



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

Tuesday, 21st July, 2020 at 2.30 pm
via Remote Video Link

Councillors:

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

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

Page No.

GUIDANCE ON PLANNING COMMITTEE PROCEDURE

- 1. Election of Chairman**
To elect a Chairman of the Committee for the municipal year 2020/21
- 2. Appointment of Vice-Chairman**
To appoint a Vice-Chairman of the Committee for the municipal year 2020/21
- 3. To approve the time of the meetings of the Committee for the municipal year 2020/21**
- 4. Apologies for absence**
- 5. Minutes**
To approve as correct the minutes of the meeting held on 19 May 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.)

7 - 12

6. **Declarations of Members' Interests**

To receive any declarations of interest from Members of the Committee

7. **Announcements**

To receive any announcements from the Chairman of the Committee or the Chief Executive

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

8. **Appeals** 13 - 16

Applications for determination by Committee:

9. **DC/19/1671 - Townhouse Farm, Coolham Road, Thakeham** 17 - 32

Ward: West Chiltington, Thakeham and Ashington
Applicant: Tony Fowler

10. **DC/20/0743 - Rushmear House, Sandy Lane, Henfield** 33 - 46

Ward: Henfield
Applicant: Mr and Mrs Warren

11. **DC/20/0600 - Fryern Park Farm, Fryern Park, Fryern Road, Storrington** 47 - 62

Ward: Storrington and Washington
Applicant: c/o Agent

12. **SDNP/20/01620/FUL - The Old Mechanics, Church Lane, Coldwaltham** 63 - 74

Ward: Pulborough, Coldwaltham and Amberley
Applicant: Fairfax Designs Ltd

13. **DC/20/0699 - Oakdene, Blackgate Lane, Pulborough** 75 - 86

Ward: Pulborough, Coldwaltham and Amberley
Applicant: Mr and Mrs Willett

14. **DC/20/1024 - Chanctonbury, Nyetimber Copse, West Chiltington** 87 - 94

Ward: West Chiltington, Thakeham and Ashington
Applicant: Mr Philip Thompsett

15. **Urgent Business**

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

Agenda Annex

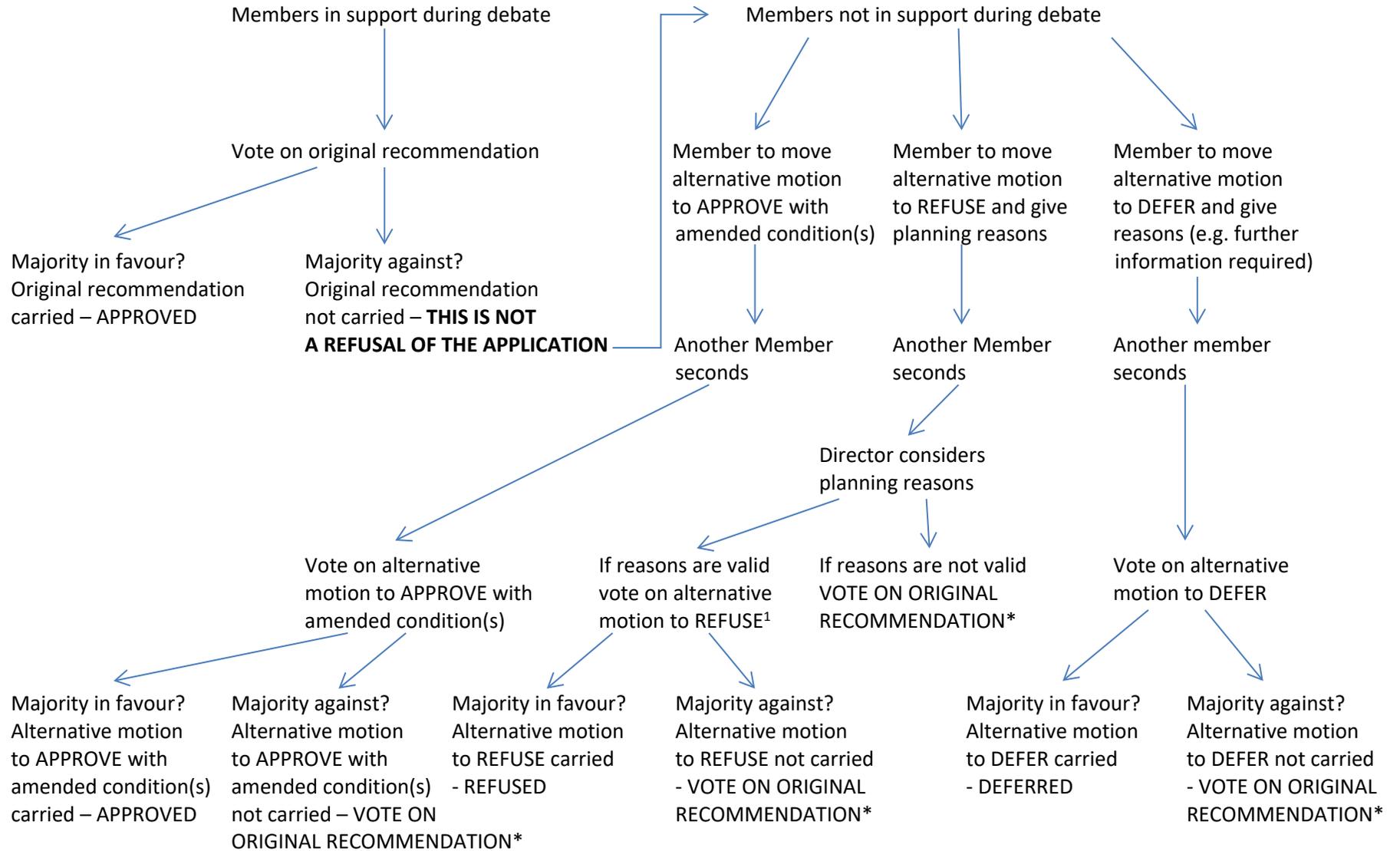
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

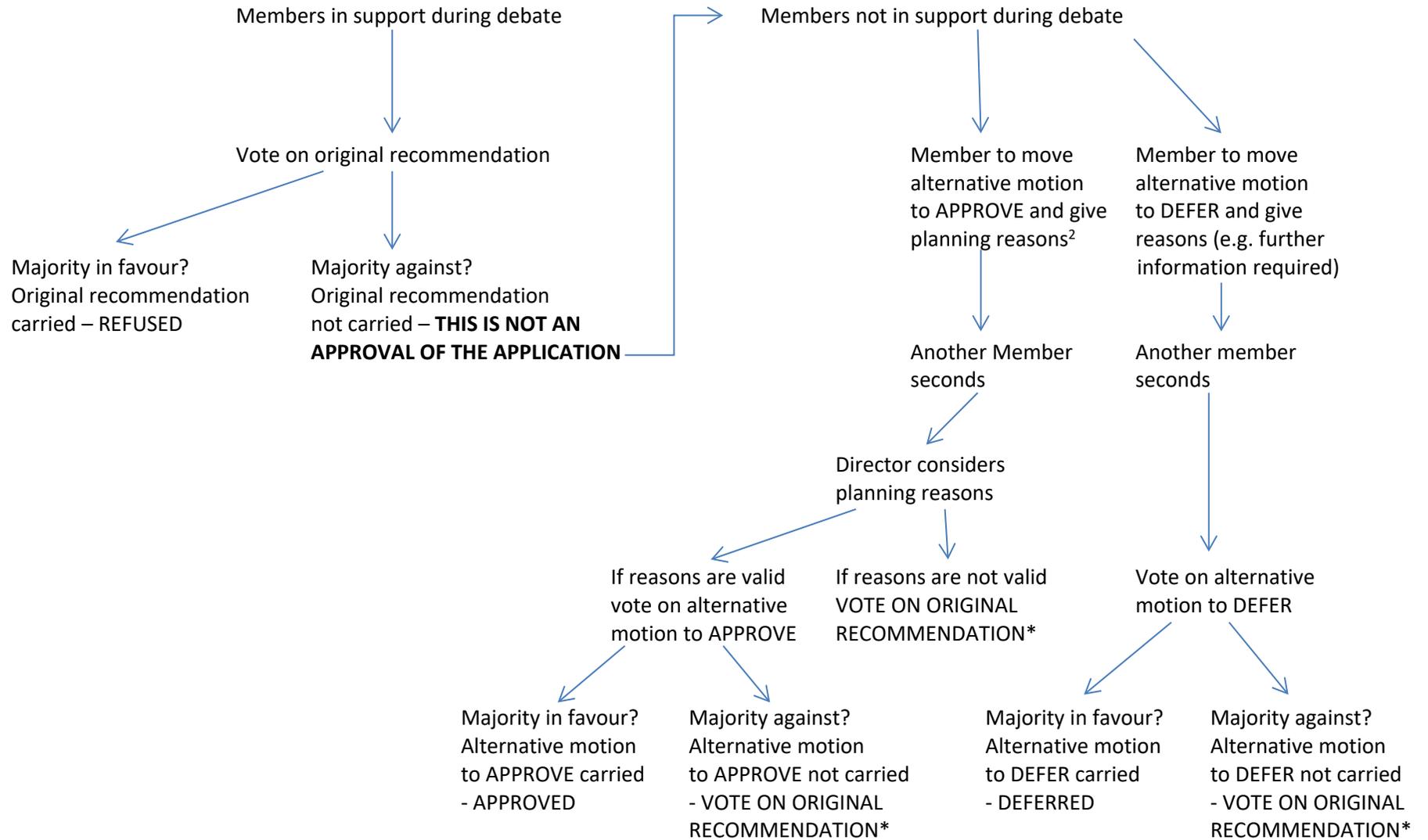
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
19 MAY 2020

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

Apologies: Councillors: Nigel Jupp and Josh Potts
Absent: Councillors: Jack Saheid

PCS/76 **MINUTES**

The minutes of the Committee held on 21 April 2020 were approved as a correct record and it was agreed the Chairman would sign them after the coronavirus crisis had abated.

PCS/77 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/19/1788 Councillor Dawe declared a personal and prejudicial interest in this application. He withdrew from this part of the meeting and took no part during its determination.

DC/19/1788 Councillor Sanson also declared a personal and prejudicial interest in this application. He withdrew from this part of the meeting and took no part during its determination.

PCS/78 **ANNOUNCEMENTS**

The Chairman stated that agenda item 7 - DC/20/0386 Wyndham Pool, Frylands Lane, Wineham, had been withdrawn from the agenda.

PCS/79 **APPEALS**

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

PCS/80 **DC/19/1788 - LODGE FARM, MALTHOUSE LANE, ASHINGTON**

The Head of Development reported that this application sought permission for the demolition of the existing commercial storage buildings, workshop buildings and office building on the site and the erection of 7 dwellings comprising a mixture of detached and semi-detached properties, with associated parking and landscaping works.

The application site was located off Malthouse Lane in Ashington. It consisted of a number of commercial buildings in light industrial, storage and office uses. The site consisted of hardstanding areas to the north with soft landscaping to the south and extensive mature soft landscaping to the boundaries. The site was not located within any defined built up area boundaries and so was not considered to be located in the countryside.

Ashington Parish Council objected to the application. There had been 23 representations objecting to the application. One objector spoke at the meeting, the meeting heard an audio recording from the applicant speaking in support of the application and a statement from the agent was read in support of this application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the principle of the development on the character of the dwellings and the visual amenities of the countryside, the amenities of the occupiers of adjoining properties and the highways impacts of the proposal.

There was a discussion around the fact that the application was for the erection of 7 dwellings and the demolition of existing buildings when there had been prior approval for the conversion of 9 dwellings. The Head of Development indicated that the Planning Officers felt this to be an acceptable alternative, given the fallback position of the prior approval applications. The Ward Members noted that the Officer's report had said that on balance it was felt that approval should be given. It was felt that this indicated some reluctance although the reduction from 9 to 7 dwellings would have been seen as a betterment. The Ward Members felt it represented overdevelopment and wanted to see a smaller number of dwellings as it was felt that the development would spoil the character of the neighbourhood. The Head of Development noted that the fact that there had been previous approval meant that the principle of residential development had been established at this site.

RESOLVED

That planning application DC/19/1788 be granted subject to the conditions as reported and with the following additional condition:
The proposed dwellings hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

PCS/81 **ITEM WITHDRAWN - DC/20/0386 - WYNDHAM POOL, FRYLANDS LANE, WINEHAM**

The chairman stated that this item had been withdrawn from the agenda.

PCS/82 **DC/20/0411 - ROSEACRE, STALL HOUSE LANE, NORTH HEATH**

The Head of Development reported that this application sought permission for a change of use of the land to residential and the erection of a two storey dwelling and the creation of new access.

The application site was located on undeveloped land situated to the south-eastern site of Stall House Lane, North Heath near Pulborough. The site was not located within any defined built up areas and was therefore considered to be in a countryside location. The plot primarily comprised low level shrubbery and wild meadow grasses, although some examples of semi-mature and mature trees existed towards the boundaries of the site.

Pulborough Parish Council raised no objection to the application. 1 letter of support was received for the application. The agent spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the character of the development and the visual amenities of the street scene; the amenities of the occupiers of adjoining properties and highways and other material considerations.

There was a discussion around whether the site was in the countryside so contrary to the Local Plan. Some Councillors felt the site was really a brownfield site and not greenfield and that it would form part of an established settlement. The lack of objection to the development was also noted. The extent to which the proposed development would be energy efficient was also noted. It was felt that this was not so exceptional as to deviate from planning policy.

RESOLVED

That planning permission DC/20/041 is refused for the following reasons:

1. The proposed dwelling is located in a countryside location, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5-year housing land supply and consequently the proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District. Furthermore, the proposed development is not essential to its countryside location. Consequently, the proposal for a new dwelling on

the site represents unsustainable development contrary to policies 1, 3, 4 and 26 of the Horsham District Planning Framework (2015) and guidance within the National Planning Policy Framework (2019).

2. The proposed dwelling would be of a siting, scale and mass that would constitute an intrusive urban addition that would be harmful to the rural character of the area. Furthermore the proposal would not seek to protect, conserve or enhance the character and setting of its countryside location, contrary to policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

PCS/83 **DC/19/1870 - ROWFOLD KENNELS, CONEYHURST ROAD, BILLINGSHURST**

The Head of Development reported that this application sought permission for the demolition of the existing single storey outbuildings on the site and the erection of four single storey dwellings with associated access driveway and parking. The scheme would provide 1 x 3 bedroom dwelling and 3 x 4 bedroom dwellings.

The application site was located near the eastern side of Coneyhurst Road (A272). The site was located outside any built up area boundary and was therefore situated within a countryside location. The site was bound by the railway line to the north. The application site related to the area of land to the east of converted barn, Rowfold Kennels, which predominantly comprised four single storey buildings. To the south the application site currently comprised a circular driveway, hardstanding used for car parking/storage, an open sided storage shed and a sandschool used in connection with the residential property. The neighbouring residential property, Little Rowfold, is located approximately 30m to the west of the application site.

Billingshurst Parish Council objected to the application. One letter of representation was received from the occupiers of Little Rowfold who commented that as the owners of the shared driveway they would not agree to the additional vehicular use from the development and that the Applicant would need to put a new access in from the A272. A statement by the agent was read in support of the application.

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

There was a discussion around the acoustic impact from the nearby railway line. Some Councillors were also very concerned about what would happen to the 22 dogs currently living at the kennels. The Head of Development clarified that the rehoming of the dogs could not be made a condition of approval. She

further stated that noise considerations could be a factor in determining whether or not to grant approval.

It was noted that the site benefitted from prior approval for 5 dwellings and that the principle of residential development had been established.

RESOLVED

To resolve to grant planning permission subject to expiration of the public consultation period as the scheme as a departure, and delegation to the Head of Development to consider any representations received as a result of that consultation and subject to the recommended conditions and the following additional condition:

The proposed dwellings hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

PCS/84 **DC/19/2396 - LAND ADJACENT TO NUMBER 81 ROMAN WAY, ROMAN WAY, BILLNGSHURST**

The Head of Development reported that this application sought permission for the erection of 3 dwelling houses, comprising 1 x 4 bedroom detached dwelling and 2 x 3 bedroom semi-detached dwellings. The detached dwelling would be adapted for those with disabilities and one disabled parking space would be located to the front of this dwelling. The scheme would deliver 3 affordable rented units that would be owned by the Council and managed by the Council's Housing Company.

The application site was located within the built up area boundary of Billingshurst and was situated at the north-eastern end of Roman Way. The site comprised an area of grassed land which was bound on its northern and eastern boundaries by a mix of trees and hedge planting. The entrance to the site from Roman Way was gated with 1m high timber post and rail fence. A two storey semi-detached dwelling was located directly to the south of the site. To the west, the 2 storey brick building comprised four flats. The part of the road in which the application site was located was predominantly characterised by brick built pairs of semi-detached dwellings, most had side driveways providing off-street parking. Billingshurst Doctors Surgery was located further down the road to the south and there were a mixture of flats and semi-detached dwellings located further along Roman Way to the south. To the east of the site there

was a grassed area of land which formed part of a wider development site comprising land to the east of Billingshurst.

Billingshurst Parish Council objected to the application. There had been 15 representations objecting to the application.

The Ward Councillors stated that they supported this application as it would bring much needed affordable housing to Billingshurst which was an important urban centre in the district. The fact that one of these dwellings would have adaptations for disabled people was particularly welcomed.

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 affordable housing mix, the loss of open space, the design and appearance, landscape and trees, amenity, highways and parking and flooding and drainage.

There was a discussion around the location of electric vehicle charging points. There was further discussion around the level of energy efficiency within the proposed dwellings. Some councillors considered they should exceed current standards. It was noted that energy efficiency requirements of new buildings would be strengthened in the new Local Plan.

RESOLVED

That planning application DC/19/2396 be granted subject to the conditions as reported and with the following additional condition:
The proposed dwellings hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

The meeting closed at 4.29 pm having commenced at 2.30 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 21st July 2020



Report on Appeals: 06/05/2020 – 08/07/2020

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/19/2034	Downsview Paddock New Hall Lane Small Dole BN5 9YJ	27-May-20	Application Refused	N/A
DC/20/0150	14 Coxham Lane Steyning West Sussex BN44 3LG	02-Jun-20	Application Refused	N/A
DC/20/0128	Iron Stone Barn Rock Road Washington Pulborough West Sussex RH20 3BQ	02-Jun-20	Application Refused	N/A
DC/20/0214	Bentons Cottage Bentons Lane Dial Post Horsham West Sussex RH13 8NP	17-Jun-20	Application Refused	N/A
DC/20/0484	16 Southview Terrace Henfield West Sussex BN5 9ES	07-Jul-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
EN/18/0055	The Granary Westmill Farm Shoreham Road Small Dole Henfield West Sussex BN5 9YG	Informal Hearing	11-May-20	Notice served	N/A
DC/19/2478	Vineyards Old London Road Washington Pulborough West Sussex RH20 3BN	Written Representation	17-Jun-20	No recommendation made	N/A
DC/19/2420	Wychwood Farm Brighton Road Shermanbury West Sussex RH13 8HE	Written Representation	24-Jun-20	Prior Approval Required and REFUSED	N/A
DC/19/2433	Land North of West Wantley Barn Fryern Road Storrington West Sussex	Written Representation	24-Jun-20	Application Refused	N/A
DC/19/2513	Green Shadow Roundabout Lane West Chiltington Pulborough West Sussex RH20 2NT	Written Representation	24-Jun-20	Application Refused	N/A
DC/20/0104	Lordings Farm Lordings Road Adversane Billingshurst West Sussex RH14 9JE	Written Representation	24-Jun-20	Prior Approval Required and REFUSED	N/A
DC/20/0263	Redfold Farm Nutbourne Lane Pulborough West Sussex RH20 2HS	Written Representation	25-Jun-20	Application Refused	N/A
DC/19/2482	Stable Cottage Grays Farm West End Lane Henfield West Sussex BN5 9RF	Written Representation	01-Jul-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/19/1226	Rambledown House Common Hill West Chiltington West Sussex RH20 2NL	Written Representation	Appeal Allowed	Application Refused	Application Refused
DC/19/2237	5 Oak Road Billingshurst West Sussex RH14 9XH	Fast Track	Appeal Allowed	Application Refused	N/A
DC/19/2074	Land Adjacent To St Anne's Hyde Street Upper Beeding BN44 3TG	Written Representation	Appeal Dismissed	Application Refused	N/A
DC/18/2744	Greenacres Hurst Lane Storrington Pulborough West Sussex RH20 4HH	Written Representation	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 July 2020

DEVELOPMENT: Demolition of existing commercial storage buildings and erection of two semi-detached dwellings.

SITE: Townhouse Farm Coolham Road Thakeham RH20 3EW

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/19/1671

APPLICANT: **Name:** Tony Fowler **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: The recommendation of the Head of Development would represent a departure to the development plan

At the request of the Parish Council.

RECOMMENDATION: To approve planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for the demolition of three existing storage buildings and the construction of two semi-detached, two storey dwellings. The existing buildings on site consists of two Nissan hut style buildings and a single storey storage building located to the south of these. The buildings consist of metal sheet roofing and blockwork to the walls.
- 1.3 Conversion of these buildings to residential was granted under Prior Approval application ref: DC/19/0685, under Class P of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development)(England) Order 2015, as amended (GDPO). This prior approval established that the existing buildings can be converted to form four dwellings. This current planning application seeks the demolition of these existing buildings and the erection of two semi-detached, two storey, three-bed dwellings as an alternative to the permitted development conversion of the existing buildings in a re-positioned location. The proposed dwellings would be located to the east of the two existing Nissan hut style buildings, approximately 13.5m away, and would be set back approximately 15.2m from the public highway further to the east at Coolham Road.

- 1.4 The proposed semi-detached pair of dwellings would be located in an area of grass and low grade trees and shrubs. The proposed semi-detached pair would have an overall width of approximately 18m when viewed from the front (eastern) elevation and overall depth of approximately 7.9m, with a stepped design to the dwellings when viewed from the rear (western) elevation. The proposed semi-detached property would have overall maximum height of approximately 7.65m which would vary slightly due to the topography of the site.
- 1.5 The proposed semi-detach dwellings would have a traditional design, with a barn hip style pitched roof, finished in handmade clay tiled with exposed rafter feet, waney edge timber weatherboarding and brick making up the external walls, oak framed windows and doors, and an oak framed porch to the front elevation. The properties will have a hipped roof projecting element to the rear elevation. The semi-detached design would take its cues from the existing properties to the south of the site which are positioned along Coolham Road.
- 1.6 The proposal would have a footprint of approximately 120sqm and an overall gross internal floor area of approximately 212sqm. This compares to the existing buildings to be removed which have a footprint and floor area of approximately 248sqm. As part of the proposals, six parking spaces would be created with three spaces serving each dwelling.
- 1.7 It is noted that the proposals have been amended during consideration of the application due to Officer concerns with regards to the design as initially submitted. The initial designs proposed the erection of two detached dwellings with a differing design. This was not considered to be an acceptable proposal for the site and, in order for the dwellings to be more in keeping with existing residential development within the immediate vicinity, the proposals were amended to a pair of semi-detached dwellings with a detailed design as described above.

DESCRIPTION OF THE SITE

- 1.8 The application site is situated outside of the defined built up area in a countryside location with no other statutory designations. The site is within a rural area characterised by farms, commercial uses and individually designed dwellings. The site is located on the western side of Coolham Road. Access currently exists to the site via a private access from Coolham Road which is shared with Townhouse Farm and two other dwellings. The existing buildings within the identified red line site area consists of two single storey Nissan hut style buildings and a single storey storage building. The proposed dwellings would be located just to the east of the existing Nissan hut style buildings on an area of grassland. It is noted that this area slopes down gently from north to south.
- 1.9 Looking at the wider site and surrounding area, to the south of the site are the residential dwellings of 1-4 Townhouse Cottages, which are two pairs of semi-detached, two storey properties. The wider site of Townhouse Farm, consists of a mixture of buildings and uses including a converted agricultural building used by "Focused Events Limited", as well as larger former agricultural buildings which are used for varying commercial and storage uses/purposes. To the south of the site is a public footpath, running east/west.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 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 40 - Sustainable Transport

Policy 41 - Parking

2.5 **Thakeham Neighbourhood Plan (January 2017)**

Thakeham1 - A Spatial Plan for the Parish

Thakeham5 - Employment Sites

Thakeham6 - Design

Thakeham9 - Development in the Countryside

Thakeham10 - Green Infrastructure and Valued Landscapes

PLANNING HISTORY AND RELEVANT APPLICATIONS

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

DC/19/0685	Prior Approval for a change of use from storage (Class B8) to Dwellinghouse (Class C3)	Prior Approval Required and PERMITTED on 19.05.2019
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3. **OUTCOME OF CONSULTATIONS**

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

INTERNAL CONSULTATIONS

3.2 **HDC Tree Officer: No Objection.**

The trees in question, despite being visible in the public domain when passing along Coolham Road, are generally unremarkable and not, in my view, specimens of any especial or particular merit. They are not worthy of formal protection or retention that would preclude the possibility of development on the site. I therefore register no objection to their removal.

OUTSIDE AGENCIES

3.3 **WSSC Highways:** Comment.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

3.4 **Southern Water:** No Objection.

3.5 **Ecologist:** No Objection.

Limited impacts have been predicted and as such, we are satisfied that there is sufficient ecological information available for determination and this provides certainty of likely impacts on Protected species and Priority habitats and species.

With appropriate mitigation measures secured and implemented in full, the development can be made acceptable. We also recommend conditions to support reasonable biodiversity enhancements on any consent to deliver measurable net gain.

PARISH COUNCIL CONSULTATION

3.6 **Thakeham Parish Council:** Objection.

- Unsustainable location - residents would be reliant on cars for transport
- Site is outside of built up area and not allocated for development or essential to the location
- Contrary to Policy 1 of the Thakeham Neighbourhood Plan and the spatial strategy as set out in the HDPF
- Significant vehicle movements already present on/within the site
- Potential impact on bridleway to south of site
- Front rooflights should be removed to better reflect design of neighbouring properties

PUBLIC CONSULTATIONS

3.7 2 letters/emails of objection have been received which can be summarised as follows:

- Unsustainable location
- Contrary to Thakeham Neighbourhood Plan
- Highway safety concerns both within the site and with the site access
- Loss of trees
- Overdevelopment of the site
- Loss of habitat used by wildlife
- Impact on neighbouring amenity

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues are the principle of the development in the location and the effect of the development on:
- The principal of development in this location
 - The character of the dwelling and the visual amenities of the countryside
 - The amenities of the occupiers of adjoining properties
 - The highways impacts of the proposal

Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal must to be considered in the context of paragraph 79 of the NPPF, policies 3, 4, and 26 of the Horsham District Planning Framework (HDPF) and policy Thakeham1 of the Thakeham Neighbourhood Plan.
- 6.4 Policies 3 and 4 of the HDPF set out that development will be permitted within towns and villages which have defined built up areas, and outside built up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The application site is located within the countryside, outside of any defined settlement and is not allocated in either a Local Plan or the 'made' Thakeham Neighbourhood Plan and thus the application proposals directly conflicts with these policies. On this basis, the proposal therefore fails to accord with the spatial strategy as outlined in the HDPF and approval of this planning application would represent a departure from the development plan.
- 6.5 Paragraph 79 of the NPPF states that '*Planning policies and decisions should avoid the development of isolated homes in the countryside*'. One of the criteria set out in Paragraph 79 of the NPPF which would allow such development is as follows:
- 'e) the design is of exceptional quality, in that it:*
- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - development which 'would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area' will be supported.'*
- 6.6 The application is not being justified against the above criteria, and while the design of the dwellings (which is considered in detail below) would represent an enhancement when compared to the existing utilitarian buildings, it would not be truly outstanding or innovative. The proposal could not therefore be justified under paragraph 79 of the NPPF.
- 6.7 Notwithstanding the above, it is noted that the conversion of the existing buildings within the red lined site area were granted Prior Approval under Class P of the GPDO to form four dwellings (under DC/19/0685) in May 2019, with this permission being extant. This is a material consideration in the determination of this current planning application. The presence of prior approval for four dwellings, which could still be implemented, represents a viable and realistic fall-back position were the current application to be refused. A refusal of the current

application would not therefore prevent the introduction of additional residential units on the site, with this current application proposing two dwellings rather than four as granted under the prior approval.

- 6.8 It is therefore considered, subject to detailed considerations, that refusal of the application on the basis of the conflict with policies 3, 4 and 26 of the HDPF and policy Thakeham1 of the Neighbourhood Plan would not be warranted and would not prevent four additional dwellinghouses from being created on the site. On this basis the principle of development, proposing the creation of two dwellings, is considered acceptable, subject to any permission requiring the demolition of the existing buildings on the site which benefit from prior approval under DC/19/0685 (to avoid both developments being carried out) and other relevant detailed considerations as discussed below.

Character and Appearance

- 6.9 With regards to design, Paragraph 131 of the NPPF states that “...*great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in an area*”. Policies 25, 32 and 33 of the HDPF require development to be of high quality design which is sympathetic to the character and distinctiveness of the site and surroundings. Policy Thakeham6 of the Thakeham Neighbourhood Plan requires “*the scale, density, massing, height, landscape design, layout and materials to reflect any architectural or historic characteristics of particular merit in, and the scale of the surrounding building and in the wider area.*”
- 6.10 The proposal would involve the creation of two semi-detached dwellings located in close proximity to two existing Nissan hut style buildings to be demolished and removed from site along with another single storey storage building located further to the south. The proposed semi-detached dwellings would be similarly scaled and sited when compared to the existing semi-detached properties located further to south which also adjoin the Coolham Road to the east. The proposed semi-detached pair would be designed utilising a half-hipped, barn style roof design, and would be made up of a mixture of natural materials including hand-made clays tiles and exposed timber rafter feet to the roof, waney-edged oak weatherboarding and brick to the external walls and oak framed windows and doors.
- 6.11 The design and appearance of the existing buildings to be removed are not considered to be of any architectural merit or value, and from a Case Officer site visit it was evident that some elements of these buildings had fallen into a bad state of repair. Following their demolition, the area of land which the two Nissan hut style buildings currently occupy, located to the west of the proposed location for the two dwellings, would be restored to grassland and would form part of the residential curtilage of the proposed dwellings. This area would also be partly utilised for the creation of the proposed parking spaces, with additional planting also proposed. The positioning of the parking spaces to the west of the proposed dwellings would be similar to the configuration and siting as the neighbouring residential properties to the south.
- 6.12 The proposed design, as well as the proposed materials palette to be used for the dwellings, are considered to be appropriate for this countryside setting. It is considered that the design of the proposed dwelling would represent an enhancement to the site when compared to the existing buildings to be removed. The existing buildings, whilst it acknowledged that they have prior approval to be converted to dwellings, would be limited in terms of the resulting design and appearance that can be achieved. The proposed semi-detached pair would have a smaller overall footprint when compared to the three existing buildings to be removed and the proposals would create a very similar gross internal floor area. Given the modest size and scale of the proposal, coupled with the design of the proposed dwellings, which are considered to relate sympathetically with the landscape, and the location of the site and materials to be used, it is considered that the proposed dwellings would represent an enhancement when compared to the scheme as approved under the prior approval. It is

considered that the scheme the subject of this application would be appropriate for this the countryside location, introducing properties of architectural merit and interest, especially when compared to the existing buildings which are to be removed.

- 6.13 Notwithstanding the above considerations, the Council are able to deploy more stringent controls over the development within this application when compared to the provisions set of within the GPDO under the prior approval procedures, with suitable conditions pertaining to the materials and landscaping proposals considered to be appropriate.
- 6.14 Whilst it is accepted that the proposed semi-detached dwellings would be located closer to the public highway when compared to the existing buildings benefitting from prior approval, and would be clearly visible from this vantage point, given the design, scale and position of the proposed dwellings, which would be similar to the neighbouring properties to the south, it is not considered that the proposals would have a detrimental impact on the streetscene. Indeed, it is noted that the site, as well as sloping down from north to south, also gently slopes down from east to west. As such, the proposed dwellings would appear lower in height when viewed from Coolham Road and would not appear a prominent addition from this vantage point.
- 6.15 It is noted that a Public Right of Way (PROW) runs from east to west to the south of the application site. Whilst there have been comments received with regards to the proposed development and views from the PROW, given the distances maintained and existing development present between the area where the proposed dwellings would be located and the public right of way, it is considered that the proposals would not be visible from this vantage point or have an impact on the setting of the public right of way.
- 6.16 The proposals would represent a development which would be of an appropriate scale, and would represent a reduction when compared to the overall footprint of the existing buildings to be removed. It is considered that the overall design in terms of the form and character of the properties, and the pallet of materials to be used, would result in a markedly improved appearance when compared to the existing situation within the site area and the existing buildings. The design of the semi-detached dwellings would result in an enhancement when compared to the dwellings which would result from implementation of the existing prior approval, and would lead to an enhancement of the overall setting of the countryside location. This current full planning application gives greater control over the eventual development of the site, particularly in respect of the detailed design and landscaping matters, and results in the creation of two dwellings rather than four dwellings and these elements are considered to weigh in favour of supporting the current scheme. As a consequence of the circumstances described above, it is considered that the proposals would accord with policies 25, 32 and 33 of the HDPF as well as paragraph 131 of the NPPF and Policy Thakeham6 of the Thakeham Neighbourhood Plan.

Impact on neighbouring amenity

- 6.17 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. The proposed dwellings would be located approximately 13.5m away from the closest neighbouring properties known as 3 and 4 Townhouse Cottages and located to the south. Given the distances maintained, it is considered that the proposal would not have an overbearing impact or lead to any overshadowing or loss of outlook to neighbouring properties.
- 6.18 It is noted that the proposals include first floor windows to the northern and southern (side) elevations which would act as secondary windows to a bedroom to each dwelling. Whilst there are no properties to the north of the proposed dwellings, there are existing properties to the south (Townhouse Cottages). Given that these windows would be secondary and there would be a main window serving these rooms to the rear western elevation, it is considered

appropriate to attach a suitable condition requiring that these windows are obscured to avoid any potential harmful overlooking. Taking the above into account, it is considered that the proposals would not have a detrimental impact on neighbouring amenity and are considered to be acceptable in this regard.

Highways Impacts

- 6.19 Policies 40 and 41 of the HDPF states that development should provide a safe and adequate access, suitable for all users. The proposed development would be served by the existing access point from Coolham Road to the east. The proposed semi-detached dwellings would be served by three parking spaces each, to be located to the west of the dwellings in the location of existing Nissan style hut buildings to be removed. This configuration of parking spaces, being located to the west (rear) of the dwellings, is considered to be appropriate and reflects that of the neighbouring properties.
- 6.20 It is noted that both Thakeham Parish Council and neighbouring residents have raised the issue of traffic within the site being increased along with the use of the access onto Coolham Road. Following consultation with West Sussex County Council as the Local Highway Authority, the proposal is considered to be acceptable on highway safety and transport grounds, with WSCC advising that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The proposal would result in a reduced number of additional dwellings on the site from the four approved under the prior approval procedure.

Ecology Considerations

- 6.21 Policy 31 of the HDPF states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites.
- 6.22 The Council's Ecology Consultant has not raised any objections to the proposal following consideration of the ecology matters. Conditions have been recommended to ensure ecological mitigation measures and enhancements are put in place. In order to ensure that the proposal does not result in a detrimental impact on ecology, it is considered that such conditions are reasonable and necessary. It is considered overall that the proposals are acceptable in this regard and accord with Policy 31 of the HDPF.

Loss of Trees

- 6.23 It is noted that there a number of Category C Grade trees are present on site. The proposals would require the removal of these trees in order to accommodate the proposed semi-detached dwellings. The Council's Arboricultural Officer, who has raised no objections to the application, has stated that despite the trees being visible from the public domain, the trees are generally unremarkable and are not specimens of any especial or particular merit. It has been further advised that they are not worthy of formal protection or retention that would preclude the possibility of development on the site. Therefore, whilst the loss of the existing trees is regrettable, having considered the advice provided, it is considered that the removal of the existing trees, to facilitate the proposed development, would be acceptable.

Conclusion

- 6.24 The site is within a countryside location and has not been allocated for residential development in either the local plan or a neighbourhood plan, and does not represent a use essential to this countryside location. The proposal therefore conflicts with policies 4 and 26 of the HDPF and Policy Thakeham1 of the Thakeham Neighbourhood Plan. However, the principle of residential development on the site has been established by the recent grant of

prior approval for the conversion of the existing buildings on the site to form four dwellings. This is considered to form a realistic fall-back position carrying significant weight in the planning balance. The proposed development would provide two purpose built dwellings, which represents a reduction in the number of dwellings which could be created as a result of the implementation of the prior approval scheme, and would represent an improved appearance to the site and landscape compared to the development that could otherwise come forward on the site under the prior approval consent.

6.25 Therefore, whilst being a departure from the development plan, the proposal is considered to enhance the immediate setting compared to the alternative permitted development and would ensure that the development would not result in harm to the countryside setting, neighbouring amenity or highway safety. These benefits compared to the fall-back position provided by the extant prior approval consent are considered to outweigh the conflict with policies 4 and 26 of the HDPF, such that the grant of planning permission is recommended.

6.26 Conditions are suggested to ensure adequate boundary treatment, details of the materials to be used, a landscaping scheme to confirm all hard and soft landscaping details/materials, the removal of the existing buildings within the red line site area and the definition of the residential curtilage to serve the proposed dwellings.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

6.28 **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	212	211	1
		Total Gain	1
		Total Demolition	211

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

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

7. RECOMMENDATIONS

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

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

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

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

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

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

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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

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

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

- 5 **Pre-Commencement Condition:** Prior to the commencement of relevant works for the erection of the dwellings hereby approved, the existing buildings, as shown on drawing no. 000, received 01 November 2019, indicated on the plan as 'To Be Demolished' shall be fully demolished (including the removal of foundations) and all materials arising from such demolition removed from the site.

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

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

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

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

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

- 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 a Biodiversity Enhancement Layout, providing the finalised details and locations of enhancement measures to include protection of the neighbouring woodland (this includes the 'lopping and topping' of any trees on site particularly those with potential for roosting bats), integrated and external bat roosting opportunities, new bat friendly planting, and should also consider the inclusion of hedgehog homes and cut-outs in fences, bug boxes, nest boxes for birds. The Biodiversity Enhancement Layout shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy 31 of the Horsham District Planning Framework.

- 9 **Pre-occupation Condition:** Prior to first occupation of each dwelling hereby permitted, 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) and in accordance with 31 of the Horsham District Planning Framework.

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

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

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

- 11 **Pre-Occupation Condition:** No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

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

- 12 **Pre-occupation Condition:** No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

- 13 **Pre-occupation Condition:** Notwithstanding previously submitted information, prior to the first occupation of the new dwellinghouse hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary/residential curtilage treatments
- Details of any external lighting
- Existing and proposed lands levels

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

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

- 14 **Pre-Occupation Condition:** The proposed dwellings hereby permitted shall not be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The scheme shall have regard to the requirements for electric vehicle charging within the

latest West Sussex Parking Standards (2019). The approved scheme shall be installed prior to first occupation of the dwellings and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

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

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

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

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

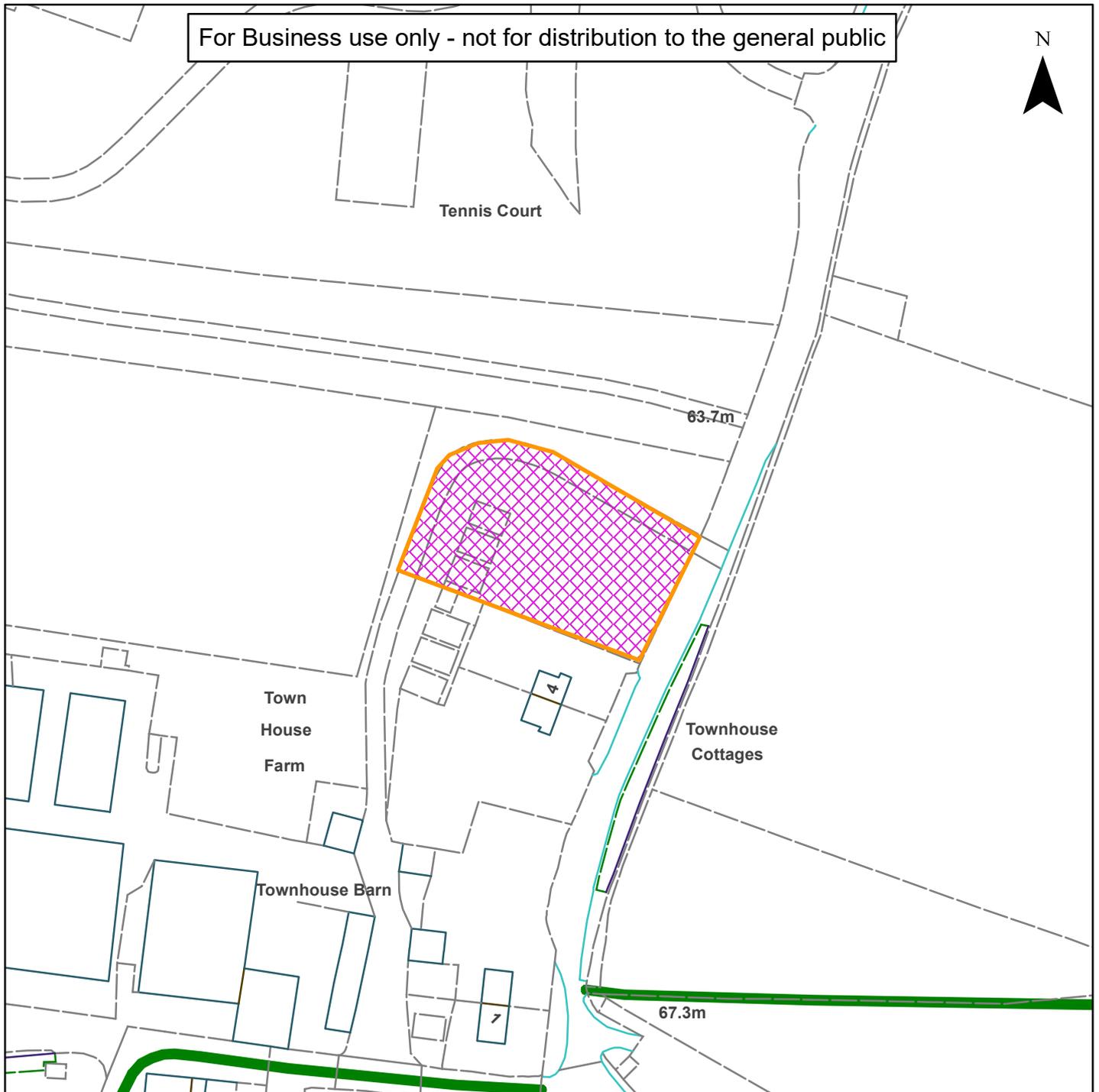
Background Papers: DC/19/1671
DC/19/0685

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Townhouse Farm, Coolham Road, Thakeham

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/07/2020
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21st July 2020

DEVELOPMENT: Conversion of existing barns to form tourism accommodation

SITE: Rushmear House Sandy Lane Henfield West Sussex BN5 9UX

WARD: Henfield

APPLICATION: DC/20/0743

APPLICANT: **Name:** Mr and Mrs Warren **Address:** Rushmear House, Sandy Lane Henfield BN5 9UX

REASON FOR INCLUSION ON THE AGENDA: More than 8 persons in different households have made written representation raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks planning permission to convert the existing barns within the curtilage of 'Rushmear House' to form a single three bedroomed holiday let. The unit would contain a kitchen/ diner, living room, WC/utility room and two bathrooms, and be accessed via the existing courtyard. The proposal includes the retention and conversion of the two largest barns and the demolition of a nearby smaller store building. A section of each of the two barns is proposed to be removed and the volume of these and the demolished store re-located to form a link between the two main structures linking the main living and sleeping areas. The rearmost part of the western barn is to have a pitched roof added to match its eastern part.
- 1.2 The existing barns are single storey and of timber construction with shallow pitched roofs (4.6 metres to the ridge) formed of red/ brown corrugated metal. The horizontal timber weatherboard cladding will be replaced and extended to cover the existing exposed masonry, to match the existing, and new timber framed windows and doors will be inserted to all elevations. The proposal would utilise the existing access from Sandy Lane and dedicated parking to the courtyard.

DESCRIPTION OF THE SITE

- 1.3 The application site is located on the western side of Sandy Lane (PROW 2564), approximately 175 metres south of the defined built-up area boundary of Henfield. The site previously formed part of Rushmead Nursery and contains two barns, a store room and ancillary areas. The two barns are set around a courtyard hard surfaced area and the store is set within the wider grassed area to the south. The land slopes down from east to west, with the site separated by hedging and close-boarded fencing. The neighbouring residential dwellings are positioned to the north and south of the application site, in a sporadic nature. The main dwelling of Rushmead House sits immediately to the south of the barns and is a timber clad bungalow set within a large plot. Sandy Lane is a single track lane lined on either side by trees and hedgerows. Within the local landscape there are numerous Public Rights of Way including along Sandy Lane from north to south where it joins a wider network of Public Rights of Way. The Downslink is 120m to the west.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Supplementary Planning Guidance:

RELEVANT NEIGHBOURHOOD PLAN

The draft Henfield Neighbourhood Plan has passed through public examination however in line with government guidance its referendum has been suspended until May 2021 at the earliest. As a post-examination plan it carries weight in decision making. The relevant policies are:

Policy 1- A spatial plan for the Parish
Policy 7- Car parking
Policy 8- Broadband
Policy 12- Design
Policy 13- Transport and access

OTHER RELEVANT DOCUMENTS

Horsham District Hotel and Visitor Accommodation Study July 2016

Horsham District Council Visitor Economy Strategy 2018 - 2023

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/1866	Demolition of existing stables, storage buildings and garages and erection of a 4 bed dwelling with 3 bay garage and drive.	Application Refused on 26.10.2018
DC/15/2597	Erection of a detached three bed dwelling	Application Refused on 31.03.2016
DC/12/1139	Demolition of existing concrete garage and build new car port and storage building	Application Permitted on 26.07.2012
DC/12/0706	Demolition of existing concrete garage and build new garage and storage area attached to existing workshop (Certificate of Lawful Development - Proposed)	Application Refused on 31.05.2012

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 HDC Environmental Health: No Objection

Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in the building, made ground, yards and hard standings. A Preliminary Environmental Risk Assessment prepared by a competent person, including a site walkover, should be provided.

Layout safety issues can be resolved via the Building Regulations.

OUTSIDE AGENCIES

3.3 WSCC Highways: No Objection

The existing access benefits from adequate visibility splays (2.4 x 43 metres). There is no evidence to suggest that the existing access is currently operating unsafely. The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

The hardstanding area appears to be able to accommodate any potential parking demand produced by the proposed use. The applicant has proposed a nil cycle provision, if deemed justifiable then the applicant should show this in the form of lockable covered storage.

3.4 **Southern Water:** No Objection

There are no public foul and surface water sewers in the area to serve the development. The applicant is advised to examine alternative means of foul and surface water disposal. The Environment Agency should be consulted directly regarding use of private wastewater works or septic tank.

PUBLIC CONSULTATIONS

3.5 **Henfield Parish Council:** No Objection subject to a 28 day occupancy rule and the building remaining ancillary to the main dwelling

3.6 25 letters of objection were received from 19 households. The nature of the objections are based on the following:

- Outside of the Built-Up-Area Boundary
- Over-development
- Increased traffic
- Narrow access to the site
- Not compliant with the Neighbourhood Plan
- Not compliant with the HDPF
- Brings no benefits to Henfield
- No need for the accommodation
- Cumulative impact of development in the rural area/ creeping urbanisation.

3.7 13 letters of support were received from 12 households. The nature of the letters of support are based on the following:

- Close to the Downs Link and other rural attractions
- Positive addition for the economy of the village- customers in shops/ pubs/ taxis.
- Creation of local jobs
- Should encourage tourism in and around Henfield
- In keeping with the surrounding area
- Limited alternative tourist accommodation on offer
- Will bring visual improvements to the currently run-down site

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development

6.1 Policy 7 of the Horsham District Planning Framework (HDPF) states that sustainable employment development in Horsham District will be achieved by promotion of the District as an attractive place to stay and visit to increase the value of the tourism economy.

- 6.2 Policy 11 of the HDPF outlines that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location, and should increase the range or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which: reinforce the local distinctiveness and improve existing facilities; focuses major tourism and cultural facilities in Horsham Town Centre; seek to ensure that facilities are available within the towns and villages in the District and are in keeping with their relationship with the urban area and countryside around them; develop the opportunities associated with rural diversification and rural development initiatives, particularly where they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside; and do not result in the loss of a cultural resource.
- 6.3 In addition, Policy 10 of the HDPF supports sustainable rural economic development and enterprise within the District which maintain the quality and character of the area, whilst sustaining its varied and productive social and economic activity. The policy requires development to contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside. Amongst other matters, the policy suggests that such development should be contained wherever possible within suitably located buildings which are appropriate for conversion. The policy concludes that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance.
- 6.4 In this instance the application falls outside of the existing Built-Up Area and lies within the Countryside. Policy 26 of the Horsham District Planning Framework (2015) would be relevant and 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 quiet informal recreational use; or
 4. Enable the sustainable development of rural areas.
- 6.5 Furthermore, this policy requires that development be of a scale that is appropriate to its countryside character and location and should not lead either individually or cumulatively 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 area.
- 6.6 Paragraph 83 of the NPPF states that planning decisions should enable: the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure development which respect the character of the countryside; and the retention and development of accessible local services and community facilities.
- 6.7 Paragraph 84 of the NPPF continues that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land,

and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

- 6.8 The Framework does not impose a blanket restriction on development outside defined settlements. The site is located in close proximity to existing dwellings and is not isolated and so the countryside location does not conflict with paragraph 79 of the Framework. Thus, whilst the site is outside the settlement boundary, this in itself does not mean that the site is in an unsustainable location. The site is located only a short distance (a 4 minute walk) from Henfield Village centre that provides day-to-day amenities including Public Houses, a Post Office and shops. The site has excellent connections with the Public Rights of Way for walking and cycling- contributing to the promotion of healthy lifestyles and a limited dependency on private motor vehicles once in the area.
- 6.9 As the proposed development would contribute to the sustainable development of this rural area, through the patronage for the local shops/ public houses and taxi firms, and provide for a facility which there is an identified need for, as set out in the Councils Tourism study 2016- and as the modest scale of the development would not be expected to have a significant increase in the overall level of activity in the countryside, there is considered to be no harmful conflict with Policy 26 of the HDPF. This is different to the previously refused schemes on the site, where the proposal included the demolition of the existing outbuildings and the erection of a 4 bed dwelling, that was considered to be an overdevelopment of the site, and inappropriate on this countryside location.
- 6.10 The Council aims to take a pro-active stance to encourage local tourism within the District and the proposal would make a modest contribution toward the provision of visitor accommodation within the District. There is likely to be a demand for this type of accommodation in this location. One of the recommendations of the Councils Visitor Study is to improve the provision of high quality and small holiday lodges. The proximity of the site to the footpath network may create a demand for the accommodation from tourists and the location in the South of the District would appeal to visitors of the South Downs National Park. The Hotel and Visitor Accommodation Study 2016 specifically identified opportunities for additional holiday lodges and cottages, particularly those along the South Downs Way that the South Downs National Park may not be able to provide. It is considered that the proposal would align with Policy 11, subject to an appropriate condition to restrict holiday-use only.
- 6.11 In policy terms it is considered that the principle of the proposal can be supported. The accommodation would make use of existing buildings, providing for quiet informal recreational use while enabling a low-key form of sustainable development of the rural area. The site is very well located for access to the Downs Link, South Downs National Park and Henfield village and the shops and pubs that it has to offer. The nature of the conversion works and proposed use coupled with the scale of the accommodation would not be expected to result in a significant increase in the level of activity in the countryside. The site has established vehicular access and ample parking area. For the reasons outlined the proposal is considered to accord with Policies 7, 10, 11 and 26 of the HDPF.

Design and Appearance

- 6.12 HDPF policy 25 requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation. Policy 32 of the HDPF requires new development to 'Complement locally distinctive characters and heritage of the district' and '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.

- 6.13 Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.14 The proposal would involve the retention and conversion of the two barns and the demolition of the store building. A section of each of the barns is proposed to be removed and the volume of these and the demolished store re-located to form a link between the two main structures linking the main living and sleeping areas. The existing barns are single storey and of timber construction with shallow pitched roofs (4.6 metres to the ridge) formed of red/brown corrugated metal. The horizontal timber weatherboard cladding will be replaced and extended to cover the existing exposed masonry, to match the existing, and new timber framed windows and doors will be inserted to all elevations. This will include new bi-fold doors to the western elevation and timber-framed casement windows.
- 6.15 In 2018 an application for the demolition of the outbuildings and the erection of a 4 bedroomed dwelling was refused, and later dismissed at appeal. This proposal was not seen to be essential to the countryside location (reason for refusal 1) and suburban in character and form leading to further urbanisation of the site to the detriment of the semi-rural nature of the countryside location (reason for refusal 2). It is considered that this proposal overcomes both of these reasons firstly because this holiday-let proposal is considered to constitute sustainable development that will provide for quiet informal recreational use, and there is a need for this type of accommodation in the District, and secondly because this proposal provides a sympathetic conversion of two existing outbuildings rather than the erection of an 'out of character' new dwelling.
- 6.16 There is not considered to be a resulting change in character arising from the conversion of the barns and any associated use as a holiday let. The existing barns would remain visible in terms of the public realm, as there is a public Right of Way which runs to the north and east of the site boundary. However, the proposal would result in only minor changes to the exterior of the building that would improve their appearance, none of which would significantly alter the relationship between the building and wider surroundings. On this basis there is no conflict with the above policies, including draft policy 12 of the Henfield Neighbourhood Plan.
- 6.17 This proposal is not considered to be 'overdevelopment' of the site. The proposed alterations are considered to be minimal additions to the structure as it currently appears. The building therefore retains its existing relationship to the host dwelling and other buildings, resulting in limited interventions in the wider rural landscape. It is suggested that the landscaping and parking details should be subject to an appropriate condition in the event of approval being granted.

Impact on neighbour amenity

- 6.18 Policy 33 of the HDPF (2015) states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.19 The two nearest properties to the proposed holiday let, excluding the host dwelling, would be 'Rushmead Nursery', 'Five Oaks' and 'Pinelands'. Rushmead Nursery is approximately 15 metres from the entrance to the proposed holiday let, Pinelands is situated approximately 40 metres from the rear of Barn 1, and Five Oaks is around 36 metres from the site boundary. The proposed holiday use would therefore be sufficiently distanced from neighbouring

properties, so as to not lead to any adverse impact on amenities, and is not considered to result in overlooking, loss of light or loss of privacy to the neighbouring properties.

- 6.20 The impact arising from a transient nature of 'resident' for brief periods during the year, would not adversely impact on the neighbouring amenities, again, owing to the siting and distances involved. It is noted that the site would remain linked to the host dwelling, and this can be secured through condition, which would ensure that there is on-site management for maintenance and change-over times between guests. There can also be a planning condition in relation to external lighting. It is noted that no objection has been received from any of the nearest property, and Pinelands have commented that they support this application and see the proposal as an improvement to the existing.

Highways Impact

- 6.21 Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 9 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds if there would be an unacceptable impact on highway safety grounds, or the residual cumulative impacts on the road network would be severe'.
- 6.22 This application seeks to utilise the existing access into the site with the area of hardstanding used for turning and parking. It is considered that the proposed parking area would provide sufficient parking for the holiday let, and use of the existing access is not considered to result in harm to the function or safety of the highway network. A condition is recommended requiring the applicant to submit further layout details in relation to car and cycle parking.
- 6.23 Concern has been raised by some Henfield residents over the narrow nature of the road. However this change of use is not considered to generate a high trip rate and would not be anticipated to largely increase the existing trip generation of the site. The Local Highways Authority is satisfied that the holiday let would not have an unacceptable impact on the operation of the highways network or generate any highways safety concerns. The proposal is therefore considered to be in accordance with the requirements of Policy 40 of the HDPF.

Climate Change

- 6.24 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions mitigate the impact of development on climate change. The proposed development includes the following measures to address climate change:
- Sustainable thermal insulation techniques
 - Direct and natural lighting and ventilation to all rooms
 - Provision of refuse and recycling
 - Immediate access to pedestrian and cycle links
- 6.25 In addition to these measures conditions are attached to secure the following:
- Water consumption limited to 110litres per person per day
 - Refuse and recycling storage
 - Biodiversity enhancement
 - Cycle parking facilities

6.26 Subject to these conditions the application will suitably mitigate its impact on climate change in accordance with local and national policy.

Conclusions

6.27 In conclusion, the proposal has been considered within the context of the NPPF and the presumption in favour of sustainable development, and against Local Policies set out within the Horsham District Planning Framework (2015).

6.28 The proposed conversion and linking of the two barns to provide a 3-bed holiday let is considered to provide for quiet and informal recreation that allows and promotes recreation in and enjoyment of the countryside. The holiday let will bring tourists to an area well served by public footpaths and with easy access to nearby Henfield, where a small economic benefit will be felt. The existing buildings are considered to be of a scale that would be appropriate for conversion, with the small additions to achieve an appropriate layout, and of an appearance that would relate sympathetically to the rural landscape character of the area. The proposal is not considered to raise any material effect on the amenities of neighbouring properties, or to the host dwelling Rushmead House, which would be conveniently located next door to provide the servicing needs of the holiday let. In this instance, approval is recommended subject to the conditions set out.

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	200.5	203.6	3.1
		Total Gain	0
		Total Demolition	24.5

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

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

7. RECOMMENDATIONS

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

Conditions:

1 Plans list

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

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

3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

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

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

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

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

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body 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).

6 **Pre-Occupation Condition:** The development shall not be brought into use until details of all hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority, including forecourt layout and surfacing materials, new boundary fencing and gate details, and external lighting. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

- 8 **Pre-Occupation Condition:** Prior to the first occupation of the holiday let hereby permitted, the parking, turning and access facilities necessary to serve the holiday let shall have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

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

- 9 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The holiday let shall not be occupied until the approved cycle parking facilities have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

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

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

- 11 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on drawing no. B-PR02 received 16 April 2020 unless detail of alternative materials have been submitted to and approved in writing by the Local Planning Authority prior to external works commencing.

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

- 12 **Regulatory Condition:** The residential accommodation hereby permitted shall, when occupied as holiday accommodation be managed in accordance with the following:
i) The accommodation shall be occupied for holiday and short-term let purposes only;
ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
iv) The accommodation shall at all times be managed and supervised by Rushmead House;
v) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

- 13 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, D or E of Part 1 of Schedule 2 of the Order shall take place to the holiday let accommodation hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to preserve the historic character of the site in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015).

- 14 **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).

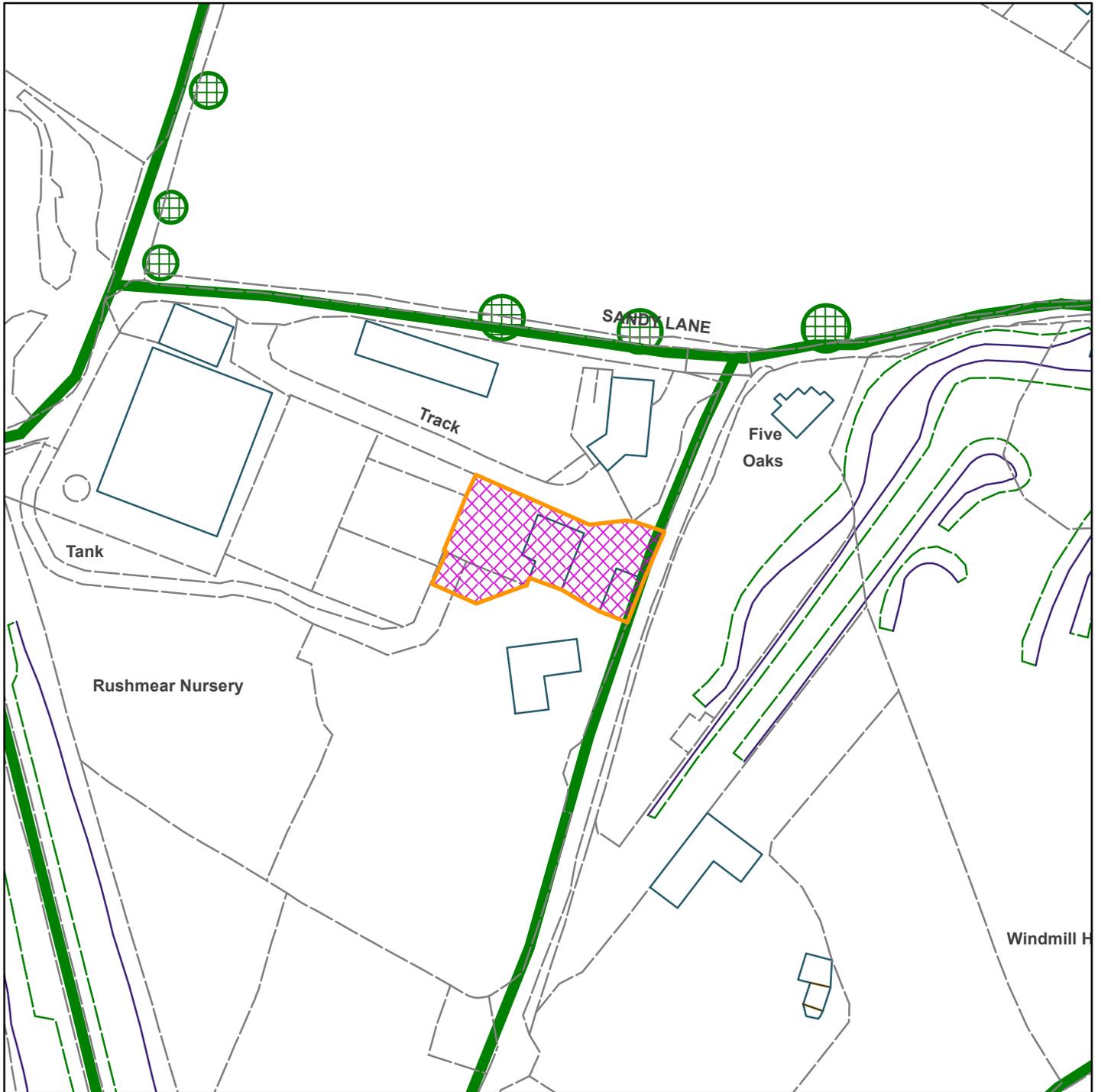
Background Papers: DC/20/0743

10) DC/20/0743



Horsham District Council

Rushmeare House, Sandy Lane, Henfield



Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/07/2020
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South
BY: Head of Development
DATE: 21 July 2020
DEVELOPMENT: Change of use of land to provide 2.No traveller pitches including ancillary accommodation and car parking
SITE: Fryern Park Farm Fryern Park Fryern Road Storrington Pulborough West Sussex RH20 4FF
WARD: Storrington and Washington
APPLICATION: DC/20/0600
APPLICANT: **Name:** C/O Agent **Address:** Horsham RH13 6EQ

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

RECOMMENDATION: To grant permission subject to conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks consent for the siting of two permanent Gypsy pitches, along with the creation of two timber-clad dayrooms, hard standing areas for vehicles and provision of parking for 2no touring caravans. Parking is to be located directly adjacent to the recently permitted vehicular entrance along the southern side of the site, with new screening and landscaping elements proposed.

1.3 The mobile home pitches are indicated as measuring approximately 8.66m in width and 3.66m in depth and would be set some 3m off the boundaries of the site. The associated dayrooms would each measure approximately 9m in width and 4.5m in depth with a dual-pitch roof design and an overall height of approximately 3.6m. The proposed day rooms would be clad in dark-stained timber boarding with a reconstituted slate roof. Internally, the dayrooms would each provide a lobby area, bathroom, laundry room, and open plan day room / kitchen, with windows to three sides. The dayrooms would each be sited to the northern and southern ends of the site respectively.

DESCRIPTION OF THE SITE

1.4 The application site is a narrow strip of land, located on the western side of Fryern Park Road, Storrington, that runs alongside the northern edge of a lane that is a designated Public Right of Way (PROW) (Footpath No.2647), and which provides access to a number of

residential properties and land holdings which appear to have dominant equine usages. The immediately adjacent land pattern is one of sub-divided fields to form fenced paddocks. The lane itself is defined in this area by a high and dense hedge to both sides. The site is not located within any Environment Agency Flood Risk Zones (Flood Zone 1)

- 1.5 The site falls within an area designated as a 'green gap' between the settlements of Storrington and West Chiltington. The green gap status has, recently, been endorsed in the Storrington, Sullington & Washington Neighbourhood Plan 2018-2031, 'made' in September 2019. The surrounding landscape is characterised by a series of small-scale enclosures with horse-related activity dominating the immediate vicinity. Much of the land within the immediate vicinity of the site is sub-divided into paddocks, with scattered buildings and limited long-views due to the hedging.
- 1.6 The site itself measures approximately 41m in width and 15m in depth. The site is accessed via an existing access point from the access lane to the south. The land immediately to the north of the application site is formed of an equestrian use where planning permission has been granted for a stables building, hay barn, manure store and sandschool under planning references DC/16/1659, DC/12/1660, and DC/19/1069 respectively.
- 1.7 In addition, planning permission has been granted on appeal for 2no Gypsy and Traveller pitches immediately to the west of the application site, under planning reference DC/18/2084. These pitches have not yet been built.
- 1.8 The submitted land ownership declaration indicates that the applicant owns the adjacent site (stable development to the north) as well as the wider pasture / paddock land to the east up to Fryern Road.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations

Policy 22 - Gypsy and Traveller Sites

Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 40 - Sustainable Transport
 Policy 41 - Parking
 Policy 42 - Strategic Policy: Inclusive Communities

2.4 Supplementary Planning Guidance/Documents:
 Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) - Preferred Strategy

Horsham District Council Gypsy and Traveller Accommodation Assessment Final Report January 2020 (GTAA)

2.5 RELEVANT NEIGHBOURHOOD PLAN
 Status – The Storrington, Sullington & Washington Neighbourhood Plan 2018-2031 was 'made' in September 2019.

Policy 8: Countryside Protection
 Policy 9: Green Gaps

2.6 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1659	Proposed erection of replacement 4 bay stable and hay barn for the rehabilitation of race horses	Application Permitted on 24.10.2016
DISC/15/0376	Discharge of condition 4 on DC/12/1660	Application Permitted on 01.03.2016
DC/15/1982	Erection of 6 bay stable and hay barn, along with sand school for the rehabilitation of injured race horses	Application Refused on 19.02.2016
DC/15/1088	Repair and improvement of existing track	Application Refused on 16.07.2015
DC/13/2118	Replacement of existing fire damaged stables with a five bay stable block with tack room and WC.	Withdrawn Application on 18.09.2014
DC/13/1006	Construction of five bay stable block with tackroom and WC, storage barn and sand school	Withdrawn Application on 19.08.2013
DC/12/1660	Proposed manure store	Application Permitted on 08.11.2012
DC/18/2084	Proposed change of use of land to accommodate two traveller pitches including ancillary accommodation and parking.	Application Permitted on Appeal on 04.11.2019
DC/19/1069	Creation/Reinstatement of access, laying of hardstanding and construction of a sand school to be used for the recuperation of race horses (Part Retrospective).	Application Permitted on 18.11.2019

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Strategic and Community Planning**: No objection
Verbal Comments. No objections raised given the current need and lack of 5-year supply for Gypsy, Traveller and Travelling Showpeople accommodation.
- 3.3 **HDC Environmental Health**: No Objection.
Conditions suggested if application was to be approved.
- 3.4 **HDC Arboricultural Officer**: Comments to be reported at committee

OUTSIDE AGENCIES

- 3.4 **Southern Water**: No objection
- 3.5 **WSCC Highways**: No objection
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. Conditions suggested relating to parking and cycle storage.

PUBLIC CONSULTATIONS

- 3.6 **Storrington & Sullington Parish Council**: Objection
- The site falls within the protected green gap between Storrington and West Chiltington and should be resisted.
 - The proposals are considered to be contrary to the HDPF and Neighbourhood Plan.
 - The proposal would not be visually attractive or sympathetic to the local area.
 - Concerns regarding expansion to become a full gypsy encampment, linking up with a further three pitches at Oldfield Stables
 - Continual breaches of planning control on site
 - Site was previously a greenfield site
 - Previous application DC/18/2084, included a condition which restricted site to only 2no pitches.
- 3.7 A total of 4 letters of objection have been received for this application. The letters of objection can be summarised as follows:
- Green Gap, development should be resisted
 - Highways and issues regarding access
 - Issues with regards to drainage
 - Noise disturbance and Loss of privacy
 - Detrimental effects on the character of the area

3.8 A total of 6no letters of support have been received for this application. The nature of the supporting letters can be summarised as follows:

- No impact on uses of Public Right of Way (PROW)
- Suitable location for the proposals

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

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

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

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

6. PLANNING ASSESSMENTS

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

Background:

6.2 It is noted that planning permission has been granted on appeal for two Gypsy and Traveller pitches immediately to the west of the application site, under planning reference DC/18/2084. This application, which directly abuts the current application site and would share the same access, was initially refused by the planning committee for the following two reasons –

1 *The development, by reason of its siting, design and cumulative impact, would result in a detrimental impact on this countryside setting and results in coalescence between Storrington and West Chiltington. The proposal is therefore contrary to policies 25, 26 & 27 of the Horsham District Planning Framework (2015).*

2 *The development fails to provide a safe and convenient public access to the site contrary to policy 40 of the Horsham District Planning Framework (2015).*

6.3 This decision was appealed and subsequently allowed by the Planning Inspectorate, who stated in their decision that –

“...while the site is located within the designated green gap where development should be resisted, I find that the nature and scale of the proposal would not have a significant harmful visual effect on the character and appearance of the surrounding area or result in unacceptable degree of coalescence” and;

“...I find that the site would be suitable for the proposed development as it would provide safe and convenient public access.”

6.4 In addition to the above, the Planning Inspector concluded that –

“...the substantial unmet need for Gypsy and Traveller sites in the area carries significant weight as does the fact that there is a lack of a five-year supply of specific deliverable sites and the lack of available, suitable and affordable alternative accommodation for Gypsies and Travellers in the District. These factors combined are enough to outweigh any localised visual effect of the proposed development on the character and appearance of the countryside in this case.”

- 6.5 The presence of this extant planning permission on the immediate adjacent land is a material planning consideration in the determination of this current application.

Principle of Development:

- 6.2 The revised NPPF seeks to foster 'sustainable development' which includes a social objective, in seeking to ensure that sufficient number and range of homes can be provided to meet the needs of present and future generations. In considering the provision of rural housing, the NPPF advises that decisions should reflect local needs.
- 6.3 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites. At paragraph 23, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. Also, paragraph 24 of the Planning Policy Guidance requires Local Planning Authorities to consider the existing level of local provision and need for sites, along with the availability (or lack) of alternative sites for the applicants, and other personal circumstances of the applicant. It is noted at Paragraph 27 of this document that if a local planning authority cannot demonstrate an up-to-date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.4 In terms of local planning policy, Policy 21 of the HDPF: 'Gypsy and Traveller Site Allocations' makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017 in order to fulfil the backlog of unmet need identified through the Council's current Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2013). The policy confirms that Horsham District Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Site Allocations DPD. This sets out a pitch requirement for 60 gypsy pitches over a ten year period (up to 2027), and a 15 year requirement for 78 pitches. The 10 year requirement, which is essential, includes a backlog of 40 gypsy pitches, a need for 1 pitch in years 1-5 (2017-2022) and a requirement for a further 19 pitches between 2022-2027. However, it is currently acknowledged that a number of sites allocated through Policy 21 of the HDPF did not come forward.
- 6.5 On the basis of the above, a supply of 60 pitches over the 10-year plan period (up to 2027) could not be demonstrated, and HDC is unable to demonstrate a 5-year supply of Gypsy and Traveller pitches. As the Site Allocations document could not be progressed to Examination by the Planning Inspectorate, it carries very little weight. This is a significant consideration in terms of the determination of this planning application.
- 6.6 This position was also confirmed by the Planning Inspector in their consideration of the appeal at the adjacent site, under planning reference DC/18/2084, who stated that – *“...the substantial unmet need for Gypsy and Traveller sites in the area carries significant weight as does the fact that there is a lack of a five-year supply of specific deliverable sites and the lack of available, suitable and affordable alternative accommodation for Gypsies and Travellers in the District.”*
- 6.7 In view of the position as set out above, it was therefore decided in 2018 to update the Gypsy and Traveller Needs Assessment, so that a new Gypsy and Traveller policy could be produced as part of the local plan review with new allocations to meet the current identified need. The Horsham District Council Gypsy and Traveller Accommodation Assessment Final Report January 2020 (GTAA) has now been published.
- 6.8 The primary objective of the GTAA is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Horsham District.

The updated GTAA report identifies that there is an increased need for Gypsy and Traveller Sites, above that found in the needs assessment previously published and relied on by the Council. The GTAA provides an updated evidence base to inform the implementation of Local Plan Policies and, where appropriate, the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2019 to 2036. The outcomes of this study supersede the outcomes of any previous GTAAs for Horsham District.

- 6.9 The key findings of the GTAA report identify that there is a need for 93 pitches over the Local Plan period (2019-36) for households that met the planning definition, an increase from the need of 39 pitches previously identified. The identified need as set out within the GTAA is considered to weigh in favour of the Planning Policy for Traveller Sites (PPTS) in August 2015, and therefore carries significant weight in the consideration of this application.
- 6.10 Policy 23 of the HDPF has previously been found by Inspectors to be consistent with the amended NPPF which recognises in paragraph 78 that sustainable development in rural areas can be promoted where its location would maintain or enhance the vitality of rural communities, while Chapter 9 sets out that the planning system should 'actively manage patterns of growth', recognising that opportunities to maximise sustainable transport will vary between urban and rural areas.
- 6.11 Policy 23 also sets out a list of criteria for applications for use for Gypsies, Travellers, and Travelling Showpeople on non-allocated sites. The criteria set out within the Policy is as follows:
- a. There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable;*
 - b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;*
 - c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;*
 - d. The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services;*
 - e. The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.*
- 6.12 As stated above, the site is not located within an Environment Agency defined Flood Risk Zone and no objections have been raised by Southern Water in this regard. Notwithstanding the above, full details of the means of foul and surface water drainage would be secured and controlled by a suitable condition. The land within the site is considered to be flat and stable following assessment of this during a case officer site visit. It is noted that the above matters were not raised as concerns by the Planning Inspector in their consideration of the appeal allowed at the adjacent site under planning reference DC/18/2084.
- 6.13 Given the presence of existing neighbouring residential development directly adjoining and adjacent to the site, it is considered that there are no constraints with regards to the site being served by essential services such as water and electricity. The plans submitted with the application also indicate that there would be sufficient space for parking and turning on site with appropriate outdoor areas maintained.

- 6.14 A key criteria in the consideration of this application is its relationship with the existing established settlement of Storrington and services. The site is located approximately 145m outside of the defined built-up boundary of Storrington. There is a bus stop approximately 150 metres away from the site. The site is located approximately 600m from Storrington First School, and some 850m away from medical facilities and local shops.
- 6.15 The village of Storrington is provided with a good range of shops, local amenities, including a library and post office. HDPF policy 3 considers Storrington to be a Small Town / Larger Village' with a good range of services and facilities, community networks and local employment provision, which provide for day-to-day needs.
- 6.16 While future occupiers are likely to rely upon private mode of transportation to meet some of their needs, local facilities are a short drive away. In terms of the PPTS, this site would be suitable for the kind and scale of development proposed given its urban fringe location. Future occupants would be within a reasonable range of local services and community facilities. The development would be appropriate and in scale to the existing transport infrastructure including public transport. Further, the site would be integrated with the wider network of routes, including PROW and cycle paths. The above matters detailed within Paragraphs 6.12 – 6.14 were also considered to be acceptable by the Planning Inspector in their consideration of the appeal allowed under planning reference DC/18/2084.
- 6.17 In this instance, whilst it is recognised that the proposal lies outside of the BUAB of Storrington, where new residential development would ordinarily be resisted, the proposal would be well-sited and of a modest scale, with no adverse visual harm to the site or the wider countryside and landscape character. Therefore, whilst outside the built-up-area, the site is considered to be in a sustainable location with good links to the village of Storrington. The scheme is considered appropriate and the proposal would help address an unmet need for gypsy pitches in the district.
- 6.18 Overall it is considered that the principle of the development in this location would be acceptable and the proposed development would adhere to the criteria set out within the NPPF and HDPF Policy 23.

Design, Appearance & Landscape Impact

- 6.19 NPPF para 127 (2018) requires development to function well and add to the overall quality of the area, to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and be sympathetic to local character, including the surrounding built environment and landscape setting.
- 6.20 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.21 Criterion (e) of Policy 23 of the HDPF states that development proposals for gypsy and traveller accommodation should not have an unacceptable impact on the character and appearance of the landscape and should be sensitively designed to mitigate any impact on its surroundings.
- 6.22 It is noted that the application site lies in a countryside location, but the site has a very enclosed character by virtue of the hedging and boundary treatments. This defines the local field patterns which have evolved from pasture lands to the more prevailing horse paddocks that characterise this particular area on the northern fringes of Storrington, and within Fryern Park.

- 6.23 The Storrington, Sullington & Washington Neighbourhood Plan identifies this area north of the village as a 'Green Gap', and a 'Countryside protection view' (policies 8 and 9). In the examination of the plan, the Planning Inspector noted that the policies are not intended to rule out any development of the area, merely to seek to protect identified views and to limit coalescence between Storrington and West Chiltington.
- 6.24 Taking the local and national planning policies into account, it is considered that the landscape in this area has undergone a shift from agriculture to a more equine purpose over the last 20 or so years, but that older and more established field boundaries remain in place and create a small patchwork pattern of fields. Within these, the application site nestles in and is screened on all sides by well-maintained evergreen hedging, particularly to the south and west.
- 6.25 Notwithstanding the above, it is acknowledged that the tops of caravans are likely to be visible from the adjacent public footpath which, incidentally, is well-used and when approaching the site via the access road, the development would be apparent. Nonetheless, the impact on these views would be localised given the existence of boundary treatments and there would be some further opportunity for soft landscaping, which would be secured via a suitable condition. The impact of the caravans on leisure walkers and horse riders or cyclists is likely to be limited to a short section of the path, due to the limited scale of the development and the location of the site. Passers-by would be aware of the development's existence, but it is considered that the site would be seen in the context of existing buildings and equine-related activities, and not within the wider landscape.
- 6.26 Similar to the adjacent appeal site, the application site would represent a small area of land adjacent to the footpath, with longer range views, particularly with regards to the open fields to the north, curtailed by the equestrian uses and boundary treatments. There is a wide and extensive swathe of open countryside between the two settlements. In long and medium views from public footpaths that traverse the locality, the caravans and utility buildings would not have a significant visual impact. This is because the structures would be seen against the backdrop of the paddock, the verdant nature of the boundaries and nearby buildings.
- 6.27 Taking into account and considering the location, positioning and setting of the site, together with the layout of the caravans, utility buildings and the area's topography, the development would not represent an unacceptable encroachment into the countryside and would not represent a significant erosion of the green gap, or lead to any significant coalescence between Storrington and West Chiltington. It is considered that there would be no significant reduction in the openness and break between settlements and the development would not erode the sense of leaving one place and arriving at another due to the wide corridor between the two settlements and the location of the site.
- 6.28 Visually, it is considered that the proposal would result in a limited physical impact on the wider character and openness of the rural area, owing to the location, scale and external appearance of the proposals, with appropriate materials to be utilised for the proposed day rooms. Therefore, there would be no adverse visual harm to the site or the wider countryside setting arising as a result of the limited physical development on the site, which would be screened on all sides by fencing and existing hedging, and additional planting. Development on this plot of land would not adversely affect wider landscape qualities that prevail in this location, nor would the proposal affect high quality, versatile agricultural land or a green and open space that contributes to recreational purposes.
- 6.29 As noted at Paragraph 1.8, the Planning Inspector, during their analysis of the adjoining appeal proposals allowed under planning reference DC/18/2084, considered that the nature and scale of the development would not have a significant harmful visual effect on the character and appearance of the surrounding area or result in unacceptable degree of coalescence. Given the nature and small scale of the development proposed within the

application site, it is considered that the same considerations and conclusions would be application in this instance.

- 6.30 Overall, it is considered that the proposals would be in accordance with the main aims and objectives of Policies 23, 25, 26, 27, 32 and 33 of the HDPF and Policies 8 and 9 of the Neighbourhood Plan

Impact on neighbouring amenity:

- 6.31 HDPF Policies 23 and 33 of the HDPF requires consideration be had to the resulting amenities of neighbouring occupiers of nearby land and property, for example, through overlooking or noise.
- 6.32 The site is some 70m off the nearest corner of the residential plot at Fryern Park House to the east, which fronts onto the lane. As a result of the distances of separation involved, and the intervening landscape and built features, it is not considered that the scheme as proposed, would have an adverse impact on the privacy or amenity of the occupiers of the neighbouring residential properties, and there would be no issues of overshadowing, overbearing or overlooking from the proposals.
- 6.33 It is also noted that the proposals would maintain appropriate distances to the locations of the pitches approved under appeal reference DC/18/2084 at the adjacent site to the west. Overall, it is not considered that the scheme would contribute to any harmful impact on the privacy or amenity of the occupiers of the neighbouring residential property, or users of adjoining land.

Highways & Parking Considerations and Implications

- 6.34 As detailed above, criterion (b) of Policy 23 of the HDPF requires that sites for gypsy and traveller accommodation are served by a safe and convenient vehicular and pedestrian access, and that proposals should not result in significant hazard to other road users. This is supported by policies 40 and 41 of the HDPF which require, amongst other matters, safe and suitable vehicular access and adequate parking facilities. Paragraph 109 of the NPPF sets out that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 6.35 The proposals would be served by an existing access and the provision of 3no parking spaces. WSCC Highways have raised no objections to the proposals and have stated that the proposed use would not have a severe impact on the operation of the highway network. In addition, as part of the consideration of the access under a previous application, WSCC Highways were happy with the achievable visibility splays onto the access road. There are considered to be no reasons to take a different position to the Highway Authority and the proposed access arrangements would therefore be acceptable.
- 6.36 In terms of proposed parking levels at the property, the development would provide for parking and turning space within the property for at least three vehicles. This level of provision and on-site arrangement is considered sufficient to cater for the needs of the development, subject to an appropriate condition. Whilst the site would not be served by a dedicated pedestrian pavement, it is served by an existing PROW which is readily and extensively used and which leads directly into the built up are of Storrington. Overall, it is considered that the proposed use of the site would accord with the relevant section of Policies 23, 40 and 41 of the HDPF.
- 6.37 In addition to the above, it is noted that the access and parking arrangements were considered to be acceptable to the Planning Inspector in their consideration of the appeal scheme at the adjacent site, under appeal reference DC/18/2084.

Other Considerations

6.38 It is noted that a number of objections have been received with regards to the allowed appeal decision, reference DC/18/2084, at the adjacent site to the west, with regards to the condition imposed by the Planning Inspector in relation to the number of pitches permitted on that particular site. Condition 8 of the Planning Inspector's decision, issued on the 03 September 2019, is worded as follows –

8) *There shall be no more than 2 pitches on the site and on the pitches hereby approved no more than 2 caravans on each of the two pitches (as defined by the Caravan Sites and Control of Development Act 1960 as amended and the Caravan Sites Act 1968 as amended) shall be stationed at any time, of which only 1 caravan shall be a static caravan.*

3.39 This restriction only relates to the appeal application site only, as defined by the red line on the site location plan. It defines only the quantum of pitches permitted on the appeal site and no more, for the avoidance of doubt. It does not, and cannot, extend to restrict development on adjacent land outside the red line, even though that land is under the same ownership. Accordingly the presence of this condition has no material bearing on the acceptability or otherwise of further pitches on adjacent land. In the event permission is granted on this current application, the same condition would be applied to ensure no more than two pitches are provided on the application site.

Conclusions:

6.40 It is acknowledged that the Council cannot currently meet the identified unmet gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF. This position has been confirmed by the Horsham District Council Gypsy and Traveller Accommodation Assessment Final Report, produced in January 2020, which highlights a need for 93 pitches within the District to 2036.

6.41 The site's location within the countryside but nearly adjacent to the BUAB of Storrington, along with the provision of a PROW network linking through to the centre of the village, have been taken into account, along with the likely additional increase in vehicular movements to/from the site.

6.42 Although the site would be located in what is designated as a rural area, it is closely linked to the established development pattern in the vicinity, including the stables and equine holdings adjacent to the site, and which prevail in the local area, and the recently permitted stable yard immediately adjoining the northern boundary of the application site. It is therefore considered that the amount of resulting development would not dominate the wider pattern of development in this area, lead to harm to the rural character and nature of the locality, or indeed adversely impinge on the countryside protection views and green gap identified in the 'made' Neighbourhood Plan.

6.43 Overall, it is considered that there would be a benefit of providing further gypsy/traveller accommodation within the District, which would go some way to off-set the identified shortage of sites. Given this clear lack 5-year supply and the combination of the factors detailed above are considered to be enough to outweigh any localised visual effect of the proposed development on the character and appearance of the countryside in this case. It is also noted that this areas was considered appropriately for this type of development by the Planning Inspectorate in their consideration of the appeal scheme under planning reference DC/18/2084. The proposal is therefore considered to be in line with local and national planning policies and recommend for approval.

7. RECOMMENDATIONS

7.1 That planning permission be granted subject to the following conditions:-

1 **Approved Plans**

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

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

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

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

- 4 **Pre-Commencement Condition:** Prior to the commencement of development a plan detailing all trees and planting to be retained on and adjacent to the site shall have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no trees or hedges shown to be retained 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.

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

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

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting sizes densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting
- Ecological enhancement measures

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

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

- 6 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the car parking spaces, turning and access necessary to serve it shall be constructed and made available for use in accordance with approved site/block plan, drawing number MBP/1103/5 - Plan 5, received 23 March 2020. The car parking spaces, turning and access shall thereafter be retained in accordance with the agreed details and made available for use as such.

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

- 7 **Pre-occupation Condition:** No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The cycle storage shall thereafter be retained at all times for its designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with Policy 40 and 41 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, provision for the storage of refuse/recycling shall be made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

- 9 **Pre-Occupation Condition:** Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

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

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

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

- 11 **Regulatory Condition:** There shall be no more than two (2) pitches on the site (as indicated within the red line area) with no more than one (1) mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time. There shall be no more than two (2) touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

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

- 12 **Regulatory Condition:** The two (2) utility/day rooms hereby permitted, as shown on the submitted drawings (within the indicated red line site area), shall only be used for purposes ancillary to the use of the land at Fryern Park Farm pursuant to this application as a Gypsy and Traveller site as defined in Annex 1 of the Planning Policy for Traveller Sites (Department of Communities and Local Government 2015), or any subsequent amendments and shall not be used as separate units of accommodation (including overnight accommodation).

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

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

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

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

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

Background Papers: DC/20/0600

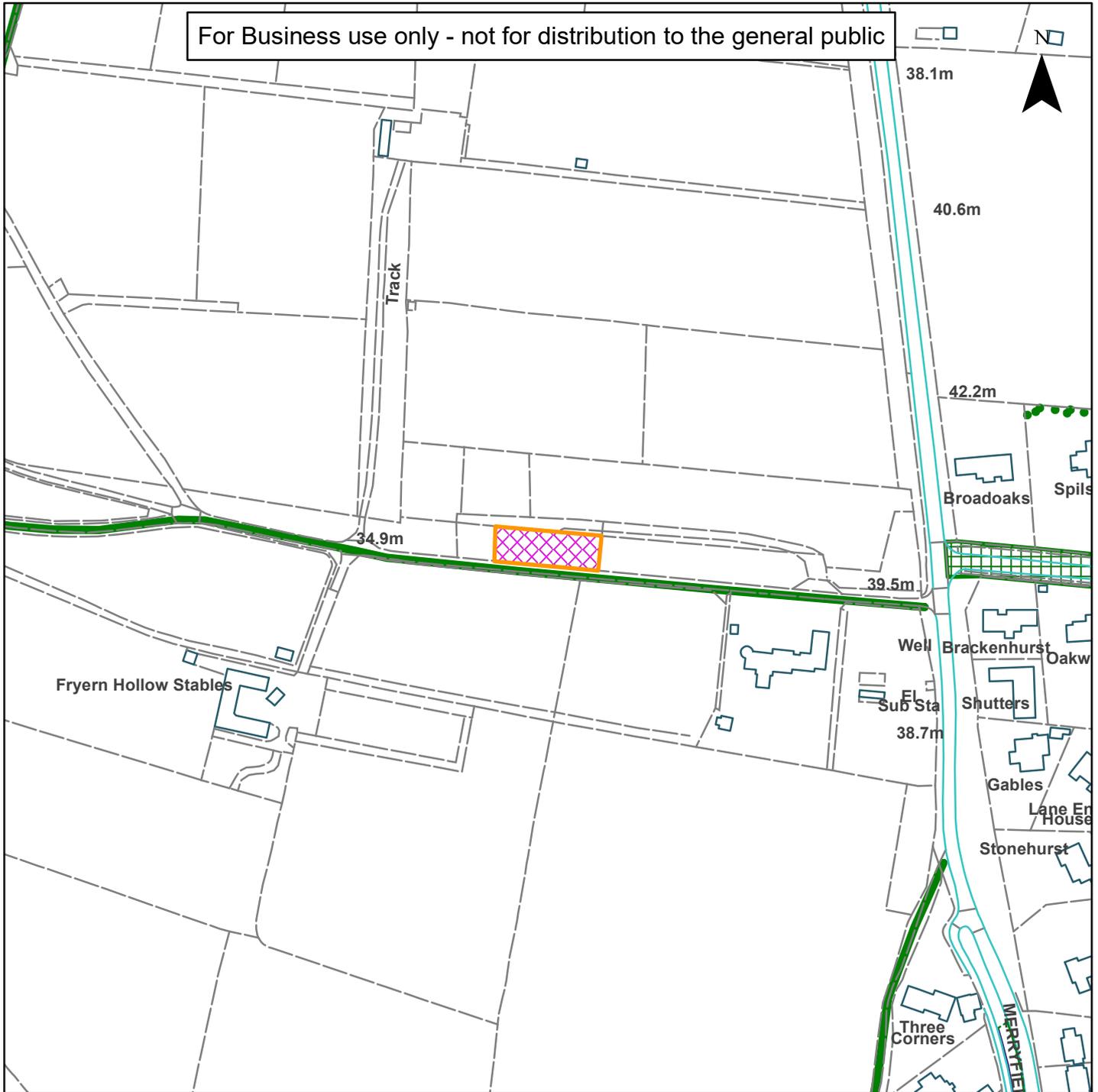
11) DC/20/0600



**Horsham
District
Council**

Fryern Park, Fryern Road, Storrington

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Organisation	Horsham District Council
Department	
Comments	
Date	09/07/2020
SA Number	100023865

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Agenda Item 12

Report to	Planning Committee
Date	21.07.2020
By	Director of Planning
Local Authority	Horsham District Council
Application Number	SDNP/20/01620/FUL
Applicant	Fairfax Designs Ltd
Application	Re-cladding of the walls of existing corrugated steel building with timber cladding
Address	The Old Mechanics Church Lane Coldwaltham RH20 1LW

Recommendation: That the application be **Approved** subject to the conditions set out in paragraph 10 of this report.

I Site Description

This application relates to a small timber-framed structure sited 25m west of the dwelling of 'Woodlands' (formerly Laramie). The structure is open-sided to the north and features a large opening to the south. The building is otherwise clad with corrugated metal cladding with translucent sections and windows positioned within its northern and southern elevations.

The building is located at the westernmost extent of a shared private way with the dwelling of Woodlands and several dwellings to the west and north-west, that connects to the publicly maintained highway at Church Lane to the front of St James' School. Timber closeboard fencing has recently been provided to the adjacent south and east of the building,

The site is located to the north of the defined settlement boundary of Coldwaltham, as such, constitutes a countryside location in planning policy terms. The site, however, is an edge-of-settlement location possessing a semi-rural character distinct from the open and undeveloped character of land to the north and west.

The site falls within the South Downs National Park, the corresponding International Dark Skies Reserve and a designated archaeological notification area. Right of way 2446/1 runs beyond the southern extent of the site within a small gully. The site is not affected by any statutory or non-statutory environmental or biodiversity designation.

2 Proposal

Planning permission is sought for replacement cladding to the building, in the form of timber feather-edge cladding, together with timber 'barn style' doors to existing openings.

The proposal would not result in any material enlargement or extension to the building. Planning permission is not sought in respect of a material change of use of the building.

3 Relevant Planning History

SDNP/19/04741/HOUS	Re-cladding of the walls of existing corrugated steel building with timber cladding	Application Approved 12.12.2019
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Planning permission for physical alterations of an identical nature to those currently proposed was previously granted pursuant to ref: SDNP/19/04741/HOUS.

As explained in the submitted planning statement this previous application was erroneously submitted as a householder proposal, and determined subject to 'non-severance' conditions in accordance with the Authority's spatial strategy and strategy for the retention of small and medium sized homes. (Policies SD5, SD25 and SD31 of the South Downs Local Plan (2019)).

The submitted planning statement, further, contends that the building subject of this application remains in independent BI(c) (light industrial) use and that the previous determination is an unfortunate consequence of the mistakenly submitted application type and information available to the Local Planning Authority at the time of determination.

Planning permission, therefore, is sought for the previously approved external alterations, though, under a full planning application unrelated to the domestic occupation of Woodlands (formerly Laramie).

4 Consultations

Coldwaltham Parish Council: Objection:-

“Coldwaltham Parish Council share the concerns about this application that neighbours of the property have expressed. Whatever may have been the original use category of the property, neighbours have argued that the actual use has not for a long time been industrial. As Coldwaltham and in particular the nearby village school have developed over the years, industrial use has become ever less appropriate for a site at the end of a narrow no-through lane, serving both the Church and the school. We therefore believe that the planning approval already given should stand unmodified, permitting the timber cladding but as a residential outbuilding only.”

5 Representations

9 letters of representation from 8 different addresses were received in connection with the proposal. 8 letters were received in objection to the proposal and a single letter received that neither sought to object to or support the proposal.

Material comments raised in objection to the proposal can be summarised as:-

- The proposal seeks to overturn an earlier approval and turn the shack from residential to commercial use, with greater implications for the local area;
- Application requires more information before it can be seriously considered;

- Site access, passing St James' School and St Giles' Church is narrow and often impassable at school drop off/pick up times and during weddings;
- Concerns regarding increase in traffic movements and impacts upon the safety of highway users;
- Concerns regarding the adequacy of Church Lane for heavy traffic;
- Existing site access inaccurately marked on submitted plans;
- A change of use would prove totally inappropriate;
- Version of events presented within the submitted planning statement and application form are inaccurate;
- Slow worms viewed adjacent at neighbouring Roseview circa April 2020;
- Increased noise and dust disturbance to neighbouring occupiers arising from commercial use;
- Surrounding land hosts variety of wildlife that could be disturbed by a BI(c) use;
- No evidence of industrial use in recent decades, and any such use would have now lapsed;

Material comments raised in support of the proposal can be summarised as:-

- The proposals to re-clad the walls of the dilapidated shack are good;
- Building undoubtedly requires renovation;
- To re-clad and use as storage would be acceptable;
- Structure is in dire need of renovation and is an eyesore, replacement wood-cladding would appear to be a good move;

6 Planning Policy Context

S.38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the South Downs Local Plan 2014-2033 (2019), and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF), updated February 2019. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

South Downs Local Plan (2019);

The following development plan policies are relevant to this application:

- SD1: Sustainable Development
- SD2: Ecosystem Services
- SD4: Landscape Character
- SD5: Design
- SD8: Dark Night Skies
- SD9: Biodiversity and Geodiversity
- SD16: Archaeology
- SD25: Development Strategy

8 Planning Assessment

Physical Alterations:

Policy SD4 of the South Downs Local Plan (SDLP) (2019) provides that development will only be permitted that conserves and enhances landscape character through the retention and enhancement of existing landscape features, positive design, layout and scale that reinforces distinctive landscape characteristics and the evolution of the landscape and by safeguarding the amenity and experiential qualities of the landscape

Policy SD5 of the SDLP (2019) requires a landscape led approach to design, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of an area. Development *inter alia*, will be required to complement landscape character, contribute to local distinctiveness and incorporate architectural design appropriate to its setting in terms of height, massing, density, roof form, vernacular and relevant detailing.

Policy SD5, further, requires development to have regard to avoiding harmful impacts upon surrounding uses and the amenities of surrounding occupiers.

The existing building is in a dilapidated condition, with the building as a whole overall deemed to possess a utilitarian character of no architectural or aesthetic merit as primarily derived from the buildings form and use of industrial materials. It is considered, therefore, that the appearance of the existing building is detrimental to the visual amenities of its surroundings and to the semi-rural character of its immediate setting.

The proposed material palette of timber cladding and doors would be considered more appropriate to the semi-rural character of this setting than the metal sheeting proposed to be replaced. The provision of new doors and replacement cladding, furthermore, would address the dilapidated condition of the existing building, with the works overall considered of benefit to the appearance of the building and its surroundings.

The provision of doors to openings within the eastern and western elevations of the building would not be considered harmful to a sense of openness, or to detrimentally influence an appreciation of the more rural qualities of land beyond the site to the north and west from right of way 2446/1.

The proposed physical alterations would not effect a change in relationship with neighbouring occupiers, or be considered to materially detract from the receipt of natural light to neighbouring occupiers at Woodlands and Roseview.

Overall, therefore, it is considered that the visual impact of the proposed works is acceptable and that the proposal would not harmfully impact upon the amenities of nearby occupiers in compliance with policies SD4 and SD5 of the South Downs Local Plan (2019).

The proposed adaptations would not necessitate extensive groundworks beyond the built-footprint of the existing building, as such, would not be considered detrimental to the integrity of local archaeological remains or to unacceptably impact on protected species and habitats in compliance with policies SD9 and SD16 of the South Downs Local Plan (2019). In any instance it is noted that the extent of physical alterations sought are identical to those that were permitted pursuant to ref: SDNP/19/04741/HOUS and the impact of development in relation to policies SD9 and SD16 is no greater than that previously consented and remains extant, accordingly, the extant permission attracts significant material weight in these regards.

Use of the Building:

It is recognised that that the submitted planning statement advances that the building remains an independent planning unit in BI(c) use at, and prior to, the date of submission.

It is, further, acknowledged that several representations, and the response of the Parish Council, have sought to refute the accuracy of the asserted version of events presented with the applicants planning statement, and in relation to the acceptability of a BI(c) use in this location. Comments regarding the impacts of development on highway safety and operation, the amenities of nearby occupiers, and wildlife are specifically noted.

Planning permission, however, is sought solely in respect of works of operational development (building operations), with the proposal not seeking to effect a material change of use as defined under S.55 of the Town and Country Planning Act 1990. Furthermore, this application is not made pursuant to S.191 of the Town and Country Planning Act 1990, and does not seek a determination from the Local Planning Authority as to the lawfulness of the buildings asserted use.

These matters, therefore, are considered to fall beyond the scope of the permission sought and are not material to this determination. Given the ambiguity in the building's current and preceding use, as highlighted by the representations received, the applicant is strongly advised to submit an application for a certificate of lawfulness under S.191 of the Town and Country Planning Act 1990 in order to establish the lawful use of the building. If a BI(c) use cannot be established to persist, through the course of an application for a certificate of lawfulness, planning permission for a material change of use would prove necessary. Any such a planning application would be consulted on and determined on its own merits with reference to the relevant policies of the development plan.

Other Matters:

It is noted that this application is not accompanied by an ecosystem services report setting out how the proposal would positively contribute to the delivery of ecosystem services in accordance with policy SD2 of the SDLP (2019).

It is, however, considered that the detrimental impact of the proposed development on the ability of the environment to contribute goods and services would be negligible in this instance given the modest scale of development and intended use of natural resources (timber). As policy SD2 does require some form of positive delivery, however, it is considered that a condition requiring details of intended measures designed to secure an overall positive ecosystem services gain is necessary and as featured on the preceding permission. Subject to such a condition the proposal would be deemed compliant with policy SD2 of the SDLP (2019).

A condition restricting the provision of external lighting/floodlighting is further necessary in order to control the impact of such development on the intrinsic quality of the International Dark Skies Reserve in accordance with policy SD8 of the SDLP (2019).

9 Conclusion

The proposed physical alterations are considered an improvement to the dilapidated and unsympathetic condition of the existing building and in accordance with policies SD4 and SD5 of the South Downs Local Plan (2019).

While concerns regarding the use of the building, and the legitimacy of an ongoing BI(c) use are noted, these matters are considered to fall beyond the scope of the permission sought and would not warrant a reasonable refusal of planning permission.

It is considered that, subject to the recommended conditions, the proposal is compliant with all relevant policies of the development plan and is recommended for approval accordingly.

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

3. **Commencement (Slab Level) Condition:** No works above ground floor slab level shall take place until a schedule and details of measures designed to secure a positive ecosystem services gain have been submitted to and approved by the Local Planning Authority in writing. Such measures shall then be implemented in accordance with the approved details and be maintained as such thereafter.

Reason: To secure an overall positive impact on the ability of the natural environment to contribute goods and services in accordance with Policy SD2 of the Draft South Downs Local Plan (2019)

4. **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those prescribed within section 7 of the submitted application form.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy SD5 of the South Downs Local Plan (2019).

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

Reason: To preserve the intrinsic quality of the International Dark Sky Reserve in accordance with policy SD8 of the South Downs Local Plan (2019).

11. **Crime and Disorder Implications**

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

12. **Human Rights Implications**

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

13. **Equality Act 2010**

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

14. **Proactive Working**

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

Contact Officer: Giles Holbrook
Tel: 01403 215436
email: Giles.Holbrook@horsham.gov.uk

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

Appendix I

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location and Block	001	A	24.04.2020	Approved
Plans - Site	002	A	24.04.2020	Approved
Plans - Existing Building	003	A	24.04.2020	Approved
Plans -	004	A	24.04.2020	Approved
Plans -	005	A	24.04.2020	Approved
Plans -	006		24.04.2020	Approved
Reports - Design and Access Statement	NONE		24.04.2020	Approved
Reports - Noise Impact Assessment	NONE		24.04.2020	Approved

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

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12) SDNP/20/01620/FUL



**Horsham
District
Council**

The Old Mechanics, Church Lane, Coldwaltham

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	09/07/2020
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21st July 2020

DEVELOPMENT: Conversion of existing single storey industrial workshop to 2No. bedroom dwelling with associated landscaping, parking and drainage.

SITE: Oakdene Blackgate Lane Pulborough West Sussex RH20 1DG

WARD: Pulborough, Coldwaltham and Amberley

APPLICATION: DC/20/0699

APPLICANT: **Name:** Mr and Mrs Willett **Address:** Oakdene Blackgate Lane
Pulborough West Sussex RH20 1DG

REASON FOR INCLUSION ON THE AGENDA: The recommendation of the Head of Development would represent a departure to the development plan

By request of Councillor Clarke

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the conversion of a workshop building to form a single storey two-bedroom dwelling, together with associated operational development.
- 1.2 This application follows a previous grant of prior approval under Class PA, Part 3, Schedule 2 of the General Permitted Development (England) Order 2015 (ref: DC/18/0741) allowing for the conversion of the workshop building to a two-bedroom dwelling.
- 1.3 This previous grant of prior approval does not allow for physical alterations (in accordance with the provisions of Class PA), accordingly, permission is now sought for several adaptations to render the building suitable for residential occupation and to improve its appearance.
- 1.4 The proposed alterations include the provision of windows and doors, the provision of a replacement slate roof and the replacement of existing profiled sheeting with a brick skin plinth and cedar cladding above.

- 1.5 The proposed dwelling would benefit from a small external amenity space to its front, together with a gravelled parking area off the existing site access. Bin and cycle stores are indicated to be provided at the south-eastern extent of the site.

DESCRIPTION OF THE SITE

- 1.6 The application site occupies an approximate area of 150m² to the south-west of Blackgate Lane. The site is accessed by means of private way off Blackgate Lane that additionally serves a small number of gypsy pitches to the south-west of the site.
- 1.7 The existing building comprises of blockwork with green-tinted profiled sheeting above to walls and roof. By virtue of its modest size, colour palette and degree of separation to Blackgate Lane the building does not prominently feature within the street scene, and is partly screened by adjacent mature trees to the east and north.
- 1.8 The application site is located beyond the defined built-up area of Pulborough, and therefore, constitutes a countryside location in planning policy terms. The site is, however, found within a small cluster of residential development on Blackgate Lane, both in the form of market housing and gypsy pitches. The site is not affected by any statutory or non-statutory heritage, landscape, environmental or biodiversity designations.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 9 - Employment Development
- Policy 10 - Rural Economic Development
- Policy 15 - Strategic Policy: Housing Provision
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 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

NEIGHBOURHOOD PLAN

There is no made or emerging neighbourhood plan in this area.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DISC/19/0042	Approval of details reserved by condition 1 on DC/18/0741	Application Permitted on 17.02.2020
DC/18/0741	Prior notification for a proposed change of use from light industrial use (Class B1) to residential dwelling(s) (Class C3)	Prior Approval Required and PERMITTED on 23.05.2018
DC/17/2217	Prior notification for a proposed change of use from light industrial use to residential dwelling	Prior Approval Required and REFUSED on 24.11.2017

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

WSCC – Highways: No objection

- 3.2 Following the receipt of amended plans clarifying intended parking/turning arrangements for the proposed dwelling the Local Highways Authority responded to raise no objection to the proposal. The proposal was noted to comply with LHA parking standards in terms of proposed parking capacity, with the proposal not considered to result in an unacceptable or severe impact on highway operation/safety.

Southern Water: No objection

Pulborough Parish Council: Objection

- 3.3 The Parish Council sought to object to the proposal due to confusion arising as to whether the proposed dwelling was single or two bedroom.

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 Policies 2, 3 and 4 of the Horsham District Planning Framework (HDPF) (2015) provide for the overarching spatial strategy and hierarchy approach of the development plan. These policies seek to concentrate development within existing built-up areas, and advocate a planned approach to settlement growth in order to satisfy identified needs.
- 6.2 Policy 26 of the HDPF (2015) provides that development beyond a defined built-up area boundary will be permitted where essential to a countryside location and related to the needs of agricultural/forestry, minerals extraction or waste disposal, providing for quiet recreational use or for the sustainable development of rural areas. Policy 26, further, provides that development must not result in a significant intensification of activity in the countryside on an individual or cumulative basis.
- 6.3 Policy 15 of the HDPF (2015) outlines housing provision within the development plan, highlighting the provision for *inter alia* 750 windfall units across the plan period.
- 6.4 The proposal would provide a market dwelling beyond a defined built-up area and not on an allocated site. This would represent a form of development contrary to HDPF Policy 4 and not deemed essential to a countryside location or related to any of the defined criteria set out under HDPF policy 26. Therefore, in accordance with the above policies, the proposal would conflict with the established development strategy of the development plan. Furthermore, no information has been submitted to demonstrate that the current B1c use of the building is no longer viable, contrary to HDPF policy 9.
- 6.5 It is, however, significant that the proposal benefits from a 'fall-back' position in the form of prior approval granted pursuant to ref: DC/18/0741 allowing for the conversion of the existing workshop under the provisions of Class PA of Part 3 of the General Permitted Development Order 2015 to a two-bedroom dwelling.
- 6.6 This preceding permission remains extant until 23 May 2021 and establishes the principle of conversion to residential use. Accordingly, while the proposal would result in conflict with the overarching strategy advocated by policies 2, 3, 4, 9 and 26, the degree of conflict would be no greater than that which could be implemented in the alternative in line with the extant prior approval.
- 6.7 As development under Class PA does not allow for physical adaptations it is not unexpected that a subsequent application for planning permission is made for the necessary adaptations to residential use, as in this instance.
- 6.8 Overall, therefore, it is considered that there are compelling material circumstances, in the form of an extent prior approval, that establish the principle of development, notwithstanding the acknowledged conflict with HDPF policies 2, 3, 4, 9 and 26.

Character, Design and Appearance:

- 6.9 Policies 32 and 33 of the HDPF (2015) stipulate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, orientation, views, character, materials and space between buildings.
- 6.10 Policies 25 and 26 of the HDPF (2015) seeks to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features

identified as being of landscape importance, individual settlement characteristics and settlement separation.

- 6.11 The existing building is deemed to possess limited architectural or aesthetic merit by virtue of its form and utilitarian character. While the siting and colour palette of the existing building does ensure that this does not prominently feature on Blackgate Lane, the building does not positively contribute to its setting and is not deemed worthy of preservation on an individual basis.
- 6.12 As detailed on the submitted plans the proposal would maintain the modest 57sqm footprint of the existing building, with the external brick skin and cedar cladding provided to the exterior of the existing blockwork or in replacement of existing profiled sheeting. A new gabled dual-pitched roof, of an increased pitch, would be introduced to the structure raising the overall height of the building by ~35cm to 4.15m. Existing eave heights (at 3.3m) would be maintained, however.
- 6.13 The proposed alterations would substantially retain the form and proportions of the existing building and would result in a modestly dimensioned dwelling that would not be considered unduly prominent or domineering within public views on Blackgate Lane given the ~30m degree of removal from the public highway.
- 6.14 The proposed remodelling of the structure would reinforce a more domestic character, especially given the introduction of windows and doors, though, an enhanced degree of domesticity is expected to a conversion with the proposed material palette overall deemed sympathetic to a rural setting.
- 6.15 The immediate setting of the building would be enhanced through the introduction of garden areas to the sides and front of the dwelling, and through the introduction of hedging behind post-rail fencing in replacement of existing hardstand areas.
- 6.16 The proposed conversion and landscaping proposals would not be considered of a nature or scale that would detrimentally influence local landscape character or a public appreciation of this.
- 6.17 It is, therefore, considered that the proposal is compliant with HDPF policies 25, 26, 32 and 33.

Amenity:

- 6.18 Policy 32 of the HDPF *inter alia* provides that high quality, inclusive design for development will be required, with development expected to provide an attractive, functional, accessible, safe and adaptable environment.
- 6.19 Policy 33 of the HDPF *inter alia* provides that development will be required to ensure a design that avoids unacceptable harm to the occupiers/users of nearby property and land.
- 6.20 Paragraph 127(f) provides that planning policies and decisions should ensure that developments *inter alia* create places that are safe, inclusive and accessible, promoting health and well-being with a high standard of amenity for existing and future users.
- 6.21 The proposal would, substantially, maintain the form and proportions of the existing building, as such, would not be considered to detrimentally influence the receipt of natural of light to neighbouring occupiers at Oakdene ~13m west of the proposed dwelling.
- 6.22 The proposal does incorporate several fenestrations within its western elevation which would result in a near-direct relationship of intervisibility between future occupants and neighbouring occupiers at Oakdene. This relationship would though be mitigated by the

single storey nature of the building, its siting further to the rear of Oakdene, and through the introduction of an intervening boundary hedge including post-and rail fencing. Further details on the boundary treatments can be secured by condition to ensure suitable privacy is achieved.

Parking, Highway Safety and Operation:

- 6.23 Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.
- 6.24 Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.
- 6.25 The proposal would make use of an established highway access serving a number of gypsy pitches and the current B1(c) use. As considered by the Local Highways Authority there is no evidence that this access is operating unsafely, or would prove inadequate for the single dwelling proposed. The proposal would be deemed acceptable, therefore, in terms of highway safety and operation.
- 6.26 The proposal would provide two vehicular parking spaces to serve the proposed dwelling. These are sufficiently dimensioned to allow for the parking of two vehicles in compliance with the Manual for Streets and adopted LHA parking standards. The proposal, therefore, would be deemed compliant with HDPF policies 40 and 41.

Climate Change and Sustainability:

- 6.27 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. Appropriately worded conditions have been recommended in respect of water use, broadband connectivity, recycling facilities, cycle parking and electric vehicle charging points
- 6.28 It is considered that these conditions would reduce the use of water and energy resources, whilst promoting the sustainable re-use of materials, homeworking and travel by sustainable modes of transport. It is, therefore, considered that the proposal would suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusions:

- 6.29 This application follows the extant grant of prior approval that establishes the principle of a change of use in this instance. The proposed alterations are considered appropriate to local character and visual amenity, and would provide a modest improvement to the immediate setting of the existing building. The proposal would be considered to provide adequate vehicular parking capacity and would preserve the safety and operation of the publicly maintained highway.
- 6.30 Overall, therefore, for the reasons set out in detail in the preceding sections of this report, it is considered that there are compelling material circumstances allowing for a departure from the spatial strategy and hierarchy approach of the development plan in this instance,

with the proposal compliant with the remaining policies of the development plan when read as a whole. It is, therefore, recommended that planning permission be granted, subject to the recommended conditions.

7. RECOMMENDATIONS

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

Conditions:

1 Plans list

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

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

3 **Pre-occupation Condition:** Notwithstanding the details submitted, prior to the first occupation of the dwelling hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling hereby permitted shall not be occupied until the boundary treatments have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

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

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

5 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied until optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of that dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be retained.

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

6 **Pre-Occupation Condition:** The dwelling shall not be first occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to mitigate against the impacts of climate change in accordance with Policies 24, 37 and 41 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition:** The dwelling hereby permitted shall not be occupied unless and until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2240-11 (dated May 2020). 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).

- 8 **Pre-Occupation Condition:** Prior to the first occupation of the dwelling hereby permitted, the parking, turning and access facilities necessary to serve that dwelling shall be implemented in accordance with the approved details as shown on plan 2240-11 (dated May 2020) and shall be thereafter retained as such.

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

- 9 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with drawing number 2240-11 (dated May 2020). These facilities shall thereafter be retained for use at all times.

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

- 10 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated plan number 2240-1 A (dated May 2020) and within the application submission.

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

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

Reason: In the interest of visual amenity and to maintain sufficient external amenity space to serve the approved dwelling in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the Phase 1 Environmental Preliminary Risk Assessment (ref YE6515, dated January 2019) including the recommended protection and mitigation measures.

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

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

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any

pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

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

Reason: In the interests of visual amenity and to preserve the amenities of adjacent occupiers from light intrusion in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **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).

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13) DC/20/0699

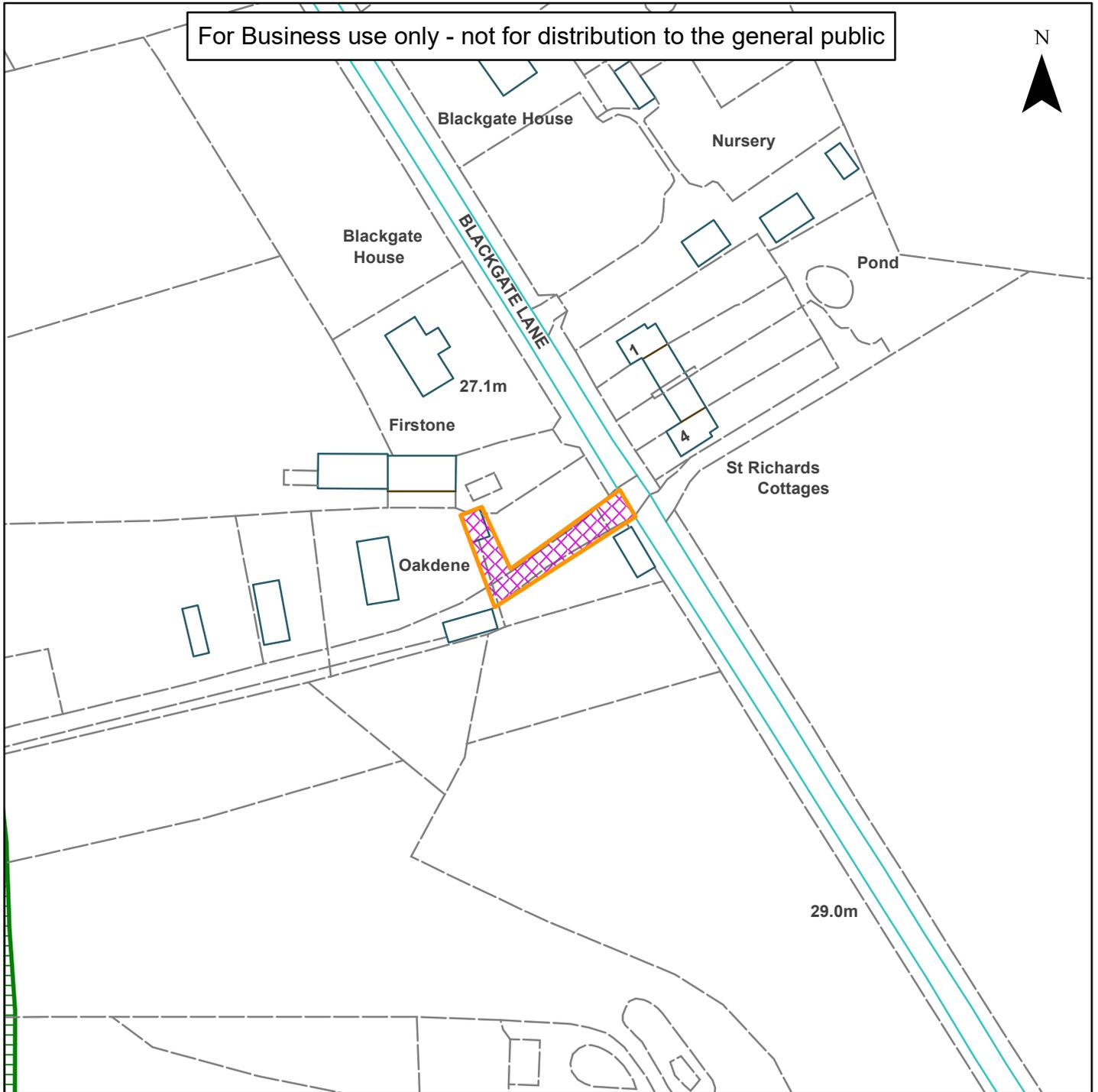


Horsham District Council

Oakdene, Blackgate Lane, Pulborough

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21st July 2020

DEVELOPMENT: Variation of conditions 1 & 3 to previously approved application DC/19/2453 (Erection of a first-floor extension over existing garage with 2no. front dormers and 2no. rear rooflights. Erection of a front porch and 2no. dormers to the principal elevation. Removal of existing first floor flat roof rear dormer with replacement mono-pitched dormer. Erection of a single storey rear extension) Relating to minor alteration to the appearance of fenestration and slight increase in the size of one window at ground floor on the rear elevation.

SITE: Chanctonbury Nyetimber Copse West Chiltington Pulborough West Sussex RH20 2NE

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/20/1024

APPLICANT: **Name:** Mr Philip Thompsett **Address:** Chanctonbury, Nyetimber Copse West Chiltington RH20 2NE

REASON FOR INCLUSION ON THE AGENDA: By request of Councillor Circus

RECOMMENDATION: To approve the amendments to planning permission DC/19/2453 subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application is made under s.73 of the Town and Country Planning Act and seeks a minor material amendments to the approved drawing numbers condition (condition 1) and materials condition (condition 3), under planning reference number DC/19/2453 to allow for alterations to the doors and windows. The alterations comprise:

- Alteration in size of the rear ground floor windows
- Amendments to the rear and side window and sliding door design
- Replacement of all brown windows and rainwater goods with white upvc

DESCRIPTION OF THE SITE

1.3 Chanctonbury is a detached two storey dwelling situated at the end of a cul-de-sac within a residential estate. The site occupies a large plot bounded by neighbours Tamarisk &

Haycourts to the west, No.12 & 14 Barkworth way separated by a track to the north and Squirrels Run & The Willows to the north east and south east respectively.

- 1.4 The site is located on the northern side of Nyetimber Copse. The existing dwelling is set back within the plot to the centre and has a spacious rear garden to the north and front drive to the south. The site is located within the Built-up area of West Chiltington Common. The area comprises a mixture of residential properties located within plots of varying size.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 **National Planning Policy Framework**

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

Policy 1 - Strategic Policy: Sustainable Development

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Under Regulation 7, the West Chiltington Neighbourhood Plan Area was designated in February 2014. The West Chiltington Neighbourhood Plan is in progress.

2.6 **PLANNING HISTORY AND RELEVANT APPLICATIONS**

DC/19/2453	Erection of a first-floor extension over existing garage with 2no. front dormers and 2no. rear rooflights. Erection of a front porch and 2no. dormers to the principal elevation. Removal of existing first floor flat roof rear dormer with replacement mono-pitched dormer. Erection of a single storey rear extension	Application Permitted on 22.04.2020
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3. OUTCOME OF CONSULTATIONS

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

None received

3.2 **Parish Council consultation:** Comment

West Chiltington parish council were unable to submit comments for the application as their committee was due to meet again on the 7th July which was after the deadline for the 26th June 2020 to submit comments. The parish council have formerly requested to present comments before the planning committee on the 21st July for consideration.

PUBLIC CONSULTATIONS

3.3 2 letters of support were received for the application. The nature of these supporting letters can be summarised as follows:

- These are minor alterations to that plan.
- The slight increase in the size of a ground floor window affects nobody.
- This property has a dated appearance due to its brown finished 1970s style window frames.
- The majority of the properties on our estate change their windows from brown to white finish.

3.4 8 Letters of Objection were received for the application. [N.B. 2 of these 8 objections were received from households not living within the district or close to the neighbouring authority boundary]. The nature of these objections can be summarised as follows:

- Detrimental impact on amenity, privacy and Noise impacts
- Overdevelopment of the site
- No consideration has been given to the privacy of the bungalows on the southern boundary nor to the east.
- The proposed development is not in accordance with Policy 33 of the Horsham District Planning Framework (2015).

MEMBER COMMENTS

3.5 Cllr Philip Circus requested that the application be called to Planning Committee South.

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 Planning permission was granted in April 2020 under reference DC/19/2453 for:

- The erection of a first-floor extension over existing the garage with 2no. front dormers and 2no. rear rooflights;
- The erection of a front porch and 2no. dormers to the principal elevation;
- Removal of existing first floor flat roof rear dormer with replacement mono-pitched dormer; and
- Erection of a single storey rear extension.

There have not been any material changes in circumstances since the planning application was originally approved and the principle of development remains acceptable.

Design and Appearance

- 6.2 Policy 32 of the HDPF requires high quality design that complements the locally distinctive character of the district and contributes a sense of place in the way they integrate with their surroundings. Policy 33 of the HDPF sets out the Council's development principles in order to conserve and enhance the natural and built environment. The policy, amongst other criteria, requires proposals to ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views and be locally distinctive in character and respect the character of the surrounding area.
- 6.3 The prevailing character of the area surrounding the application site is residential in nature; as mainly comprised of detached dwellings divided by traditional hedgerows and fencing. Nearby dwellings in proximity to the application site on Nyetimber Copse are of differing types, ages and designs, but are generally set within generous plots that maintain appropriate gaps between the site in keeping with the wider character of the area.
- 6.4 The proposed amendments to the approved scheme are considered to be modest in nature and would not seek to significantly alter the scale, form or design of the previously approved scheme. The proposed alterations are considered to be appropriate additions to the building and would not have an adverse impact on either the character of the site or wider surrounding area. As such, the proposed amendments to the approved scheme are considered to be acceptable and would be in accordance with policies 32 and 33 of the Horsham District Planning Framework.

Amenity Impacts

- 6.5 Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality. It is considered that the proposed amendments to the approved dwelling would not have a detrimental impact on neighbouring amenity beyond that of the previous approval. The amendments are therefore considered to be acceptable in this regard and accord with the aims of Policy 33 of the HDPF in this respect.

Conclusion:

- 6.6 Overall, the proposed amendments to the approved scheme are considered to be modest in nature and would not raise any concerns beyond that of the original approval. The application is therefore recommended for approval. As this application would create a new planning permission for the development it is necessary to re-impose all relevant conditions from the original consent, and these form part of the recommendation.

7. RECOMMENDATIONS

- 7.1 To approve the amendments to planning permission DC/19/2453.

Conditions:

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

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

- 3 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the Application Form and Dwg. 5648-013 REV B.

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

- 4 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no windows or other openings shall be formed in the western side elevation of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: To protect the amenities of adjoining residential properties from loss of privacy in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/19/2453

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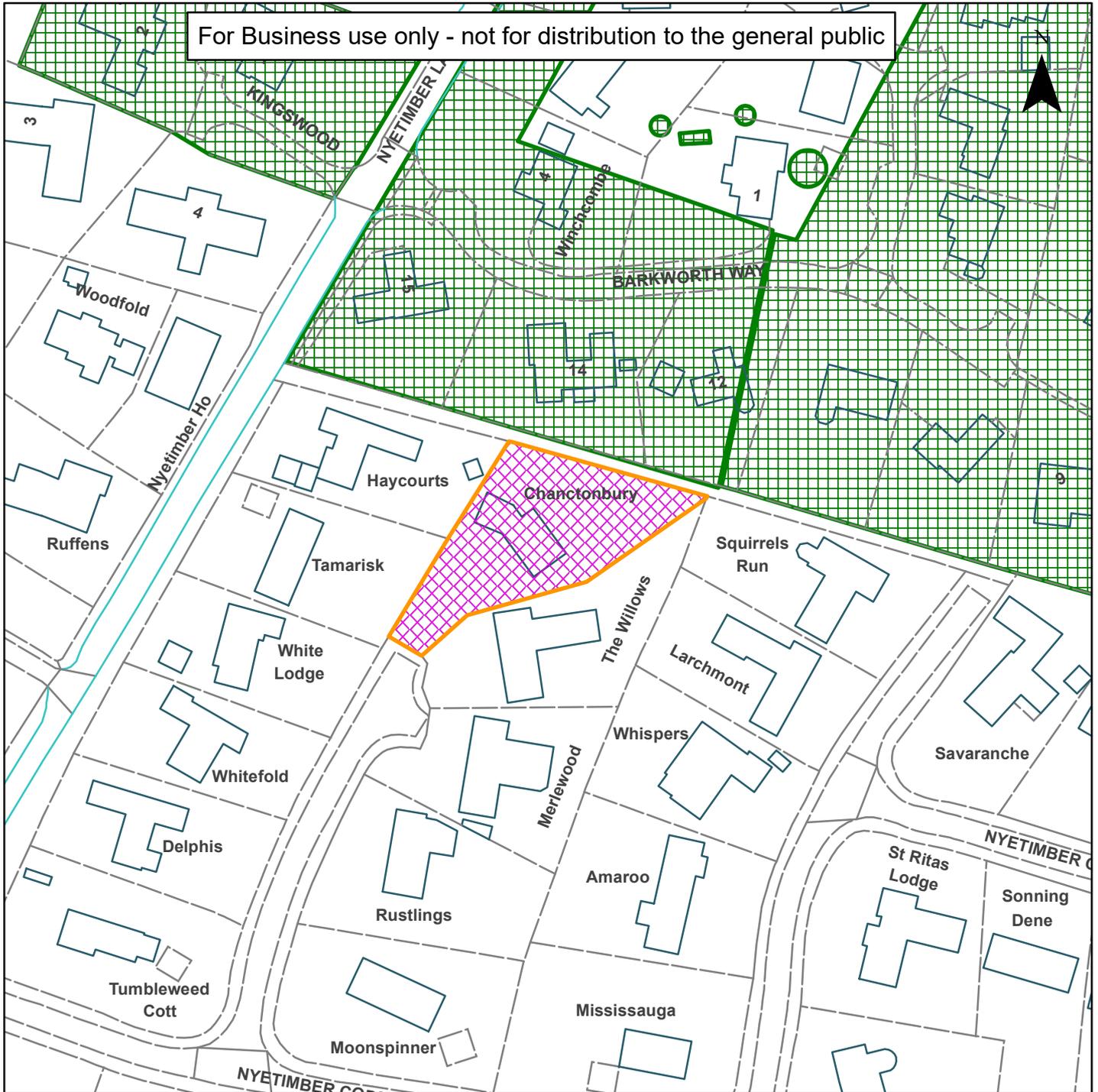
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**Horsham
District
Council**

Chanctonbury, Nyetimber Copse, West Chiltington, Pulborough

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