

Planning Committee (South)
15 FEBRUARY 2022

Present: Councillors: Tim Lloyd (Chairman), John Blackall, Karen Burgess, Jonathan Chowen, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Nigel Jupp, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Kate Rowbottom, Jack Saheid and Diana van der Klugt

Apologies: Councillors: Chris Brown, Josh Potts and James Wright

PCS/51 **APPOINTMENT OF VICE CHAIRMAN**

Resolved that Councillor Paul Clarke be appointed Vice Chairman for the rest of the Municipal Year.

PCS/52 **MINUTES**

The minutes of the meeting held on 25 January were approved as a correct record and signed by the Chairman.

PCS/53 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of Members' Interests.

PCS/54 **ANNOUNCEMENTS**

There were no announcements.

PCS/55 **APPEALS**

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

PCS/56 **DC/20/1697 - LAND NORTH OF THE ROSARY, CHURCH ROAD, PARTRIDGE GREEN.**

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 81 dwellings, 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 north-west of Partridge Green to the west of Church Road and north of the Rosary. The Downs Link (Bridleway 3566) marks the western boundary of the site and Church Road (B2135) marks the eastern boundary. Jolesfield and Littleworth are located to the north and north-east. All protected trees on the site would be retained.

Since the refusal of planning permission, four new material considerations had arisen relating to; water neutrality, the introduction of four custom/self build dwellings in the proposals, the West Grinstead Neighbourhood Plan and the Council's five year housing land supply position.

The report had been returned to committee to consider revisions for refusal for application DC/20/1697 which was subject to a current appeal by the planning inspectorate and it was recommended that:

- (a) The current reason for refusal relating to the principle of development, owing to the Council's lack of five year housing land supply should be withdrawn.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/20/1697. The Parish Council objected to the proposal. 22 letters of objection had been received from 19 households and two letters of support, four further letters were received from three households neither objecting or supporting the proposal.

Since the publication of the report an additional representation had been received raising concerns on heritage, landscape and impacts of safety on the northern pedestrian point. WSCC Highways had reviewed these safety concerns and concluded that the proposed pedestrian crossing was still acceptable.

Members supported the officer recommendations. It was reported that a Section 106 agreement was currently being discussed and agreed.

RESOLVED

That planning application DC/20/1697 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 has 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, nor an agreement for improvement works to PROW 1840 or a requirement for the provision of 4 custom / self build units. The proposal is therefore contrary to Policy 16 and Policy 40 of the Horsham District Planning Framework (2015) as it has not been demonstrated how the affordable housing needs of the District would be met, nor how the development can be appropriately integrated with the wider network of routes.

PCS/57 **DC/21/1375 MORALEE FARM, HAGLANDS LANE, WEST CHILTINGTON.**

The Head of Development & Building Control reported this application sought permission for the erection of a rural workers 3-bed residential dwelling and attached agricultural building used as a commercial store/sales room.

The building was located to the west of the site near to the shared boundary and immediately north of the existing access. It comprised an H shaped building and a number of pitched roof features adjoined by flat green roof.

The site of the application and wider land was currently used as an alpaca farm and small vineyard. The applicant benefitted from a temporary residential cabin where temporary planning had been approved and this would be removed as part of the current proposal. An agricultural building was located to the east of the cabin used for the established agricultural enterprise.

The wider area was characterised by sporadic residential, and agricultural development with woodland and fields. The site was located immediately adjacent to the built-up area of West Chiltington Common and Old Haglands a Grade II Listed Building located directly to the west.

The Parish Council objected to the proposal. 35 letters of support had been received from 33 households, 12 were received from households within the Horsham District and 21 from outside the District.

16 letters of objection were received from 13 separate households within Horsham District. A further 6 letters of representation were received neither supporting or objecting.

Since the publication of the report a further letter of support had been received.

The applicant spoke in support of the application. A representative from the Parish Council spoke in objection to the application citing concerns with the design and size of the proposed building and near location to the listed building.

It was noted that since the report was published the applicant had submitted amendments with some changes. Due to a lack of supporting information; it was acknowledged that a dwelling was required however a new design would be required to overcome concerns.

Members generally agreed that the current proposal was too large and although supportive of the business, concerns were raised regarding an increase in traffic on Haglands Lane. It was suggested that any further application may consider better access to the site.

Members discussed gaining greater understanding in supporting the change of agricultural use in the area to vineyards. It was suggested that specific vineyard requirements would enable clarity in the planning process and a possible policy or set of sub policies should be considered.

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

RESOLVED

That planning application DC/21/1375 be refused for the following reasons:

- 1 The proposed development due to its scale and nature has the potential to result in an intensification of activity within the countryside, with the proposal representing new-build development where it has not been demonstrated that existing buildings are not suitable for conversion. Furthermore, it has not been demonstrated that the development would result in substantial environmental improvement, nor that the development would reduce the impact on the countryside. The proposed development would therefore be contrary to Policies 10 and 26 of the Horsham District Planning Framework (2015).
- 2 The proposed development would be of a scale, extent and siting that would result in a dominant and prominent feature within the immediate context, and would be of a design and form that would appear as an awkward and intrusive addition. The proposal would fail to reflect the locally distinctive character of the wider area, and would dilute the understanding and appreciation of the setting of the nearby Grade II Listed Building. As such, the proposal would fail to protect, conserve, and enhance the key features and

characteristics of the landscape character and countryside setting, contrary to Policies 25, 26, 32, 33, and 34 of the Horsham District Planning Framework (2015).

- 3 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).

PCS/58 **DC/21/1631 LAND AT GRID REFERENCE 506411 119161 BROOMERS HILL LANE, PULBOROUGH.**

The Head of Development & Building Control reported that this application sought full planning permission for the construction of an irrigation storage reservoir to support animal drinking troughs for the agricultural holding.

The proposed reservoir would also supply water to newly planted trees and hedges. The current troughs were mains fed and the proposal aimed to switch to a new pump supply which would be more cost efficient, reliable and a greater ecological resource.

This application followed on from a previously withdrawn application DC/21/0163 which had prior approval however it was considered that the extent of the works required planning permission.

The application site was located on the eastern side of Broomers Hill Lane, situated south of Broomershill Farm and north of Brooks Rew Farm. The site currently comprised an open field pasture which was part of the overall farm holding of 20.81 hectares. The proposed reservoir would supply water to newly planted trees and hedges in the summer months and to livestock via a series of troughs in the fields that are currently mains fed.

The Parish Council raised an objection to the proposal. Seven letters of support were received and two letters of objection.

Since the report had been published, two further letters of support had been received and one more letter of objection.

The agent and applicant both spoke in support of the application.

Members were in support of the application and felt the needs of the agricultural policy had been met, the local landscape and wetland would be enhanced, there would be bio-diversity gains and the site would meet water neutrality requirements.

Members considered the consultees' responses and the officer's planning assessment which included the following key issues: principle of development; character, appearance and impact on heritage assets; impact on neighbouring amenity; ecology; water neutrality, drainage and archaeology.

RESOLVED

That planning application DC/21/1631 be granted subject to the conditions reported with an additional condition in relation to importing and exporting soil to the site.

PCS/59 **DC/21/1234 ASHLEY HOUSE, ROUNDABOUT COPSE, WEST CHILTINGTON.**

The Head of Development & Building Control reported that this application sought full planning permission subject to conditions for the erection of a detached 3-bedroom bungalow, attached garage and parking spaces.

DC/21/1234 had been considered at Committee August 2021 and a decision was made to delegate to the Head of Development and Building Control. Further consideration was required to proposed access of the site in consultation with WSCC Highways and water neutrality matters.

The application site occupied an area to the south and west of the Roundabout Copse cul-de-sac situated at the easternmost element of the garden of Ashley House. The site was within a defined built up area of West Chiltington typified by single storey and two storey dwellings of character.

Members noted the planning history of the site. Further assessments received from WSCC Highways considered that access matters were deemed to be acceptable. Water Neutrality assessments confirmed that subject to proposed measures in both existing and proposed dwellings the proposal would achieve water neutrality.

The Parish Council had objected to the proposal. Nine letters of objection had been received in connection to the application and one in support.

The Parish Council spoke in objection to the proposal.

Although further information had been provided on water neutrality, some Members still raised concerns on whether or not it could be achieved for this application.

RESOLVED

That planning application DC/21/1234 be refused for the following reason:

- 1) Insufficient information had 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 Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Policy 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).

The meeting closed at 4.09 pm having commenced at 2.30 pm

CHAIRMAN