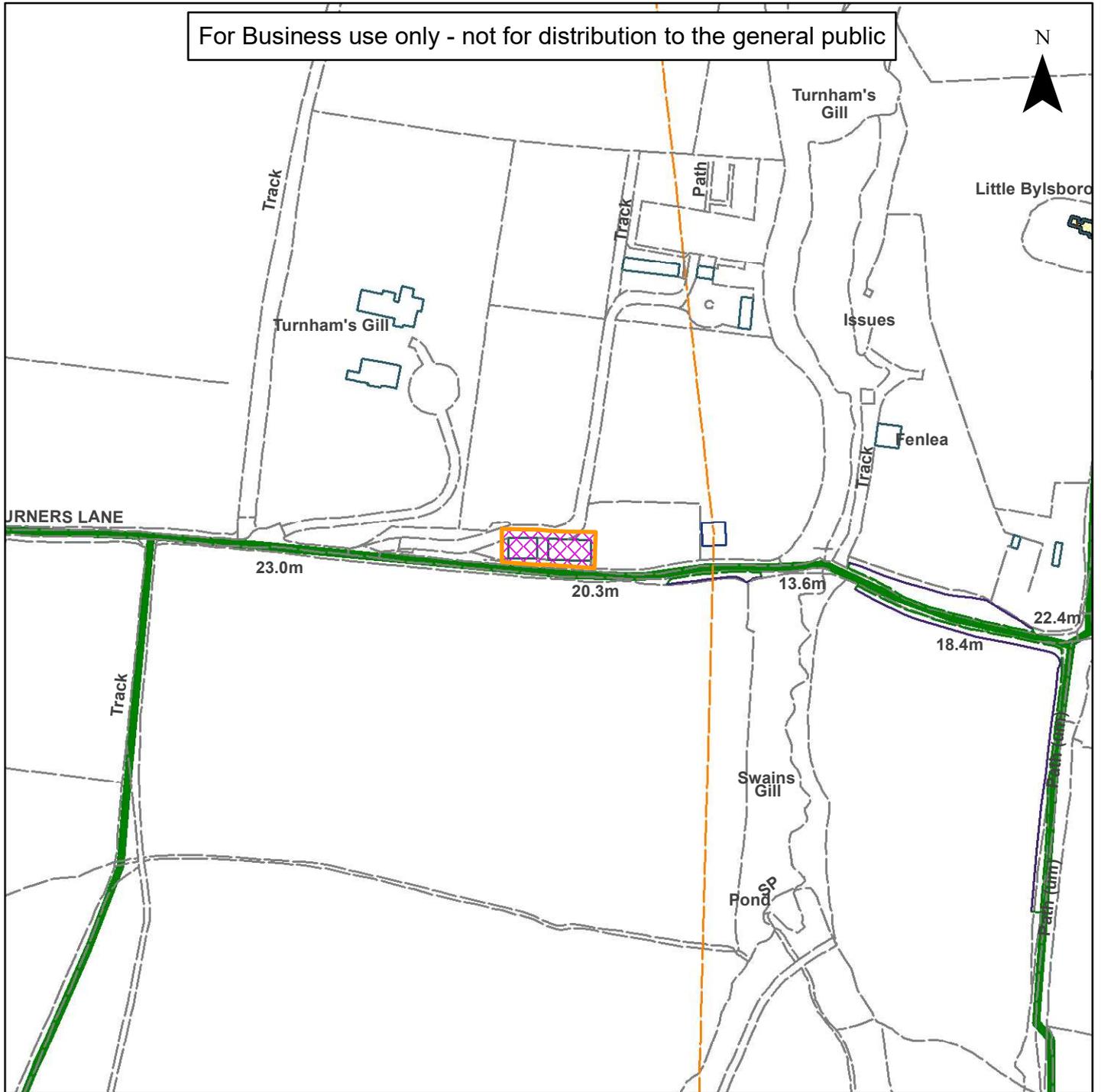
- 8 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Classes A, B, C, E, or F of Part 1 or Class A of Part 2 of Schedule 2 of the order shall be erected, constructed or placed within the curtilages of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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



Pear Tree Farm, Furners Lane, Woodmancote

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Scale: 1:2,500

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 18 February 2020

DEVELOPMENT: Demolition of existing barn and erection of 3.No attached single storey dwellings with associated car parking.

SITE: Woodhouse Farm, Wheatsheaf Road, Woodmancote, BN5 9BA

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/19/2128

APPLICANT: **Name:** Mr Colin Broucke **Address:** Woodhouse Farm, Wheatsheaf Road, Woodmancote, BN5 9BA

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, would represent a departure.

RECOMMENDATION: That planning permission be granted.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the demolition of an existing cattle shed and the erection of 3x attached dwellings of an identical footprint, scale, form, height and massing.
- 1.2 The existing cattle shed benefits from 'prior approval' under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion to three dwellings (DC/19/0923), with this application advanced as an alternative to the 'fallback position' that exists in relation to the existing prior approval.
- 1.3 The proposed dwellings would be contained within a building measuring 32m in length, 10.9m in depth, incorporating an 'off-centre' dual-pitched roof erected to an eave height of 3.1m and 5m in overall height. These dimensions are identical to those of the pre-existing building, and the plans previously approved in connection with the extant prior-approval.
- 1.4 The proposal would provide modest private garden spaces to the front (north) of each dwelling, together with 3 covered car parking spaces and 6 external car parking spaces a short distance to the north of the proposed dwellings across a turning head.
- 1.5 This proposal follows a previous refusal of planning permission (DC/19/1489) which sought permission for the demolition of the existing barn and provision of three detached new build dwellings to the north. This preceding application was refused on the grounds of design and resulting suburbanising effect.

DESCRIPTION OF THE SITE

- 1.6 The application site is found ~1.2km east of the defined built-up area of Henfield, and accessed via the B2116 ~1.2km north of the site. The site comprises of an existing agricultural barn, which is proposed for demolition, and an area of hardstand found to the north of the existing barn. The site is found adjacent to a larger barn that attained permission for conversion to four dwellings (DC/18/2165) and to the immediate south of the parking area approved in connection with that development.
- 1.7 The site is found in close proximity to existing residential units at 'The Granary' and 'The Barns' located to the north-west, and is adjacent to several lesser rural utility buildings to the south and east. The site, overall, possesses a utilitarian agricultural character owing to ongoing agricultural activities.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

2.2 **National Planning Policy Framework**

2.3 **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 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

2.4 **Woodmancote Parish Neighbourhood Plan 2016-2013:**

The Woodmancote Parish Neighbourhood Plan was formally adopted in March 2017 and forms part of the statutory development plan. The following policies of the Neighbourhood Plan are deemed of relevance to this application:

Policy 1 – A Spatial Plan for the Parish
Policy 2 – Housing Windfall Site
Policy 3 – Design

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/1489	Demolition of existing barn and erection of 3.No detached dwellings with associated parking.	Application Refused 22.07.2019.
DC/19/0923	Prior approval for a proposed change of use of agricultural building to 3.No dwellinghouses (Class C3)	Prior Approval Required and Permitted on 21.06.2019
DC/18/2165	Conversion of an agricultural building to 4 two storey dwellings.	Application Permitted on 06.12.2018
DC/18/1004	Prior Approval of Proposed Change of Use from an agricultural building to 3 dwellings (C3 Use Class)	Prior Approval Required and permitted on 03.07.2018
DC/18/1001	Prior Approval of Proposed Change of Use from an agricultural building to 5 dwellings (C3 Use Class)	Prior Approval Required and permitted on 03.07.2018
WK/8/02	Prior notification to erect an agricultural building Site: Woodhouse Farm Wheatsheaf Road Woodmancote	Application Permitted on 29.04.2002

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

WSCC – Highways: No objection:-

- 3.2 The Local Highways Authority (LHA) considered that the proposal would not unacceptably impact upon highway safety or operation. The LHA Officer noted that there is no evidence of pre-existing safety concern at the point of connection to the publicly maintained highway network, or suggestion that the proposal would materially worsen highway safety conditions.
- 3.3 The LHA further noted that the proposed would provide 9 parking spaces for use in association with the proposed development, however, with only the 6 external parking spaces satisfying Manual for Streets standards. The applicant was advised to consider revising the depth of proposed covered parking spaces to accord with Manual for Streets standards, though it was accepted that the 6 external parking spaces would prove sufficient to meet the anticipated demand for 3 dwellings in accordance with adopted WSCC standards.
- 3.4 The LHA noted, given the rural location of the application site, that future occupants of the proposed dwellings would likely be highly reliant on the use of the private vehicle for the majority of daily journeys. A condition requiring the provision of covered and secure cycle parking facilities was recommended, however, in order to promote sustainable modes of travel.

Southern Water: Advice:-

- 3.5 Southern Water responded to advise of the locations of nearby public foul and surface water sewers. The applicant was advised to consult with the Environment Agency directly regarding the provision of a private waste water facility.

3.6 **Historic England**

Historic England responded to advise that they did not wish to offer comments on the information available to date, and suggested that the Authority seek its own specialist advice.

Woodmancote Parish Council: No objection:-

3.7 No objection, subject to parking/garaging standards being satisfied.

PUBLIC CONSULTATIONS

3.8 A single letter of support was received in connection with the proposal. This confirmed overall support for the proposal, however, did seek to raise concerns in respect of:

- Highway safety and proposed access arrangements;
- Impacts of development on local water pressure.

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 Policies 3 and 4 of the HDPF outline the spatial strategy and hierarchy approach of the local plan. This strategy seeks to concentrate development within defined built-up areas and around the key settlements of the District, promoting a planned approach to settlement expansion to satisfy unmet local needs through Development Plan allocation.

6.2 Policy 26 of the HDPF seeks to protect the countryside from inappropriate development. Outside of a built-up area boundary any proposal must be essential to its countryside location, and in addition 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. Development must protect the landscape quality of its setting and avoid an individual or cumulative significant increase in activity in the countryside.

6.3 Policy 1 of the Woodmancote Neighbourhood Plan (WNP) (2017) affords support to development that is substantially concordant with the policies of the local plan and Neighbourhood Plan.

6.4 Policy 2 of the WNP affords support to small scale residential development of 5 or fewer dwellings on infill and previously developed sites, subject to design considerations and where development maintains the open character of the Parish, delivers affordable homes (where viable), avoids inadequate access or harm to the amenities of adjoining occupiers. Development would, further, be expected to maintain the integrity of the South Downs National Park and designated Green Links.

- 6.5 The application site is located outside of a defined built-up area, on a site not allocated within the Development Plan. The provision of residential development in this location, therefore, would not usually be supported on the basis of assessment against the spatial strategy and hierarchy approach of the Development Plan.
- 6.6 In this instance, however, the site currently benefits from a 'fallback' position for the conversion of the existing cattle shed to form three dwellings in relation to prior approval granted in June 2019 under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 6.7 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 would be implemented.
- 6.8 In this instance, the fallback position represents a significant material consideration, and substantial weight must be afforded to the extant prior approval. The proposed development is substantially identical to the nature and scale of development subject of the extant prior approval, and would not be considered (as outlined in subsequent sections of this report) to give rise to any greater adverse impacts in terms of landscape impact, amenity, highway safety/operation, ecology or health and wellbeing than the scheme that could be reasonably implemented in the alternative. The consideration of development in connection with a planning application does, however, afford greater control to the Authority through the imposition of relevant conditions and would ensure an overall greater quality of development. On this basis, therefore, the current application is considered an acceptable departure from the development plan.

Character, Design and Appearance

- 6.9 Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.10 Policies 32 and 33 of the HDPF stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.11 Policy 3 of the WNP provides that the massing, density, scale, landscape design and material composition of all proposed development will be required to reflect the scale, architectural and historic character of surrounding development and be appropriate to the proportions of its respective plot size. Development must utilise high quality, local vernacular building materials, provide adequate and appropriate off-street parking, retain existing vegetation, maintain appropriate separation between dwellings and provide connection to sewerage and water networks where capacity is adequate.
- 6.12 The proposal would result in the creation of a series of three terraced dwellings reflecting the form, siting and scale of the existing cattle barn. The proposal, therefore, would not introduce any additional built form or result in any significant change to the local landscape character or development pattern. The proposed elevations are identical to those previously considered in connection with DC/19/0923 and the extant prior approval for the

conversion of this building. As the proposal currently before the Council seeks the demolition of this building and the construction of a replacement building, it is considered that there is greater flexibility in the use of external materials that are divergent to the current material composition of the cattle barn. Subject to the condition recommended, requiring the submission and approval of a schedule of material types, colours and textures, it is considered that a building of overall greater quality and appearance can be achieved in this instance.

- 6.13 The proposal would introduce private amenity space in association with the three proposed dwellings to the immediate north of the proposed building. No details of soft/hard landscaping have been provided to the Authority, and it is unknown whether existing areas of hardstand are to be retained for use as parking and turning areas. A landscaping condition, requiring details of soft/hard landscaping and boundary treatments, has therefore been recommended in order to secure such details

Amenity:

- 6.14 Policy 33 of the HDPF *inter alia* provides that development will be required to ensure a design that avoids unacceptable harm to the occupiers/users of nearby property and land with sufficient regard to the sensitivity of surrounding development.
- 6.15 *Neighbouring Residents:* The proposed terraced dwellings would be orientated towards the north-east, sited approximately ~12.5m south of the southernmost range of the neighbouring dwelling of 'The Granary'. There would be a limited degree of mutual inter-visibility between the proposed dwellings and The Granary due to the height a pre-existing boundary wall, absence of south facing windows within The Granary's southernmost range and incorporation of covered car-parking spaces at the westernmost extent of the proposed building. While some relationship of mutual inter-visibility may arise between proposed amenity spaces and neighbouring first floor windows, such views would be made an oblique angle and would not be considered detrimental to the privacy of neighbouring occupiers at The Granary.
- 6.16 A significant distance of ~40m would separate the proposed dwellings from those benefiting from extant permission under application DC/18/2165. Distant views between approved south facing windows pursuant to DC/18/2165, and proposed amenity spaces/windows would be possible, however, would be made at some significant distance and across parking/turning areas. Such a relationship of mutual overlooking would not be considered unexpected, given the orientation and layout of these buildings, nor to amount to harm given the significant intervening distance.
- 6.17 As the proposed building would replace an existing barn of equivalent siting, scale and massing, it is not considered that the proposal would result in any material change in relationship with neighbouring occupiers in terms of overbearingness or overshadowing.
- 6.18 *Future Occupants:* The proposal would result in the creation of 3x two bedroom single storey dwellings each possessing a gross-internal area (GIA) of ~81.7m² and outdoor space provision of approximately 80m². It is considered that such provision is sufficient to meet the anticipated needs of future occupants.

Parking, Highway Safety and Operation:

- 6.19 Policy 40 of the HDPF 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 HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. Development which involves the loss of existing parking

spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

- 6.20 The proposed dwellings would make use of a pre-existing private way to the B2116 a notable distance north of the application site. As highlighted by the response of the Local Highways Authority, there is no pre-existing evidence of unsafe operation at the point of connection to the public highway and no alterations are proposed to existing public/private highways.
- 6.21 While the addition of three dwellings in this location may result in a material increase in traffic and vehicle movements on the privately maintained highway, there is no evidence that this impact would be materially different or worse than the development which could be implemented in the alternative under the extant prior approval. In this context it is not considered that concerns regarding an intensification of vehicle movements on the privately maintained highway would form a reasonable or defensible ground for objection in this instance.
- 6.22 The comments of the neighbouring occupiers are acknowledged in respect of access arrangements to Woodhouse Farm and vehicle movements to the front of 'The Granary'. The proposed development would make use of a pre-existing access to the immediate south of The Granary in order to access a parking/turning area. This represents an established private way, which is currently utilised by agricultural traffic. While a relocated access further to the south may negate some potential conflict between existing and proposed users in terms of access, it is not considered that this could be reasonably achieved in relation to the proposed layout of development.
- 6.23 Vehicles accessing the covered car-parking spaces (annotated as 1, 2 and 3 on the submitted plans) would do so via a shared private way that additionally affords access to 'Swallow' and 'South' Cottages south of the applications site. Vehicles entering/egressing onto the private way would be approximately 6m in distance from the entrance to The Granary and 'The Barns' and in clear view of all existing accesses, including that to the south. It is considered, especially given the existing degree of separation between The Granary and The Barns to the proposed building, that this proposed arrangement would not unacceptably impact upon the safety of users of the existing private way.
- 6.24 A condition requiring the submission and approval of details pertaining to the provision of covered and secure cycle parking facilities have been recommended in order to promote sustainable modes of travel to the application site.

Other Matters:

- 6.25 There is no evidence before the Authority that the proposed development would impact upon protected species, habitats or trees. There are no relevant heritage assets or archaeological designations that would warrant consideration in this instance.
- 6.26 The comments of a neighbouring occupier are noted in respect of water pressure, and it is further noted that the applicant has not indicated means of proposed foul/surface water drainage in this instance. It is necessary, therefore, to recommend a condition requiring the submission of a drainage strategy pertaining to the disposal of foul and surface water drainage in order to ensure that the proposed development would be adequately drained.
- 6.27 A further condition, requiring the implementation of development in accordance with the optional Building Control G2 water-use standard of 110 litres per person per day has been recommended to limit the use of water resources: this would represent an improvement to the development that could take place through the existing prior approval on the site. It is considered that the impact of development on water pressure would be materially no

greater than that subject of the extant prior approval, with the development subject to subject to subsequent compliance with Building Control regulations. It is considered that a refusal of planning permission on the sole ground of water pressure would prove unreasonable in this instance.

Conclusion

- 6.28 It is, overall considered, therefore, that while the proposed development could not be considered concordant with the spatial strategy of the Development Plan, the existence of a fallback position represents a significant material consideration warranting a departure from Development Plan policy in this instance.
- 6.29 The proposal is not considered to result in any greater material impacts than the extant prior-approval which could be reasonably implemented in the alternative, while material improvements in terms of sustainable construction, use of greater quality materials, landscaping and the provision of cycle stores would result in an overall superior development.

7. RECOMMENDATIONS

7.1 It is recommended that permission be granted subject to the conditions listed below.

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

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

3. **Pre-Commencement Condition:** Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site, including the identification and removal of asbestos containing materials, 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) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 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.

The scheme shall subsequent be implemented as approved prior to the first occupation of the dwellings hereby permitted. Any changes to these components require the express 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 appropriately addressed in accordance with Policy 24 of the Horsham District Planning Framework (2015).

4. **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).

5. **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, finishes and colours to be used for external walls, windows, roofs and hard surfaces of the approved development has been submitted to and approved by the Local Planning Authority in writing. 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).

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 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).

7. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, D, E, F, G or H of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

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

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Woodhouse Farm, Wheatsheaf Road, Woodmancote

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Organisation	Horsham District Council
Department	
Comments	
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