

Planning Committee (North)
1 MARCH 2022

Present: Councillors: Karen Burgess (Chairman), Billy Greening (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, Martin Boffey, Toni Bradnum, Peter Burgess, Christine Costin, Ruth Fletcher, Tony Hogben, Liz Kitchen, Lynn Lambert, Richard Landeryou, Gordon Lindsay, Tim Lloyd, John Milne, Colin Minto, Christian Mitchell, Louise Potter, Sam Raby, Stuart Ritchie, David Skipp, Ian Stannard, Claire Vickers, Belinda Walters and Tricia Youtan

Apologies: Councillors: Jon Olson
Absent: Councillors: Alan Britten

PCN/63 **MINUTES**

The minutes of the meeting held on 1 February were approved as a correct record and signed by the Chairman.

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

There were no declarations of interest.

PCN/65 **ANNOUNCEMENTS**

There were no announcements.

PCN/66 **APPEALS**

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

PCN/67 **DC/21/1831 SMITH AND WESTERN, 37 NORTH PARADE, HORSHAM**

The Head of Development & Building Control sought planning permission for the demolition of existing restaurant facility and erection of 20 residential apartments including landscaping, external works, parking and cycle spaces.

This application followed previous application DC/20/0614 which was refused at committee in December 2020 due to the scale, design and proposed building and no legal agreement being completed to secure the affordable housing requirement.

The development comprised seven 1- bed and 13 2-bed apartments occupying a corner plot with dual frontage to North and West Parade. The building formed

two distinct separate buildings with the overall footprint reduced from the previously refused scheme.

The Parish Council raised no objection to the scheme.

Two separate consultations periods had taken place as further information had been received. 21 letters of objections had been received (2 from 3 different households) and one letter of support.

The agent spoke in support of the application.

Members considered the consultees' responses and officer's planning assessment which included the following key issues: principle of development, design and appearance, affordable housing, impact on neighbouring amenity, highways impact, climate and water neutrality.

Members were generally in support of the application and felt the new proposal was a huge improvement on the previous refused application. They were positive that previous comments at Committee had been taken into consideration and felt the development would enhance the local area.

Some concern was raised regarding demolition and construction works affecting local residents and neighbouring properties. The Committee were advised that further requirements could be added to Condition 3 of the report under the Construction Management Plan regarding demolition and protecting the local amenity.

The Committee discussed that under the current plans provision had not been provided for non standard cycles in the cycle parking shelter. A further requirement would be added under Condition 15 to address this issue. Officers advised the Committee that the offer of £50,000 for affordable housing in lieu of the affordable housing review mechanism was appropriate in this instance.

RESOLVED

That planning application DC/21/1831 be approved subject to a legal agreement to secure the affordable housing contribution and appropriate conditions as reported to include the addition of demolition and dust prevention to Condition 3, and with Condition 15 to include reference to non-standard cycle provision as follows:

Pre-Occupation Condition: Prior to the first occupation of any part of the development hereby permitted, details of the covered cycle parking shelter for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision for non-standard cycles. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have

been fully implemented and made available for use. The provision for cycle parking shall therefore 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).

PCN/68 **DC/20/2564 WOODFORDS, SHIPLEY ROAD, SOUTHWATER**

The Head of Development & Building Control reported that this outline application sought to amend the reasons for refusal being considered under the current appeal by the Planning Inspectorate.

The outline application was for the erection of up to 73 dwellings, retention of existing farmhouse building, associated public spaces, landscaping, vehicular access, drainage and highways infrastructure works. All matters were reserved apart from access.

The application site was located to the east of Shipley Road, directly to the south of the village of Southwater, but within the Parish of Shipley.

The existing site comprised a main dwelling known as 'Woodfords' which was not listed, but thought to date back to the seventeenth century (therefore considered to be a non-designated heritage asset); and other associated but more modern buildings. The site boundaries were largely defined by mature landscaping including dense hedgerows and mature trees. All protected trees on the site would be retained.

The report had been returned to committee to consider revisions for refusal for application DC/20/2564 which was subject to current appeal by the planning inspectorate and it was recommended that:

- (a) The current reason for refusal relating to the principle of development, owing the Council's lack of five year housing land supply should be withdrawn.
- (b) A new reason for refusal relating to the adverse impact of the development on the Arun Valley SAC/SPA and Ramsar sites should be introduced as the development had not demonstrated to be water neutral.

Members noted the planning history of DC/20/2564. Both Shipley and Southwater Parish Councils objected to the application. 73 letters of objection had been received from 63 different households including a letter from CPRE Sussex. No letters of support were received.

Most Members were generally in support of the Officer recommendations.

RESOLVED

That planning application DC/20/2564 will advise the Planning Inspectorate that it will:

- (a) No longer be seeking to defend the reason for refusal no. 1 regarding the principle of development given the Council's five year housing land supply position; and
- (b) Will be defending the refusal of planning permission instead on the following grounds:
 1. Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).
 2. The proposed development had not been accompanied by a completed s106 Legal Agreement, thereby does not secure the 35% of units required to be provided as affordable housing units, the proposed footway improvements on Worthing Road and Shipley Road, or include a requirement for the provision of 4 custom / self build units. The proposal is therefore contrary to Policy 16 of the Horsham District Planning Framework (2015) as it had not been demonstrated how the affordable housing and infrastructure needs of the District would be met.

The meeting closed at 6.30 pm having commenced at 5.30 pm

CHAIRMAN