



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

Tuesday, 21st April, 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

Following the Government's decision to ask public venues to shut, Horsham District Council's office at Parkside has closed until further notice. Council meetings that are going ahead will do so with Councillors participating via remote video links and the public via an audio link.

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	7 - 10
<i>To approve as correct the minutes of the meeting held on 18 February 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.)</i>	
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**

Appeals Sheet (South, 21st April 2020)

Applications for determination by Committee:

6. **DC/19/1707 - Abingworth Nurseries, Storrington Road, Thakeham** 15 - 40

Ward: West Chiltington, Thakeham and Ashington
Applicant: Abingworth Homes Ltd

7. **DC/18/2402 - Ryecroft Nursery, Fryern Road, Storrington** 41 - 62

Ward: Storrington and Washington
Applicant: Mr P Godsmark

8. **Urgent Business**

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

Agenda Annex

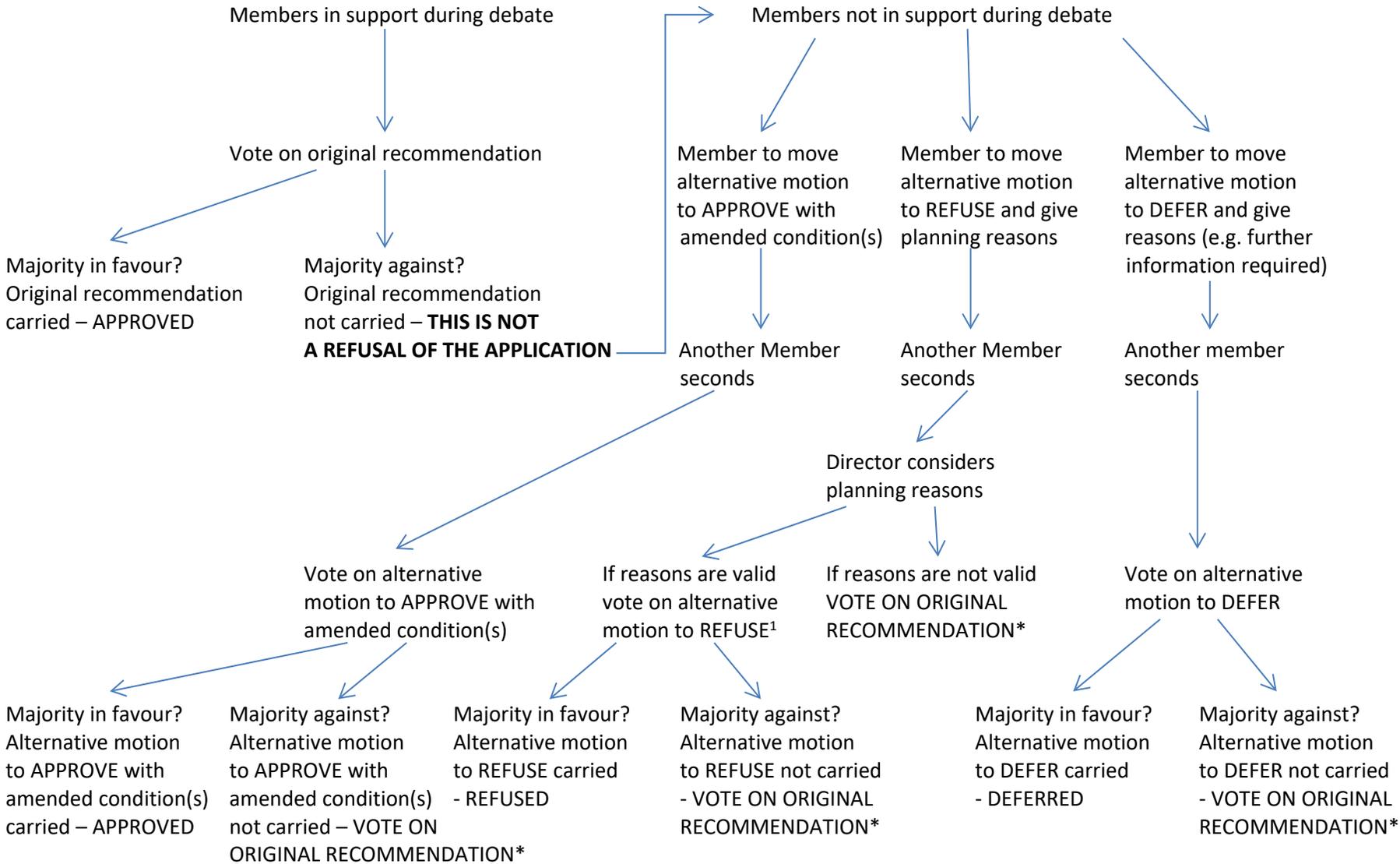
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

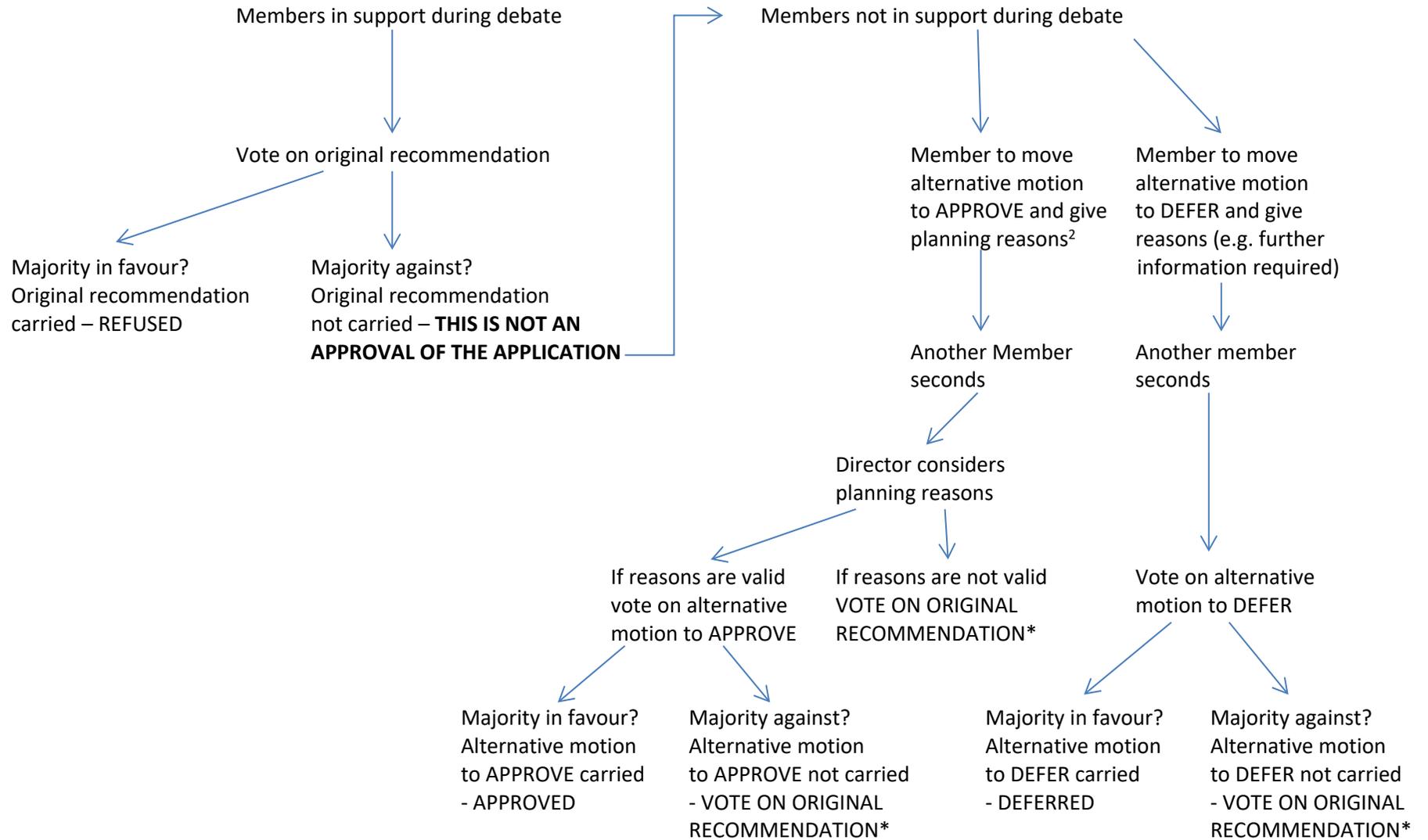
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
18 FEBRUARY 2020

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

PCS/63 **MINUTES**

The minutes of the meeting of the Committee held on 21 January 2020 were approved as a correct record subject to an amendment to the declarations of interest to state that Councillor Circus' wife was an occasional customer of the applicant's business not a regular customer. The minutes were signed by the Chairman.

PCS/64 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/19/0908 Councillor Lambert declared a personal but non prejudicial interest in this item.

PCS/65 **ANNOUNCEMENTS**

There were no announcements.

PCS/66 **APPEALS**

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

There was a query as to why DC/19/1031 had been appealed. The reason was explained by the Cabinet Member for Planning and Development who said that the appeal related to the conditions around the restriction of the hours and dates of operation.

PCS/67 **DC/19/0908 - ABBOTS LEA, LITTLEWORTH LANE, PARTRIDGE GREEN**

The Head of Development reported that this application sought permission for the demolition of the existing dwelling, garage and stables and the erection of 2 detached two storey dwellings with detached garaging.

The application site was located within Littleworth, an unclassified settlement formed by a cluster of residential development in a predominantly linear form either side of the highway. The site was approximately 500 metres north of Partridge Green.

West Grinstead Parish Council objected to the application. There had been 19 representations objecting to the application. 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, the character and appearance of the area, the impact on amenity and highway impacts.

Members also discussed the fact that a similar nearby application had been allowed by the Planning Inspector and so were the application to go to appeal, it was likely to be permitted. Furthermore, the site was not in a rural location as there were houses all around. There was a discussion around whether the site could be described as a secondary development area and also whether the development could be described as "in fill". Drainage issues and environmental concerns connected with development were also discussed.

RESOLVED

That planning application DC/19/0908 be granted subject to the conditions as reported. Conditions 3 and 7 would be in consultation with local members.

PCS/68 **DC/19/0742 - PEAR TREE FARM, FURNERS LANE, WOODMANCOTE**

The Head of Development reported that this application sought permission for the erection of 1 detached and 2 semi-detached single storey dwellings.

The application site was located outside of any settlement boundary, approximately 720 metres east of Henfield.

Henfield Parish Council objected to the application. The applicant's agent addressed the Committee in support of the proposal.

Officers noted that two additional letters of support were received since the publication of the committee report.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the character and appearance of the development, the impact on amenity and highways impacts.

Members also discussed the environmental impact of the development and the proximity of a local traveller site.

RESOLVED

That planning application DC/19/0742 be granted subject to the inclusion of a landscaping condition (details to be submitted) and provision of parking conditions (details to be submitted), and for the details submitted in respect of these conditions to be agreed in consultation with Local Members.

PCS/69 **DC/19/2128 - WOODHOUSE FARM, WHEATSHEAF ROAD, WOODMANCOTE**

The Head of Development reported that this application sought permission for the demolition of an existing barn and the erection of 3 attached single storey dwellings and associated car parking.

The application site was located 1.2km east of the defined built-up area of Henfield, and accessed via the B2116 1.2km north of the site.

Woodmancote Parish Council raised no objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the principle of development, the character, design and appearance, amenity and parking, highway safety and operation.

It was suggested by the ward member that a Construction Environment Management Plan (CEMP) condition should be added.

It was agreed that an **Informative** would be added to the decision notice requesting that the applicant explore the possibility of providing passing bays along the access road.

RESOLVED

That planning application DC/19/2128 be granted subject to the inclusion of a landscaping condition (details to be submitted), provision of a parking condition (in accordance with the approved plans), and a CEMP condition.

The meeting closed at 3.32 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 21st April 2020



Report on Appeals: 06/02/2020 – 06/04/2020

1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/19/2105	Parsons Field Stables, Pickhurst Lane, Pulborough West Sussex	07-Feb-20	Application Permitted	Application Refused
DC/19/1547	Land West of Brookhill Cottage, Horsham Road, Cowfold, West Sussex	21-Feb-20	Application Refused	N/A
DC/19/2237	5 Oak Road, Billingshurst, West Sussex, RH14 9XH	25-Feb-20	Application Refused	N/A
DC/19/1770	Land North of Tisserand Farm, Stane Street, Billingshurst, West Sussex	11-Mar-20	Application Refused	N/A
DC/19/2478	Vineyards, Old London Road, Washington, Pulborough, West Sussex, RH20 3BN	27-Mar-20	None made	N/A
DC/19/2513	Green Shadow, Roundabout Lane, West Chiltington, Pulborough, West Sussex, RH20 2NT	01-Apr-20	Application Refused	N/A
DC/19/2433	Land North of West Wantley Barn, Fryern Road, Storrington, West Sussex	03-Apr-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/19/1113	Furzedown Field, Kithurst Lane Storrington, West Sussex, RH20 4LP	Written Representation	06-Feb-20	Non- determination	N/A
DC/19/1638	South of Kithurst Lane, Storrington, West Sussex	Written Representation	06-Feb-20	Application Refused	N/A
DC/19/1721	Wild Brook House, Rectory Lane, Pulborough, West Sussex, RH20 2AD	Fast Track	24-Feb-20	Application Refused	N/A
DC/19/1257	Copped Hall Farm, Okehurst Lane, Billingshurst, West Sussex, RH14 9HR	Written Representation	10-Mar-20	Application Refused	N/A
DC/19/1795	Calcot Farm Bungalow, Horsham Road, Steyning, West Sussex, BN44 3AA	Fast Track	13-Mar-20	Application Refused	N/A
DC/18/2744	Greenacres, Hurston Lane, Storrington, Pulborough, West Sussex, RH20 4HH	Written Representation	26-Mar-20	Application Refused	N/A
DC/19/1461	National Westminster Bank, High Street, Henfield, West Sussex, BN5 9HQ	Written Representation	26-Mar-20	Application Refused	N/A
DC/19/2074	Land Adjacent To St Anne's, Hyde Street, Upper Beeding, BN44 3TG	Written Representation	26-Mar-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/19/2076	Hope Cottage, Shoreham Road, Small Dole, Henfield, West Sussex, BN5 9YG	Fast Track	Appeal Dismissed	Application Refused	N/A
DC/18/1543	Plot 3, Bramblefield, Crays Lane, Thakeham, West Sussex	Informal Hearing	Appeal Allowed	Application Permitted	Application Refused
EN/18/0135	Jack Dunkleys, Birchfield Nursery, Kidders Lane, Henfield, West Sussex, BN5 9AB	Written Representation	Appeal Dismissed	Notice served	N/A
DC/17/1374	Land To The Rear of Pear Tree Farm, Furners Lane, Woodmancote, West Sussex, BN5 9HX	Informal Hearing	Appeal Allowed	Application Permitted	Application Refused
DC/18/0661	Menzies Wood Farm, Okehurst Lane, Billingshurst, West Sussex, RH14 9HR	Written Representation	Appeal Allowed	Application Permitted	Application Permitted
DC/19/0459	Meadow House, Billingshurst Road, Ashington, Pulborough, West Sussex, RH20 3AZ	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/19/1070	Oakfield Farm, Wineham Lane, Bolney, RH17 5SD	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/19/0898	Bos Barn, Marthas Barn Warehouse, Hollinger, Wheatsheaf Road, Henfield, West Sussex, BN5 9AX	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/19/1454	1 The Moat, Pulborough, West Sussex, RH20 2DJ	Fast Track	Appeal Allowed	Application Refused	N/A

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**Horsham
District
Council**

**PLANNING COMMITTEE
REPORT**

TO: Planning Committee South

BY: Head of Development

DATE: 21st April 2020

DEVELOPMENT: Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 75no. 1-, 2-, 3- and 4-bed dwellings including 26 affordable dwellings and community studio workshops.

SITE: Abingworth Nurseries Storrington Road Thakeham West Sussex RH20 3EF

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/19/1707

APPLICANT: **Name:** Abingworth Homes Ltd c/o Agent **Address:** c/o Agent

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

RECOMMENDATION: To approve outline planning permission, subject to appropriate conditions and the completion of a Section 106 Legal Agreement.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for a revised layout to Phase 3 of the Abingworth Meadows development site. The revised layout includes the provision of 75 dwellings which would lie to the south of the existing attenuation pond area and north of proposed allotments. The scheme also includes associated parking and landscaping and the provision of five workshop units totalling 570m² of floorspace. The proposal includes an on-site affordable housing provision of 35%, which equates to 26 dwellings. The proposed 75 dwellings would comprise a housing mix of 17x one bedroom units (including flats), 32x two bedroom units, 23x three bedroom units, and 3x four bedroom units, formed of a mix of detached, semi-detached and terraced dwellings. 9 dwellings are provided towards the eastern side of the central green space for those residents who are seeking to move into more age accommodating properties (over 55s).

- 1.2 The proposed 75 dwellings, allotments and workshops would be within same location of the previously approval for the Abingworth development site. This scheme does not extend the approved site. Under the original consent, Phase 3 has an extant permission for 25 dwellings, 957m² of workshops units and allotments to the southern boundary (ref: DC/10/1314).
- 1.3 The site would be accessed from an existing network of streets, which would be extended into the site, and includes a central green buffer zone attached to the wooded buffer area to the east of the site. The allotments to the south of the site would be accessed via the internal road network within Phase 3. The dwellings would comprise a mix of materials sympathetic to those already found on Phases 1 and 2 of the development site, including red brick, render, slate tiles, and clay tiles. The workshops are proposed in a row of five pitched roof buildings to the east of the proposed dwellings, adjacent to an existing nursery within the site. The proposed workshops are in the same position as the previously approved workshops under the original consent.
- 1.4 This phase of the development includes 160 allocated parking spaces (formed of 117 parking spaces and 43 garages), and 15 unallocated (visitor) parking spaces, totalling 175 car parking spaces across Phase 3.
- 1.5 During the course of the application a number of revisions to the scheme have been sought. These include:
- The provision of two additional workshops
 - Relocation / re-siting of affordable houses
 - Minor layout changes
 - Landscape additions
 - Re-arrangement to car parking courts
 - Omission of large terrace of garages and replacement with planting area
 - Removal of car club spaces
 - Extensive revisions to boundary treatments
 - Pathway additions to the south of the site
 - Additional house types
 - Design alterations and feature additions to existing house types
- 1.6 The application also includes the diversion of Public Right of Way (PRoW) 2480 to the north of Phase 1 of the development site. A separate Section 257 Highway Act 1980 application has been received in respect of this aspect of the development. The diversion relates to a field directly to the north of the site. Currently, the footpath goes around the field. The diversion would allow the right of way to take a more direct route across the southern side of the field.

DESCRIPTION OF THE SITE

- 1.7 The application relates to a 5.31ha site (Phase 3) on the southern side of the Abingworth Development Site, south of the site's central greenspace and attenuation feature. The site is currently separated from the development site with hoarding, and is currently used as a compound for the storage of materials and machinery. The site is bound by established mature trees to the eastern boundary, currently borders open fields to the south, and neighbours Abingworth Hall Hotel to the west.
- 1.8 The surrounding area is semi-rural in character, formed of small hamlets of residential development to the west and north of the site, in addition to the mushroom farm site to the north-west, and sporadic residential farmsteads located within the surrounding open countryside. The Horsham District Landscape Capacity Assessment states that Thakeham and Abingworth are located in the Wealden Greens and National Character Area. The site also falls within area F1 – Pulborough, Chiltington and Thakeham Farmlands in the Horsham

District Landscape Character Assessment. Overall the landscape is characterised by an undulating landscape comprising a mix of arable and horticultural uses.

- 1.9 The Abingworth Development site initially was granted approval for the development of 146 dwellings, including five workshop units, a village hall, and a shop under permission DC/10/1314. The approval also includes a football pitch with changing rooms, a cricket pitch, cricket pavilion, a LEAP, 10 affordable housing units, 20 local worker units, a nursery and an attenuation pond surrounded by open space in the centre of the site. The approval also includes allotments to the south of the site, traffic calming measures for the main road through the village and rights of way improvements. The proposal also secured enabling works for the existing mushroom factory in Thakeham, which has helped retain the business for the benefit of the local economy.
- 1.10 Over the years, there have been many amendments to the original approval. Application DC/16/2835 sought material amendments, including the addition of 11 additional units to Phase 2 of the site. Application DC/16/0871 sought the subdivision of one larger unit into smaller dwellings, resulting in an additional unit on the site. Overall, the site currently has extant planning permission for the development of 158 dwelling. Phase 1 of the development is now complete and substantively occupied, and Phase 2 is nearing the completion of the construction phase. The football pitch, changing rooms, cricket pitch, cricket pavilion, Village Hall, LEAP, attenuation pond have all been provided. The Village shop has been built but is not yet completed.

2. INTRODUCTION

STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 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 18 - Retirement Housing and Specialist Care

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 27 - Settlement Coalescence

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport

Policy 41 - Parking

Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (September 2017)

RELEVANT NEIGHBOURHOOD PLAN
Thakeham Parish Neighbourhood Plan to 2031 (Made, 2017)

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/10/1314	Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctor's surgery), pre-school facility, community workshops/studio (957.5 sq metres), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths)	Application Permitted on 19.04.2013
DC/15/1242	Minor Material Amendment to planning permission DC/10/1314 (Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctors surgery), pre-school facility, community workshops/studio (957.5sqm), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths)) for a revised layout for 21 dwellings in the northern part of the site, relocation of the approved local equipped area for plan (LEAP), sports fields and associated facilities, village hall and shop, amendment to the approved village hall and shop to separate the facilities into two buildings and remove the dedicated doctors surgery space and amendment to the approved football changing room building	Application Permitted on 09.09.2015
DC/16/2835	Variation of condition No 1 to previously approved application DC/10/1314 as amended by DC/16/2947. To amend the layout of plot 76 to 126 (Phase 2) by altering the housing mix and increase the housing number by 11, and provide a flat above the village shop.	Application Permitted on 08.08.2018
DC/16/2947	Variation of Condition 1 of previously approved application DC/10/1314 (as amended by DC/16/1393). Minor material amendment to the plans and elevations of the approved Pre-School	Application Permitted on 08.08.2018

building including altering the roof to a flat mono-pitch roof.

DC/18/1838 Variation of Condition 1 of previously approved Application Permitted application DC/10/1314 (as amended by on 07.06.2019 DC/16/2835). Minor material amendment to the layout and design of plots 46 to 59

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 Landscape Architect:** No Objection following the submission of revised boundary treatment details.

3.3 **HDC Arboricultural Officer:** No Objection.

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

3.5 **HDC Housing:** Supports the provision of affordable housing.

3.6 **HDC Economic Development:** Comment: the employment floorspace proposed amounts to 569.85m². This is an increase from the 185m² initially proposed. Although the opportunity has not been rigorously marketed, the amount of workshop floorspace now being proposed is acceptable from an Economic Development point of view.

3.7 **HDC Drainage Engineer:** No Objection – suggested conditions

3.8 **HDC Air Quality Officer:** Comment – additional air quality mitigation contributions should be sought for the proposal.

OUTSIDE AGENCIES

3.9 **WSCC Highways:** No Objection – the development would not give rise to adverse highway impacts or result in adverse highway capacity issues. Adequate parking will be provided.

3.10 **Ecology Consultant:** No Objection – suggested conditions (attached).

3.11 **Southern Water:** Comment: the proposal site can be connected into the existing sewer network. A formal application for connection would be expected if the application is approved.

3.12 **WSCC Flood Risk Management:** No comments.

3.13 **WSCC Rights of Way:** No Objection.

3.14 **WSCC Minerals and Waste:** No Objection.

PUBLIC CONSULTATIONS

3.15 60 letters of representation have been received from 38 separate addresses objecting to the proposal on the following grounds:

- Overdevelopment
- Increased parking pressures
- Lack of nearby facilities / shops
- Contrary to the neighbourhood plan
- Insufficient local transport and over reliance on cars
- Sewer / drainage already restrained
- Workshops appear out of context
- Overlooking
- Air quality impacts
- Decrease neighbouring property value
- Access to the site has only been considered for 25 units
- Overall loss of workshop space
- Resultant increase of traffic in area
- There is no overwhelming need for housing
- Increased risk of flooding
- Insufficient parking
- More appropriate sites are available to develop
- Loss of trees
- Increased levels would result in amenity harm
- Too many houses for Thakeham
- Insufficient boundary planting
- Insufficient pathways to amenities
- Landscaping will not be maintained
- Some dwellings cannot incorporate car charging
- Adverse air quality impact

3.16 **Thakeham Parish Council:** Strong Objection – the re-consulted proposal is not materially different from the 77-unit scheme presented in September 2019 with regard to being in clear and direct conflict with Policy 4 (Abingworth Nursery) of its made Neighbourhood Plan (TNP). Council also considers that there remain specific deficiencies of the amended scheme that involve material planning issues which in themselves warrant refusal of the proposals as they stand.

The key conflict with TNP Policy 4, relates to paragraph 4.29 which sets out the expectation that any further change in the mix of dwellings in the Abingworth development should be limited to: ‘a modest increase in the total number of dwellings but not to the extent that the scheme will have any greater impacts on the landscape, local infrastructure and traffic movements than the consented scheme’. The conflict with this policy arises because the re-consulted scheme continues to propose increasing the number of dwellings in the Abingworth Phase 3 area from 25 to 75. Taking into account the fact that 12 additional houses have been allowed by previous variations to Phases 1 and 2 of this development, the proposals imply these cumulative numeric impacts:

House numbers

- an increase of 200% for the phase;
- cumulative growth of overall house numbers by 62, with the scheme total reaching 208, which is 42% above the original consent for 146 units (and 32% above the current consent, post Phase 2).

Extra residents

- taking bedrooms as a valid proxy, a gain of 118 over the original scheme consent (609 vs. 491 originally consented) i.e. a 24% increase.

Vehicle numbers

- using a simple proxy of two cars per average extra household, 62 extra houses (vs. original consent) implies well over 100 more cars parked in the development, which combined with extra deliveries and visitors, implies several hundred additional traffic movements per day.

The Parish Council is not negative about all aspects of the revised DC/19/1707 proposals, e.g. the move away from large properties in the original consent to a range of smaller properties more in keeping with local needs is welcomed. There has also been constructive engagement on some community benefits aspects.

However, Council's over-arching concern, as reflected in its defence of TNP Policy 4, is to protect central Thakeham from additional unsustainable housing growth, which the very limited facilities of what remains a small village cannot cope with.

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of the Development

- 6.1 The application site is located outside of the built-up area boundary, and is allocated for residential development within the Thakeham Parish Neighbourhood Plan to 2031 (TPNP) (Policy Thakeham4: Abingworth Nursery), subject to criteria.
- 6.2 Policy 3 (Development Hierarchy) of the Horsham District Planning Framework (HDPF) states that development will be permitted within town and villages which have defined built-up area. The policy establishes the District's settlement hierarchy, to which the settlement of Thakeham has been characterised as a smaller village – this is defined as a settlement with a limited range of services and facilities, where residents are reliant on larger settlements to access most of their requirements.
- 6.3 Policy 4 (Settlement Expansion) of the HDPF states that the growth of settlements outside of the built-up area will be supported where: the site is allocated within the local plan *or* a made neighbourhood plan and adjoins and existing settlement edge: the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrate to meet the identified local housing need; the impact of the development does not individually or cumulatively prejudice long term development, and; is contained within an existing defensible boundary and the landscape and townscape character are maintained and enhanced.
- 6.4 Policy 15 (Housing Provision) of the HDPF establishes the District's housing need within the development plan period (2011-2031). This has been identified as 16,000 homes. Criterion (4) of the policy states that part of this provision is expected to be delivered through neighbourhood planning, amounting to 1,500 homes over the plan period.
- 6.5 Policy Thakeham4 (Abingworth Nursery) of the TPNP states that *'any future proposals for increased development of the Abingworth Nursery site... will be supported provided that:*

- i. *they are contained within the net developable area established in the consented planning application (DC/10/1314 and DC/15/1242);*
 - ii. *any additional housing includes provision for extra care dwellings and other dwellings suited to occupation by older households, and;*
 - iii. *they deliver appropriate community benefits, including affordable housing.'*
- 6.6 Given the previously approved extant planning permission on this site and the site's allocation within the TPNP, there is no objection in principle to the development of this phase of the site. In respect of Criterion (i) of the TPNP policy, the development site area is located wholly within the boundaries of the previously approved applications. It should also be noted that under the Local Plan Review, it is proposed to include the Abingworth Development site with the built-up-area boundary. In this respect, the development is policy compliant and in accordance with the TPNP.
- 6.7 In order to comply with Criterion (ii) of Policy 4 of the TPNP, 9 dwellings are provided towards the eastern side of the central green space for those residents who are moving into more age accommodating properties. These properties benefit from extended garages for storage and are internally able to accommodate future ability needs and will allow wheelchair use, similar to the former Lifetime homes standard. The provision of these units will be secured by way of Section 106 legal agreement to ensure that they do not fall to general market retail. As such, Criterion (ii) of the TPNP policy has been satisfied.
- 6.8 The sub-text to Policy 4 (paragraph 4.29) of the TPNP states that, *'Should future proposals be made, then this Policy requires the net developable area to be the same as that of the consented scheme. This could allow for a change in the mix of dwellings that may lead to a modest increase in the total number of dwellings but not to the extent that the scheme will have a greater impact on the landscape, local infrastructure and traffic movements than the consented scheme.'*
- 6.9 The Parish's and neighbour's concerns relating to the overall increase in units on the site as a whole and whether this is a 'modest increase' in units is acknowledged. The proposal would result in the net increase of 50 dwellings on this phase of the site, increasing from 25 dwellings to 75. Overall, with consented applications in mind, this would increase the total number of dwellings on the Abingworth Nursery site from 159 dwellings to 209 dwellings. This represents a 31.45% increase in units on the site as a whole compared to the current consented units.
- 6.10 The Local Planning Authority recognises that this overall increase in units may not be conceived as 'modest', which would amount to an increase of additional dwellings on the site by just under one third. It could therefore be argued that the scheme is in conflict with the Thakeham Neighbourhood Plan; albeit this is in the sub-text and not the policy itself. The Local Planning Authority are however satisfied that it has been demonstrated that Phase 3 of the site can accommodate a greater number of units, which would be more in keeping with existing neighbouring plot ratios / density. Additionally, as outlined below, in accordance with the policy, the scheme would not result in any materially greater impact on the landscape, local infrastructure and traffic movements than the consented scheme.
- 6.11 Whilst it is appreciated that an increase of 50 units may not necessarily be considered a 'modest' increase, the scheme provides numerous benefits (as detailed below). Additionally, the scheme would not result in any appreciable harm in relation to demands on infrastructure and visual impact. To this regard: section 38(6) of the Planning and Compulsory Purchase Act (2004) states that determination must be made in accordance with a development plan (including a made neighbourhood plan) *unless* material considerations indicate otherwise. The numerous benefits identified and the lack of any harm are material in planning terms. Further, the extant permission for this phase of development includes 25 larger units on generous plots – the applicant has expressed concerns marketing these properties, given the size and retail value. The present proposal represents a more appropriate housing mix

(in addition to other identified benefits) as a more viable alternative, to which it has been demonstrated that Phase 3 could accommodate additional units. Therefore, whilst the increase from 25 to 75 units appears large, 75 units can be easily accommodated within the same area as the 25 units at Phase 3 without any visual harm.

- 6.12 In consultation with the Parish, the applicant has agreed to numerous community benefits to the scheme in addition to what has already been agreed from previous proposals. The scheme has been amended accordingly to accommodate the requirement of the Parish, to which the Parish acknowledge the provision of the following benefits: :
- net provision of affordable housing (26 units), which would contribute towards housing families within the District in need of affordable rented properties, in addition to making the housing market more accessible for first time buyers on shared ownership schemes;
 - provision of market housing, which would contribute towards the duty the Council has to deliver 800 dwellings per annum, and help maintain it five-year housing land supply;
 - additional air quality mitigation financial contributions – the Parish have an extensive and detailed air quality mitigation strategy within their travel plan. These contributions will go towards the purchase and operation of an electric minibus service between Thakeham and Storrington. The contributions will also go towards the provision of electric vehicle charging points at the village hall car park, in addition to a charging point for the electric minibus.
 - financial contributions to the village hall, which will go towards the management and maintenance of the village hall which has recently been completed and is now in use;
 - provision of workshops spaces for the use of small / start up business;
 - central open space incorporated within the landscape buffer to be adopted by the Parish Council, and;
 - Provision of 45 allotments to the south of the site, including associated parking, and;
 - public right of way diversions and additions.
- 6.13 These benefits are considered to hold significant weight in favour of the scheme and will be secured by way of Section 106 Legal Agreement (detailed below).
- 6.14 Officers are of the view that benefits of the proposal and the acceptability of the proposal are material considerations in the determination of this proposal. The scheme would not result in any substantive harm in terms of visual impact or any impact on infrastructure, such as highways and drainage. As such, the principle of the increased development on this site is considered to be acceptable and in accordance with the HDPF and the policies within the Thakeham Neighbourhood Plan, subject to the detailed considerations as set out below. Consideration must therefore be given to any site-specific constraints, and the details of the scheme.

Affordable Housing and Housing Mix

- 6.15 Policy 16 of the HDPF states that development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Market Housing Mix study (Iceni, November 2019) in order to create sustainable and balanced communities. Table 70 of the study shows that residential development market housing should comprise the suggested mix:
- 1 bedroom housing – 6%
 - 2 bedroom housing – 27%
 - 3 bedroom housing – 41%
 - 4+ bedroom housing – 26%

- 6.16 For affordable housing, Table 71 of the study shows that residential development should comprise:
- 1 bedroom housing – 26% (shared ownership) and 46% (rented)
 - 2 bedroom housing – 42% (shared ownership) and 30% (rented)
 - 3 bedroom housing – 25% (shared ownership) and 22% (rented)
 - 4+ bedroom housing – 7% (shared ownership) and 2% (rented)
- 6.17 The application seeks consent for the erection of 75 dwellings of 49 market units and 26 affordable. The proposed housing mix would comprise:

Dwelling Type	Market	%age	Affordable	%age
1 Bedroom Units	8	16%	9	35%
2 Bedroom Units	23	47%	9	35%
3 Bedroom Units	15	31%	8	31%
4+ Bedroom Units	3	6%	0	0%

- 6.18 Whilst it is acknowledged that the proposal incorporates fewer than the anticipated number of 4+ bedroom dwellings, this has been balanced out with an increased provision of 1-3 bedroom units for both market and affordable housing units. As such, the proposed housing mix is considered to broadly comply with the Council's expectations for a residential development of this quantum and is therefore considered in accordance with Policy 16 of the HDPF and the latest SHMA assessment.
- 6.19 Policy 16 of the HDPF continues to state that development providing 15 or more dwellings the Council will require 35% of the dwellings to be affordable. The proposal includes an on-site affordable housing provision of 26 affordable dwellings, equivalent to 35% of the proposed dwellings. Revisions to the scheme included relocating the affordable homes to ensure a more even distribution within the site.
- 6.20 The affordable housing would be provided within 9x 1-bedroom units (including flats), 9x 2-bedroom units, and 8x 3-bedroom units. The affordable housing tenure would be split at a ratio of 70:30 in favour of affordable rent, as per the requirements of Policy 16 of the HDPF and the accompanying Planning Obligations and Affordable Housing SPD. A Section 106 legal agreement has been drafted to secure the provision, the tenure of the affordable housing, and the registered provider who will take on the site.
- 6.21 With the above in mind, the proposed affordable housing is compliant with Policy 16 of the HDPF, and is therefore considered acceptable. The Local Planning Authority considers the provision of 49 market housing units and 26 affordable units as a benefit of the proposal, and should be afforded substantial weight in favour of its approval.

Layout, Amount and Scale

- 6.22 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 6.23 The layout illustrates two distinct parcels of housing separated by a central green space (which will be incorporated within the outer green buffer zone to the east, and transferred to the Parish Council). The site would be connected to the existing road network to Phase 2 of the site, with an internal road network further subdividing the parcels of housing. The dwellings would be arranged to feature a modest set back from the street, and would be

formed of a mix of detached, semi-detached and terraced dwellings of two-storey in height including some single-storey garaging. To the western parcel, dwellings would feature a modest curtilage with back to back facing gardens, with dwellings on the street facing front to front, and are predominantly arranged in terraces. Dwellings on the eastern and southern side of the parcels face the provided greenspaces. On the eastern parcel, dwellings feature slightly larger parcels with a more generous curtilage, formed predominantly of detached and semi-detached units. Facing the central green, the dwellings would continue from Penn Stone Way, with back to back facing parcels, and front to front facing units within the internal road.

- 6.24 The Local Planning Authority consider that the submitted layout demonstrates that this quantum of housing can be suitably accommodated on the site. Both parcels of housing reflect the existing density and plot ratios of existing housing on the site: the eastern parcel featuring larger units accommodated on slightly larger plots, and the western parcel featuring more modest plots and terraces of housing.
- 6.25 The terraced dwellings to the west feature rear parking courts, with direct and easy access to the front and rear of each dwelling they serve. These parking court areas have been revised over time to feature additional landscaping / trees, in addition to more appropriate boundary treatments. Pathways within the site would also be provided as to ensure adequate permeability through the site, and towards the allotments to the south and adjacent Public Right of Ways (PRoW).
- 6.26 Overall, the proposed layout of the scheme is considered logical, and has been designed with the existing phased development to the north in mind. The density / plot ratio reflects the neighbouring housing development, featuring a central green space to visually separate the distinct development pattern. It has been demonstrated through the layout that this quantum of development can be accommodated on this phase of the site, and would not appear at odds with existing built development. The form and scale of the development is also considered acceptable.

Design, Appearance and Character

- 6.27 The dwellings would be arranged as detached, semi-detached, and terraces of dwellings, two-storey in height. Numerous revisions have been sought on the scheme (the latest being received 25.02.2020) in order to improve the design quality and form of the development.
- 6.28 The dwellings have been designed to incorporate a similar, though not identical, design style to the existing dwellings on the site. Overall, 22 house types are proposed for this site of 75 dwellings, representing a varied mix in design on the scheme. These include a varied mix of frontages, materials and features, with the more predominant parcels on corner plot locations hosting more visually interesting features, such as bay windows and chimney stacks.
- 6.29 Overall, the Local Planning Authority considers that the proposal is appropriately designed and would be suitably integrated with the existing neighbouring development on the site. The design of the scheme is therefore considered in accordance with Policies 32 and 33 of the HDPF.

Landscape Impact and Design

- 6.30 Policy 25 of the HDPF relates to the Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
 2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
 3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
 4. Conserve and where possible enhance the setting of the South Downs National Park.
- 6.31 Policy 33(6) of the HDPF presumes in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.
- 6.32 Horsham District Council have always been acutely aware of the value of its surrounding countryside, and the importance and influence this has on both the urban and rural character of the District as a whole. As established above, the principle of the development has already been established under previous approvals on this phase of the development site. Whilst the proposal increases the quantum of development and built paraphernalia on the site, it is not considered that this would result in an adverse impact on the quality of the or enjoyment of the surrounding landscape.
- 6.33 The Council's Landscape Architect initially raised a few queries regarding the landscape design, mostly related to the plot boundary treatments. Subsequent revisions to the scheme have been made (the latest received 02.04.2020) as per the Landscape Architects' comments. The submitted revisions have overcome these initial concerns.
- 6.34 Overall, the proposed design provides adequate amenity space for the dwellings and the proposed landscape details are mostly satisfactory and acceptable. In addition, there are sufficient proposed new trees provided in the scheme to compensate for the removal of the vegetation on the south-eastern corner of the site. As such, the proposal is considered in accordance with Policies 25 and 33 of the HDPF with regards to landscape impact and design.

Arboricultural Impacts

- 6.35 The proposal indicates the loss of a small number of trees, none of which have been identified to hold any particular or especial merit. The trees to the south of plots 34-41 are protected under tree preservation order TPO/0257. There are proposals to install footways (and a temporary access) in close proximity to these trees, but the details for the construction of these as set out within the submitted Arboricultural Impact Assessment and Method Statement are in line with the British Standard. Further surgery works are proposed to a number of trees within the area – the Council's Arboricultural Officer has confirmed that these works would also conform to the British Standard. With this and the above in mind, no objections are raised on arboricultural grounds.

Amenity Impacts

- 6.36 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Amenity of Existing Neighbouring Residents

- 6.37 As established above, the principle of the development of this phase of the site for residential development has long been established, for which impact on existing neighbouring amenity

has already been pre-determined under DC/10/1314. However, the layout and sizes of the dwellings has changed considerably.

- 6.38 The existing dwellings closest to the proposed are those on the southern side of Abingworth Crescent, and those on the southern side of Strawberry Close. The rear elevation of numbers 11-13 Abingworth Crescent would be sited some 22.5m from the rear elevation of plots 3-5 to the south, which would be on a slightly elevated level (46.2m to 46.8m finished floor level). Number 15 Abingworth Crescent would be sited some 16m from the rear of plots 1-2, and would be sited on similar levels (46.2m). Numbers 23-27 Abingworth Crescent would be sited some 28m from the front elevation of the proposed workshops (including the existing parking to the rear) on relatively level grounds. The front elevation of number 24 Abingworth Crescent would be sited some 29.1m from the front elevation of plot 12 on slightly elevated levels (47m to 47.4m finished floor level). Plot 75 would face side on to number 17 Penn Stone Way at a distance of 4m on a similar level. The rear elevation of number 6 Strawberry Close would face the side elevation of plot 70 at a distance of 19.5m, which would be sited on a higher level (47.1m to 48.3m finished floor level).
- 6.39 Overall, the proposed separation distances between the proposed dwellings and the existing dwellings identified above are considered satisfactory to not warrant concern regarding overlooking or overshadowing. Whilst it is acknowledged that there are differences in levels between the existing and proposed dwellings, the proposed separation distances are considered satisfactory as to not result in adverse overbearing to the existing dwellings. It should be noted that the proposed dwellings are two-storey in height, thus are comparative in height to the existing neighbours.
- 6.40 Plots 1-2 hosts two windows to the rear elevation facing number 17 Abingworth Crescent – the larger serving as the window to the kitchen, and the smaller serving a bathroom (thus would likely be obscurely glazed and fixed shut at 1.7m). Whilst these plots are closest and on higher levels, the separation distance is considered satisfactory – the windows would neither be served by primary habitable rooms, thus would not result in constant use and overlooking to the neighbours. All other windows' siting in relation to neighbours are considered sufficiently distanced from neighbours as to result in minimal impact on neighbouring amenity.
- 6.41 With the above in mind, the proposed development is not considered to result in adverse harm to the amenities of the existing neighbouring occupants, in accordance with Policy 33 of the HDPF.

Amenity of Future Occupants

- 6.42 The layout of the proposed dwellings is considered appropriate with regards to their impact on each other. The scheme does include parcels of back-to-back housing, all of which feature gardens between each dwelling. Given their separation distance from each other, no harm is considered to arise by way of overlooking. Overall, this layout would not result in a significant sense of enclosure for future residents of the site, nor lead to undue harm by way of overshadowing and overbearing.
- 6.43 Furthermore, each dwellings would accommodate their own rear garden curtilage, and the maisonettes (plots 1-2, and 13-16) hosting a modest communal garden area. Both blocks of flats would be closely sited to public green spaces, including the field to the north and the buffer strip to the south, thus allowing for easy access to outdoor amenity space. The dwellings are considered suitable sized in accordance with the proposed housing mix, thus accommodating appropriate living space.
- 6.44 With the above in mind, the proposed development is not considered to result in adverse harm to the amenities of future neighbouring occupants, in accordance with Policy 33 of the HDPF.

Highways, Access and Parking

- 6.45 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.
- 6.46 The layout of the roads and pedestrian footpath have been designed to integrate with the existing network. Access to this phase of the development would be achieved through the network to the north. Initially, WSCC Highways raised issues with the layout (dated 18.09.2019) but did not challenge the overall layout of the network. Following the submission of revised plans, these issues were overcome (WSCC comments dated 05.03.2020).
- 6.47 Further, WSCC Highways did not consider that the additional dwellings would generate such increases in vehicle movements that may lead to severe or unacceptable highway capacity issues. The development is acknowledged to be poorly located to encourage or promote the use of sustainable modes of transport to a wider area, however it is recognised to form part of a larger development, the principle of which is already accepted.
- 6.48 As highlighted above, the proposal includes additional financial contributions towards air quality mitigations, which would facilitate the Parish's community transport proposal. These contributions would be used towards the purchase and operation of an electric community minibus which would operate a scheduled service between Thakeham and Storrington. Furthermore, 43 garages are to be provided in addition to cycle storage for flats. This would aid residents to using more sustainable methods of transport, thus relying less on the use of cars. Ultimately, further financial contributions and provision of cycle storage is considered to improve the sustainability of the site on transport grounds.
- 6.49 With regards to parking, an email from WSCC Highways dated 01.04.2020 confirmed that the revised proposal includes adequate resident and visitors parking spaces, in accordance with the most recent WSCC parking calculations figures. A condition is attached to ensure that these spaces are provided prior to the occupation of each dwelling.
- 6.50 Overall, the proposed layout and quantum is not considered to result in adverse harm to the use or operation of the existing highway network within the site, or the surrounding area. Further, the trip generation data was not considered to increase in vehicle movements that may lead to severe or unacceptable highway capacity issues, and adequate parking facilities will be provided on site.

Public Rights of Way

- 6.51 The proposal includes the diversion of Public Right of Way (PRoW) 2480 to the north of Phase 1 of the development site. A separate Section 257 Highway Act 1980 application has been received in respect of this aspect of the development. This has been proposed in order to decrease journey time when travelling on this section of the footpath, and also to better integrate with the proposed networks within the site. In principle, subject to the completion and agreement of the associated PROW diversion application, the diversion of the PROW is considered acceptable.
- 6.52 Further, the proposed includes internal footpaths to be integrated with the pedestrian highways, in addition to permissive routes towards the southern end of the site within the allotments. Plan ROW.01 B (received 24.02.2020) details the proposed routes – as these are proposed pathways, a separate Section 25 Highways Act 1980 would need to be

submitted and approved by WSCC in order for the paths to be adopted as formal PROWs. Following consultation with WSCC PROW Team, no objection was raised in principle to the diversion of the existing PROW2480 to the north or the proposed new paths.

Ecology

- 6.53 The application was accompanied with an Ecological Impact Assessment. The surveys assessed the potential presence of various species including amphibians, badgers, bats, nesting birds, reptiles, rabbits and hedgehogs. Ecological mitigations and enhancements have been recommended as part of the report. The Council's Ecology consultant has reviewed the submitted survey and, subject to adequate avoidance, mitigation and enhancement measures secured via suggested conditions, does not object to the proposed development.

Drainage

- 6.54 The Environment Agency's online flood maps show that the site is located within Flood Zone 1, meaning that the land is in a 'low probability' flood zone, and has a 'less than 1 in 1,000 annual probability of river or sea flooding'. No water courses run through or are located directly adjacent to the site.
- 6.55 In order to manage the risks associated with surface water and flooding, surface water will be integrated within existing Sustainable Drainage Systems (SuDS), which will be directed to the large attenuation pond north of the site, within Phase 2. Further, an additional attenuation tank is proposed north of the pond to accommodate additional overflow.
- 6.56 With regards to foul water, the site would be connected to the existing network. As per the previous phases of the site, a private foul pump station was installed – these were designed to accommodate the whole of the development site including Phase 3. The submitted FRA confirms that sufficient capacity is available to accommodate the additional number of dwellings proposed on the new site layout plan.
- 6.57 Following consultation with the Council's and County's Drainage Engineers, no objections were raised regarding the proposed methods to discharge surface water – the HDC Drainage Engineer agreed with the conclusions drawn from the submitted Flood Risk Assessment (FRA), and has suggested appropriate drainage conditions (attached). Furthermore, Southern Water raised no adverse comments relating to foul water connection.
- 6.58 The Parish's concerns relating to the foul water network capacity from this Phase of the development are noted. As noted within the submitted FRA, and as agreed by the Council's Drainage Engineer, the existing network had the capacity to incorporate the increase in dwellings from this phase of the development. As the foul water network has been adopted, the maintenance of the network would fall to Southern Water as the statutory undertaker.
- 6.59 Overall, the Local Planning Authority are satisfied that the proposed surface and foul water drainage would have adequate capacity to accommodate the uplift in housing numbers on this phase of the development.

Air Quality / Sustainability

- 6.60 The Storrington Air Quality Management Area is located approximately 2.5km south-west of the development site. As part of the previous applications on this site, an air quality mitigation strategy has been agreed between the applicant, Parish and the Council, to which financial contributions have been paid through Section 106 agreements. The application was accompanied with an updated Air Quality Assessment (produced by Mayer Brown, dated August 2019).

- 6.61 Policy 35 of the HDPF states that development will be supported where it makes clear contributions to mitigating and adapting to the impacts of climate change and to meeting the District's carbon reduction targets.
- 6.62 As part of this proposal, numerous additional mitigations, enhancements, and financial contributions have been proposed and agreed to. This includes a further £31,000 financial contribution towards the Parish's air quality mitigation strategy to accommodate the uplift in housing units. This contribution would be invested in the Parish's Low Emission Strategy, which seeks the provision and operation of an electric minibuss service in order to provide a wider sustainable transport network to and from Thakeham. As previously noted, electric vehicle charging points will be provided for the minibuss, in addition to public usage. The Parish's travel plan also commits to the appointment of a part-time Travel Plan Coordinator, who would manage and foresee the implementation of sustainable travel measures throughout the site.
- 6.63 Initially, the proposal included an electric car club scheme, where residents could register to rent a vehicle. This was removed from the proposal, as it was seen contradictory to the Parish's Transport Strategy, and may compete with the proposed minibuss service. The Local Planning Authority considers the omission of the car club as acceptable on these grounds.
- 6.64 The applicant has confirmed that each dwelling with a garage will include a 13amp electric vehicle car charging point. Furthermore, 2 public electric vehicle charging points have been agreed to be installed to the car park outside of the Parish hall, in addition to a charging point for the electric minibuss. The installation of such infrastructure is considered as a material benefit to the scheme with consideration to the air quality mitigation on the site.
- 6.65 The Parish's concerns regarding the lack of provision of solar photovoltaics (SPV) to each dwelling and to the village hall is acknowledged. The Local Planning Authority are of the view that the provision of such additional measures are not necessary to increase the efficiency and sustainability of the site, and is not appropriate to enforce such provisions especially when considering the air quality mitigations and financial contributions as detailed above. As per Phases 1 and 2 of the site, permitted development rights will not be restricted to inhibit occupants installation of SPVs – therefore, the occupant wishes to install SPVs, they would be free to do so without the requirement of planning permission.
- 6.66 With the above in mind, the Local Planning Authority are satisfied that appropriate measures have been put in place to mitigate against any potential adverse air quality / sustainability impacts. These measures will be secured by way of planning condition and S106 agreement. As such, the Local Planning Authority are of the view that the requirement to provide SPVs in addition to the mitigations detailed above is not justified. As such, the proposed is considered in accordance with Policy 35 of the HDPF, thus no objection is raised with regards to this aspect of the proposal.

Workshop Provision

- 6.67 Extant permission DC/10/1314 secured the delivery of 5x workshop units totalling 957m² floorspace. Initially, the present proposal sought approval for 2x units at 193.8m². Following consultation with the Council's Economic Development Team, this reduction was not considered acceptable, nor justified from the submitted marketing information.
- 6.68 The proposal now includes the provision of 5x work units, totalling 570m² – whilst this would amount to a 387m² reduction from the extant planning permission, the Economic Development Team considers this provision acceptable and an appropriate compromise for workshop provision.
- 6.69 Policy 7 of the HDPF states that sustainable employment development in the District will be achieved by the formation and development of small start-up and move-on businesses by

encouraging provision of small units through development proposals (3), and through the identification of additional employment areas to meet the need for appropriate new business activity (9).

- 6.70 The provision of the proposed units would deliver workspace for smaller start-up companies, despite being smaller in size to those previously approved. The reduced floor area would provide adequate workspace for small workshops or offices – the application has provided evidence that there is interest in these units, thus demonstrating the need for employment space in this part of the District. Further, the provision of smaller units in a more integrated layout to those previously approved could better protect neighbouring amenity, given the smaller size of the units, and fewer cars needed to serve them. As such, the principle of this reduced provision is considered acceptable.
- 6.71 The workshops would be constructed of brick and tile hanging, two-storeys in height, and would feature sharp sloping pitched roofs. The proposed appearance attempts to mimic a more traditional appearing industrial site, with a taller form and steeper roof pitch, whilst accommodating a material composition similar to that of the neighbouring residential units. Overall, the appearance of the units is considered in accordance with Policy 33 of the HDPF.
- 6.72 The Parish's concerns with regards to the workshops is noted. However, as noted by the Council's Economic Development Team, the provision of these units are considered acceptable from an economic development perspective. No concerns have been raised as to the viability of the units – ultimately, this will depend on the success of individual businesses. With regards to the use of the units a proposed condition attached below stipulates that the units shall remain in B1 use (business use) unless otherwise agreed to in writing by the Local Planning Authority. Thereafter, further change of use applications will be required to be submitted where permitted changes cannot be made, as per Schedule 3 of the General Permitted Development Order (2015).
- 6.73 The workshops will be in place prior to the occupation of the dwellings, and details of the marketing for each unit will sought prior to their construction. This would enable the Council to ensure that appropriate evidence of continued marketing is carried out up until the final occupation. These requirements have been set out within the Section 106 legal agreement.
- 6.74 Overall, the provision of the 5x workshop units are considered acceptable in principle and would support the development of small business in the District in accordance with Policy 7 of the HDPF, in which the use of each unit will be controlled by way of planning condition. Issues relating to amenity have been considered in previous sections of this report.

Allotments

- 6.75 Previous extant permission also included the provision of allotments to the south of this phase of the development. The allotments will continue to be provided as part of the present proposal. Plans L.016B Sheets 1 and 2 (received 03.03.2020) detail the proposed layout and design as previously agreed. This includes 17x 17m x 7m allotments, 16x 12m x 5m allotments, and 6x 12m x 5m allotments with 4x raised plating beds. 26x parking spaces will be included, comprising 6x disable spaces. The allotments include a landscape buffer and associated planting.
- 6.76 As previously agreed under extant permissions, the provision of the allotments is considered acceptable in principle and are considered sufficiently designed and landscaped within the scheme. The applicant has also agreed that the allotments will be provided prior to the occupation phase of the development, and will be accessed via separated and safe pathway to the west. Details of the delivery of these paths are sought under condition 3 attached below.

Community Infrastructure Levy (CIL)

- 6.77 Horsham District Council adopted a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.
- 6.78 **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	5,706.11m ²	0m ²	5,706.11m ²
	Total Gain		5,706.11m ²
	Total Demolition		0

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

Section 106 Legal Agreement

- 6.81 A Section 106 Legal Agreement has been drafted in support of the approval of this application. As detailed above, this agreement seeks to secure the various benefits to the scheme, which include:
- Affordable Housing – 35% affordable housing to be secured at a 70/30 tenure split (in favour of affordable rent), equivalent to 26 houses.
 - Air Quality Mitigation Strategy – given the site's proximity to the Storrington AQMA and the that contributions were sought under the original approval, an additional contribution has been agreed £31,000. This will go towards the Parish's transport strategy which includes the part provision of a minibus.
 - Village Hall Contribution – Under the previous permission (DC/16/2835), an additional contribution towards the management and maintenance of the Village Hall. The agreed contribution is £28,000 to be paid to HDC prior to the first occupation of any unit approved under this proposal.
 - Provision of Workshops – a marketing strategy for the units to be submitted for approval prior to commencement of the works has been requested. An obligation for the units to be completed and ready for occupation prior to the occupation of the 38th dwelling units will be included (this includes market and affordable units). A condition is also limiting the use of the units, and a marketing strategy sought by legal agreement
 - Central Open Space – The inclusion of this area into the Buffer Strip (covered by the original S106) and transferred to the Parish Council (shown on plan LPP3.01 Rev C dated 12.03.2020). The applicant and Parish are in agreement to this transfer.
 - PROW Diversion and Permissive Paths – this will secure the delivery of these paths through a trigger prior to the occupation of the 38th dwelling. A separate Section 257 Highways Act 1980 application has also been submitted for the diversion to the north of the cricket pitch.
 - Provision of housing for the over 55's – this will ensure that the units identified will not fall to general market retail
 - Provision of Allotments – agreement to be sought for the specification and a trigger for their delivery.

Other Considerations

- 6.82 It has been agreed between the applicants and the Parish that the allotments to the south of the site will be delivered early in order for the occupants of the site to have access prior to the completion of the Phase. A temporary footpath will be provided to the perimeter of the site with heras fencing / hoardings to provide safe access from construction. This will be secured within the CEMP (required by condition 3).

Conclusions and Planning Balance

- 6.83 The application seeks full permission for the erection of 75 dwellings in place of an existing extant planning permission for 25 units, representing a 50 unit net gain on this phase of the development. It is appreciated that the uplift in units may not be considered a 'modest' increase, as per the sub-text wording of the made neighbourhood plan- however, the Local Planning Authority are satisfied that the presented quantum and layout of the scheme would acceptably accommodate the uplift in units, and would deliver a more appropriate housing mix. Further, the scheme would deliver numerous benefits to the local community as a supplement to what had already been agreed and delivered on the site, including a net increase of affordable dwellings. As such, the scheme would not result in any planning harm and would result in a substantive benefit for the Parish and wider community.
- 6.84 The proposal accords with the main text of Policy Thakeham 4 of the Thakeham Neighbourhood Plan in that: the development is contained within the developable area established within previously approved application; additional dwellings have been provided to accommodate older households, and; the scheme would deliver appropriate community benefits, as detailed above. Given the lack of any identified harm which would be generated by this proposal, the increase in units is considered to be in accordance with Policy 4. As such, the principle of the development of 50 additional units on this phase of the site is accepted.
- 6.85 The scheme would deliver an appropriate mix of housing and a policy compliant level of affordable housing. Further, the appearance of the dwellings and workshops, alongside the proposed layout, would efficiently and appropriately integrate with the wider development site, and would appear as a cohesive section of the Abingworth development site. Furthermore, the increased quantum of house on this phase of the site is not considered result in adverse harm to the quality of the landscape, as previously assessed under extant planning proposals.
- 6.86 The Local Planning Authority are satisfied that the development would not result in adverse harm to the amenity of existing neighbours. Whilst it is appreciated that the revised layout and quantum would materially alter pre-conceived amenity impact from the previous approval, this is not considered detrimental under usual circumstances, nor considered so harmful to warrant a reason to refuse permission.
- 6.87 The proposed layout and quantum is not considered to result in adverse harm to the use or operation of the existing highway network within the site, or the surrounding area. Further, the trip generation data was not considered to increase vehicle movements that may lead to severe or unacceptable highway capacity issues, and adequate parking will be provided on the site.
- 6.88 The scheme delivers the diversion of PROW2480 to the north of the site, in addition to new internal pathways. Proposed diversions and additional pathways are considered acceptable in principle, which the WSCC PROW Team have raised no objection to, and will be subject to their own Highways Act 1980 applications.
- 6.89 Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed to. The foul and surface water drainage design

is considered appropriate, in which connections to the existing network has capacity to incorporate the uplift in housing units.

- 6.90 Additional air quality mitigations have been sought and agreed between the applicant, the Council, and the Parish Council to mitigate against the uplift in units. Further, additional mitigations have been included within the scheme, such as the provision of additional electric vehicle charging points for the public, occupants of Phase 3, and also for the forthcoming electric minibus.
- 6.91 Officers therefore recommend that this application be approved, subject to the below detailed list of planning conditions and the completion of the necessary s106 legal agreement.

7. RECOMMENDATIONS

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

Conditions:

- 1 **Standard Plans Condition:** The development hereby permitted shall be undertaken in full accordance with the approved plans.

Reason: For the avoidance of doubt and in the interest of proper planning.

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

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

- 3 **Pre-Commencement Condition:** Prior to the commencement of the development, an updated Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Updates to the CEMP shall include:

- A communication strategy (including contact details of the site manager);
- A noise mitigation strategy;
- A dust mitigation strategy, and;
- Details of the early delivery of the temporary pathways to the allotments.

The construction of the site shall thereafter be undertaken in accordance with the submitted CEMP and the updated details as requested above, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015)

- 4 **Pre-Commencement Condition:** Prior to the commencement of the development, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no

circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

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

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

- 6 **Pre-Commencement Condition:** Prior to the commencement of the development, details of the proposed means of foul and surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved detail shall thereafter be strictly adhered to, unless otherwise agreed to in writing.

Reason: As this matter is fundamental to ensure that the development incorporates appropriate sewage disposal, and that the system will be appropriately maintained, in accordance with Policy 38 of the Horsham District Planning Framework (2015).

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

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

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

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

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan

delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

- 10 **Pre-Occupation Condition:** Plots 1 and 2 of the development hereby permitted shall not be occupied until the windows at the first floor side elevation shown on Plan AFF D-A.pe Rev E (received 24.02.2020) have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **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).

- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved plans. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved plans. 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).

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

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

- 15 **Pre-Occupation Condition:** Prior to the occupation of the development, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 16 **Regulatory Condition:** Other than 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 hereby permitted. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed in writing by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The five workshops units hereby approved shall remain in use as B1 business units, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: To ensure that appropriate use classes occupy the units in relation to neighbouring residential occupants, in accordance with Policies 7 and 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (ACD Environmental, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

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

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

20 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

INFORMATIVES

Condition to be Discharged

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms .

Landscape Management

A Landscape Management and Maintenance Plan is a site-specific strategy that demonstrates how the site will be managed and maintained in order to fulfil the original intentions of the applicant and guarantees that the scheme and the retained landscape and ecology structures are maintained and improved for the lifetime of the development. A guidance note to content and layout can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.

Southern Water

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

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

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

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

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

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

Background Papers: DC/19/1707

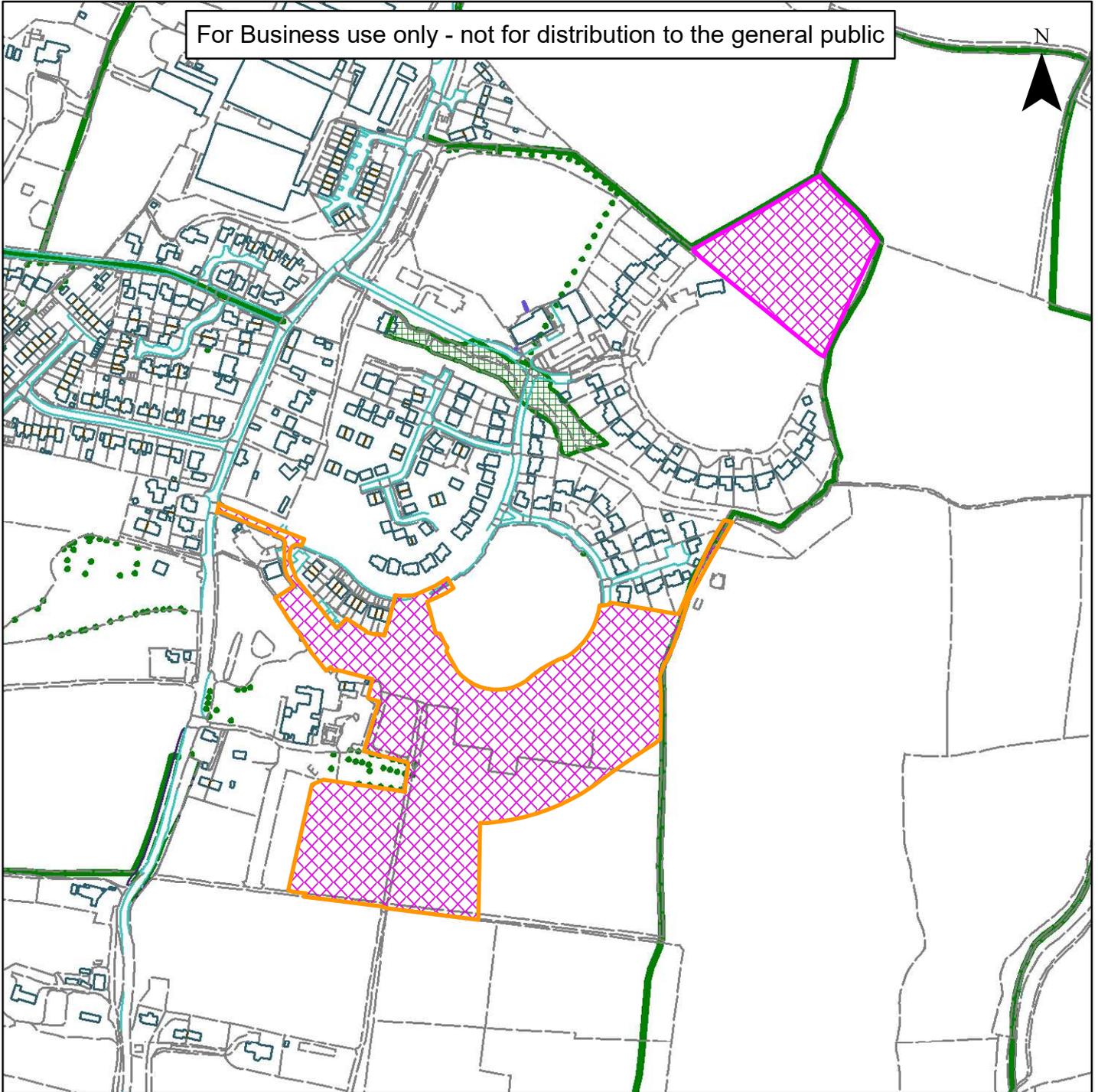
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Horsham District Council

Abingworth Nurseries, Storrington Road, Thakeham

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Scale: 1:5,000

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Organisation	Horsham District Council
Department	
Comments	
Date	08/04/2020
SA Number	100023865

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TO: Planning Committee South

BY: Head of Development

DATE: 21st April 2020

DEVELOPMENT: Erection of an agricultural workers dwelling.

SITE: Ryecroft Nursery Fryern Road Storrington West Sussex

WARD: Storrington and Washington

APPLICATION: DC/18/2402

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

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

RECOMMENDATION: To refuse planning permission

This application was deferred from the January 21st Committee Meeting to allow the applicant time to submit more supporting information on their business case.

1. THE PURPOSE OF THIS REPORT

1.1 The purpose of this report is to update Members on new information that has been submitted and considered by officers since the deferral of this application at the January 21st Committee meeting. The applicants have provided a new financial report (income and expenditure figures and projections from 2017 to 2021), and letters from the applicant's son and daughter, detailing the intended succession of the business (March 2020). The original committee report for the January 21st meeting is appended to this report and forms part of the overall planning assessment.

Background

1.2 The proposal seeks to erect a detached chalet-style dwelling on the south eastern corner of Ryecroft Nursery to provide a rural workers dwelling for the nursery owner and family.

1.3 The applicants currently reside some 1.5km away in Storrington, and state that the growing dahlias is hard, physical work. Every October, before the cold and damp set in, over 8000 tubers are dug up by hand, cleaned, and labelled before being stored in dry boxes under cover. For security over the winter, many of the tubers are transported to a storage area at their current home.

- 1.4 The applicants state that living on site would provide security against theft of hens and turkeys, dahlia plants and equipment that contribute to their livelihood. The applicant is the last breeder of dahlia's in Britain, so living on site would enable the continuation of breeding and growing new varieties, whilst providing safety and well-being of the livestock in order to provide an on-going livelihood.
- 1.5 The nursery primarily centres around the breeding, cultivation and growing of Dahlias, including the production of new varieties. In addition, the nursery also runs a small farm shop where fresh produce grown on the site is sold in an on-site farm shop. The trading hours do not appear to be formally advertised and the business website does not appear to have been updated since 2015. There is no quantitative assessment on the 'food production' element of the business. It is understood that living on-site would allow the farm shop to increase its opening hours.
- 1.6 The site includes outdoor growing areas amounting to around 1.4ha, with a small area of land used for the outdoor chicken pens. Fresh eggs are also sold on site, laid by the hens. The business has also raised turkey pullets for the Christmas (meat) market, although, having suffered a theft of the entire flock some years ago, it is understood that there have been no more turkeys raised on the site since. It is also understood that the applicant would re-stock once an on-site dwelling is established.
- 1.7 An existing glasshouse on the site (DC/07/1210) amounts to some 55sq.m of potential growing space, but appears to be used for storage, whilst the polytunnel on site amounts to around 232sq.m of growing space, and is used to house the poultry and crates of overwintering dahlia tubers. An additional smaller glasshouse also appears to be used for general storage, rather than flower production.
- 1.8 The Council's Agricultural Consultant has advised that the use of the polytunnels for the housing of the poultry does not appear to be suitable or appropriate for laying hens. There appears to be no provision for suitable permanent poultry housing on the site. Reference to the rearing of rare breeds is noted in the additional information provided, but not further quantified, or clarified if these are sold as point-of-lay hens.
- 1.9 Permission was granted in 2009 for a much larger polytunnel, amounting to some 444sq.m, (DC/09/1281) has not been implemented.

2. OUTCOME OF CONSULTATIONS

- 2.1 **Agricultural Consultant: Objection**
The Council's Agricultural Consultant visited the site on 7 February 2020 with the case officer, but the applicant and their agent were not in attendance. We viewed the land, polytunnel, glasshouses and small sheds and saw a small number of poultry housed in the end of the polytunnel.
- 2.2 A further supplementary document produced by Sussex Rural Planning Ltd (undated) was submitted to the Council on 13 March 2020. This document includes letters from the applicant's son and daughter detailing their intended succession of the business, and income and expenditure figures and projections for 2017 to 2021 along with notes from the Accountant. These appear to include forecasts for the previous year's 2017/18, 2018/19 and the part year 2019/20 rather than actual accounts.
- 2.3 It is noted that the applicant's children intend to run the business, however no details of when this is planned to happen and whether this will mean the applicant will retire. It is also unknown where they live in relation to the site or their experience in growing and breeding dahlias.

- 2.4 The applicant has a small number of chickens which were viewed on the site visit. The number is unknown but they were housed in the far end of the polytunnel which RAC would consider is not suitable and appropriate housing for poultry, in particular laying hens. It is unknown what experience the applicant's son and daughter have in the production and management of poultry. In addition, there does not appear to be any consideration made by the applicant for suitable poultry housing for both the chickens and the turkeys.
- 2.5 Whilst it may have been the quiet season when I visited the site, the land and buildings had a rundown appearance and the glasshouses were in use for storage rather than flower production. The larger polytunnel which was granted permission in 2009 (DC/09/1281) has not been erected, therefore the permission has lapsed. This reduces the covered area by 460m² and means with the existing buildings there is now only 293m² of covered growing space, some of which was housing the chickens. In addition there did not appear to be any automatic systems (heating or water) installed in the buildings.
- 2.6 The Accountant has provided costings, however the applicant has never provided detailed breakdowns of the past accounts, only summaries of the past income and expenses which were shown to decrease from 2010/11 to 2011/12 and no further accounts until 2016/17. The Accountant notes that the applicant's enterprise is a small business with most sales and purchases paid in cash, and RAC accepts that some business are cash orientated, however, RAC would still expect to see reconciliation of these cash sales and purchases in financial accounts and/or book keeping records.
- 2.7 RAC accepts that the business has been operating for a number of years however the applicant has not been able to demonstrate its viability and sustainability being maintained over the last 10 years. As such, if the Council is minded to approve this application RAC considers a temporary dwelling may be more appropriate for a three year period.
- 2.8 If the Council were minded to approve the planning application for a temporary rural worker's dwelling then the applicant's business plan would be thoroughly tested over the next three years. However, the applicant needs to be aware that if approval were to be granted for a temporary dwelling, then full financial information would be required and this would be fully scrutinised at the end of the three year period where an application for a permanent residency for a rural worker is submitted. The business will have to have demonstrated that it is profitable, financially viable and sustainable.
- 2.9 In the event that at the end of the three year time period, the applicant's business was not proven to be viable, the Council will have the authority to have the temporary dwelling removed and the land restored to its original condition.

3. PLANNING ASSESSMENTS

- 3.1 Policy 20 of the HDPF is most relevant to this application and states:
"Outside the defined built-up area new housing for rural workers will be supported provided that;
- a) There is a functional need for the dwelling and the occupation of the dwelling is to support the established business use, and
 - b) Evidence is submitted to demonstrate the viability of the rural business for which the housing is required."
- 3.2 The applicant's additional submissions seek to address part b) of this policy.
- 3.3 The Council's Agricultural Consultant has reviewed the additional information that was received in March 2020 and notes that the applicant's children intend to take over the business, although no indication is given on when this is planned to happen and whether this means the applicant will retire. It is also unknown where they live in relation to the site or

their experience in growing and breeding dahlias, nor in the production or management of the poultry business.

- 3.4 The applicant's Accountant has provided additional costings, however the applicant has never been able to provide detailed breakdowns of the past accounts, only summaries of the past income and expenses which were shown to decrease from 2010/11 to 2011/12, and no further accounts until 2016/17. This is insufficient to be able to demonstrate with confidence that the business is sufficiently viable to support an agricultural workers dwelling.
- 3.5 Furthermore, the applicant's Accountant notes that the applicant's enterprise is a small business with most sales and purchases paid in cash (March 2020). Whilst it is acknowledged that some businesses are cash orientated, the reconciliation of these cash sales and purchases in financial accounts and/or book keeping records would still be expected to be demonstrated.
- 3.6 The additional information to support the applicant's business case provided since the deferral of this item at the January 21st committee meeting still does not demonstrate the business viability and sustainability being maintained over the last 10 years. The proposal therefore remains contrary to part b) of Policy 20.
- 3.7 In respect of part a) of Policy 20, which requires there to be a functional need for a dwelling on the site, the previous consideration of officers in consultation with the Council's Agricultural Consultant is set out at paragraphs 6.7 to 6.13 of the original committee report appended to this addendum. In summary, it remains that there is insufficient justification for a dwelling in terms of the associated animal welfare needs, as the amount of poultry on the site does not generate the need for full-time on-site staff presence. Furthermore, the area of protected cropping is less than previously assumed (some 293sq.m), with much of this used for storage or to house the poultry. Therefore, there is no essential need for a worker to be on site to deal with any emergencies that may arise in relation to sowing, growing, and caring of plants, which, due to weather conditions, require manual heating, watering and operation of ventilation systems. There is no essential need associated with outdoor crops.
- 3.8 It is therefore the view of the Council's Agricultural Consultant and officers that there is no functional need for a full-time employee to permanently reside on the site. Accordingly the proposal remains in conflict with both tests of Policy 20.

4 CONCLUSION

- 2.1 HDPF Policy 20 provides support for new rural workers accommodation, outside the built-up area, provided there is a functional need for the dwelling and the occupation thereof would be in support of an established business, and provided that evidence is submitted which demonstrates the viability of the rural business for which the housing is required. In addition, the rural business activity should have been established for at least three years and have been profitable for at least one of them, along with being financially sound and having a clear prospect of remaining so.
- 2.2 For new enterprises, it may be possible to apply for a temporary 3-year consent for a rural workers dwelling, mostly by way of a mobile home, which allows the business to establish itself and be able to demonstrate financial viability at the end of the period, after which permanent consent can be sought.
- 2.3 In this instance however, the proposal seeks a permanent dwelling, with the business having been operating from the last 10 years from the site.
- 2.4 However, despite the length of time the business has been operating from the site, it is considered that the rural business is not currently financially viable or sustainable now or in

the long term to support a permanent dwelling on the site, whilst there is no functional need for such a dwelling given the nature and scale of the business. Following assessment of the recently submitted information (March 2020), it is still not considered that the proposal would meet the criteria of Policies 20 and 26 of the HDPF.

- 2.5 The Council's Agricultural Consultant has suggested that a temporary 3 year consent could be considered appropriate to enable detailed accounts to be prepared, however the applicant is not proposing that the building be temporary. The application is for a permanent brick and tile structure rather than a temporary structure such as a caravan. As such, it is not considered reasonable to impose a temporary 3-year duration on the construction of a permanent dwelling, for this to be assessed in 3 years time, and then potentially seek its removal if the business cannot provide the required viability. Additionally, given that the advice of the Council's Agricultural Consultant is that there is not a functional need for a full-time employee on the site, it is not the case that a temporary consent would necessarily satisfy Policy 20a) in any case.
- 2.6 The application is accordingly recommended for refusal.

3. RECOMMENDATION

- 3.1 It is recommended that the application is Refused for the following reason
1. It has not been demonstrated to the satisfaction of the Local Planning Authority that a permanent agricultural workers dwelling on the site is financially viable or functionally required, and in this respect the proposed dwelling represents housing development in the open countryside, contrary to Policies 1, 2, 20, 26 and 40 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework 2019.

Background Papers: DC/18/2402

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TO: Planning Committee South

BY: Head of Development

DATE: 21st January 2020

DEVELOPMENT: Erection of an agricultural workers dwelling.

SITE: Ryecroft Nursery Fryern Road Storrington West Sussex

WARD: Storrington and Washington

APPLICATION: DC/18/2402

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

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

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

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

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

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

DESCRIPTION OF THE SITE

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

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

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 10 - Rural Economic Development

Policy 20 - Rural Workers Accommodation

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 27 - Settlement Coalescence

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding

Policy 39 - Strategic Policy: Infrastructure Provision

Policy 40 - Sustainable Transport

Policy 41 - Parking

Supplementary Planning Guidance:

- 2.3 Community Infrastructure Levy (CIL) Charging Schedule (2017)

RELEVANT NEIGHBOURHOOD PLAN

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

Policy 1: Spatial Plan for the Parish

Policy 8: Countryside Protection

Policy 9: Green Gaps

Policy 14: Design

Policy 17: Traffic and Transport

PLANNING HISTORY AND RELEVANT APPLICATIONS

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

3. OUTCOME OF CONSULTATIONS

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

OUTSIDE AGENCIES

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

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

Background (summarised in parts):

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

Functional / Essential Need:

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

Alternative Dwellings:

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

Conclusion:

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

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

Agricultural Consultant: (2nd): Objection

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

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

These include:

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

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

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

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

Conclusion:

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

Agricultural Consultant: (Final): Objection

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

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

Conclusion:

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

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

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

3.3 **WSCC Highways:** Comment

- No alterations to the existing access onto Fryern Road are proposed. Vehicular visibility in the leading direction appears sufficient for the anticipated road speeds. Visibility in the trailing direction appears restricted. However, the access has been operating for some time at this location and an inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest that the existing access is operating unsafely or that the addition of an agricultural workers dwelling would exacerbate an existing safety concern. The addition of a single workers dwelling is not anticipated to generate a significant increase in vehicle movements to or from the site over the potential of the existing agricultural use.
- With applications such as this the provision of workers' accommodation can be seen as a benefit in highways terms as it limits the number of vehicular movements associated with commuting to the site. No highways concerns would be raised the provision of the workers' accommodation. It would be asked that its use is linked to the agricultural use by way of a suitably worded planning condition.
- The plans indicate that two parking spaces will be provided on site. This parking provision is anticipated to be sufficient for a dwelling of this size and location. The proposed spaces meet the minimum specifications of 2.4m x 4.8m as set out in Manual for Streets (MfS). There also appears to be sufficient space on site for vehicles to turn on site and exit onto the publically maintained highway in a forward gear.
- The LHA does not consider that the proposal for a single agricultural workers dwelling would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.
- If the LPA are minded to approve the application, a condition securing car parking and a suitably worded planning condition securing the use of the dwelling in relation to the agricultural use of the site would be recommended.

3.5 **Southern Water:** No objection

3.6 PUBLIC CONSULTATIONS

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

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

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

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

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development

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

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

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

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

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

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

Justification of Need

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

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

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

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

Design and Appearance

- 6.16 Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'. Policy 33 requires developments to relate sympathetically with the built surroundings.
- 6.17 The creation of a new permanent rural workers dwelling on this site is submitted to be in support of the existing horticultural nursery. Although the physical proximity of the proposed dwelling could be said to be linked to the ongoing operations of the existing nursery business, with the location set away from the public highway and separated by intervening agricultural land, thus maintaining, to an extent, the overall perception of the rural character.
- 6.18 However, for any development to be considered acceptable in principle to its countryside location, it must first fulfil the criteria set out under HDPF policy 26, as well as be assessed in line with HDPF policy 20, in order to establish an essential / functional need for new agricultural workers dwellings. In this instance, the proposal has not been adequately demonstrated as being associated with a rural business that is financially viable or sustainable in the long term.

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

Trees and Landscaping

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

Amenity Impacts

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

Highways Impacts

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

Conclusion

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

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

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 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	170.00	0	170.00
		Total Gain	170.00
		Total Demolition	0.00

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

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

7. RECOMMENDATIONS

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

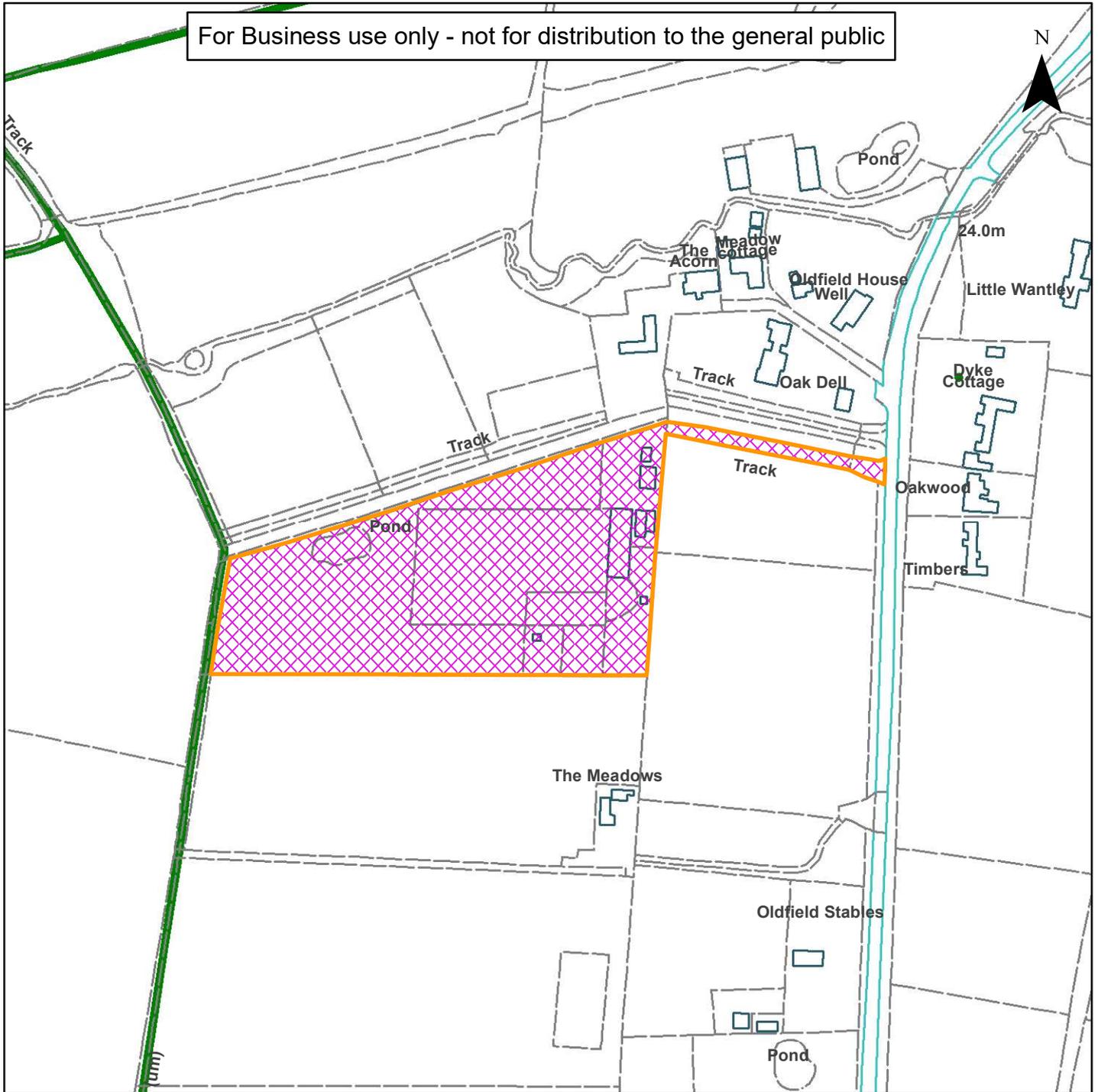
1. It has not been demonstrated to the satisfaction of the Local Planning Authority that there is a functional need for a permanent agricultural workers dwelling on the site, or that the business that it would serve is viable and sustainable. In the absence of such evidence the proposed dwelling represents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

Background Papers: DC/18/2402



Ryecroft Nursery, Fryern Road, Storrington

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Organisation	Horsham District Council
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Comments	
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