



Development Control (South) Committee

Tuesday, 19th April, 2016 at 2.00 pm

Main Conference Room, Parkside, Chart Way, Horsham

Councillors:	Brian O'Connell (Chairman)
	David Coldwell (Vice-Chairman)
	John Blackall
	Jonathan Chowen
	Philip Circus
	Paul Clarke
	Roger Clarke
	Ray Dawe
	Brian Donnelly
	David Jenkins
	Nigel Jupp
	Liz Kitchen
	Gordon Lindsay
	Tim Lloyd
	Paul Marshall
	Mike Morgan
	Jim Sanson
	Kate Rowbottom
	Ben Staines
	Claire Vickers
	Michael Willett

You are summoned to the meeting to transact the following business

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	1 - 36
To approve as correct the minutes of the meeting held on 15 th March 2016	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
To consider the following reports of the Development Manager and to take such action thereon as may be necessary:	
5. Appeals	37 - 38
Applications for determination by Committee:	
6. DC/14/2536 - Land East of Billingshurst to North ad South of A272, East Street, Billingshurst (Ward: Billingshurst & Shipley)	39 - 52
7. DC/15/0896 - Kingslea Farm, Merringdean Road, Billingshurst	53 - 84

(Ward: Billingshurst & Shipley)

- | | | |
|-----|--|-----------|
| 8. | DC/15/2664 - Oaklands Park, Emms Lane, Brooks Green, Horsham
(Ward: Billingshurst & Shipley) | 85 - 94 |
| 9. | DC/15/2663 - Oaklands PArk, Emms Lane, Brooks Green, Horsham
(Ward: Billingshurst & Shipley) | 95 - 104 |
| 10. | DC/15/1942 - Land to the Rear of Cornerways, Pound Lane, Upper Beeding (Ward: Bramber, Upper Beeding & Woodmancote) | 105 - 116 |
| 11. | DC/16/0123 - Land West of Mill Straight, Worthing Road, Southwater
(Ward: Billingshurst & Shipley) | 117 - 124 |
| 12. | 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

DEVELOPMENT CONTROL (SOUTH) COMMITTEE 15th March 2016

Present: Councillors: Brian O'Connell (Chairman), David Coldwell (Vice-Chairman), John Blackall, Jonathan Chowen, Philip Circus, Ray Dawe, Brian Donnelly, Nigel Jupp, Liz Kitchen, Paul Marshall, Jim Sanson, Ben Staines, Claire Vickers, Michael Willett

Apologies: Councillors: Roger Clarke, Paul Clarke, David Jenkins, Gordon Lindsay, Tim Lloyd, Mike Morgan, Kate Rowbottom

DCS/108 MINUTES

The minutes of the meeting of the Committee held on 16th February 2016 were approved as a correct record and signed by the chairman.

DCS/109 INTERESTS OF MEMBERS

<u>Member</u>	<u>Item</u>	<u>Nature of Interest</u>
Councillor Ray Dawe	DC/16/0268	Personal – he knows a neighbour of the application site
Councillor Jonathan Chowen	DC/15/2586	Personal – he knows one of the objectors

DCS/110 Announcements

There were no announcements.

DCS/111 APPEALS

Appeals Lodged Written Representations/Household Appeals Service

<u>Ref No</u>	<u>Site</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>
DC/15/2005	Gallina, Gay Street Lane, North Heath, Pulborough	Refuse	Delegated
DC/15/2193	The Smithy, 9 Lower Street, Pulborough	Refuse	Delegated

Hearing

<u>Ref No</u>	<u>Site</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>
DC/14/2663	Manton Stud, Okehurst Lane, Billingshurst	Refuse	Delegated

DCS/111 Appeals (Cont.)

Inquiry

<u>Ref No</u>	<u>Site</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>
DC/15/1995	Land at Bax Close, Storrington	Refuse	Refuse
DC/14/1695	Ashington House (land South of), London Road, Ashington	Refuse	Refuse

Appeal Decisions

<u>Ref No</u>	<u>Site</u>	<u>Decision</u>	<u>Officer Recommendation</u>	<u>Committee Resolution</u>
DC/15/0916	The Buildings, Wychwood Lane, Brighton Road, Shermanbury	Dismissed	Refuse	Refuse
DC/15/0213	Arun Way, Lordings Road, Newbridge	Dismissed	Refuse	N/A
DC/142702	Barn at Heatenthorn Farm North, Henfield Road, Albourne	Allowed	Refuse	N/A
DC/15/0994	Denver Storage, Okehurst Lane, Billingshurst	Dismissed	Refuse	N/A

DCS/112 **PLANNING APPLICATION: DC/15/1886 – DEMOLITION OF THE EXISTING NURSERY BUILDINGS AND THE REDEVELOPMENT OF THE LAND FOR 77 DWELLINGS TOGETHER WITH ASSOCIATED ACCESS ROAD, CAR PARKING, LANDSCAPING AND OPEN SPACE SITE: CHANCTONBURY NURSERIES, RECTORY LANE, ASHINGTON APPLICANT: LINDEN HOMES, GUILDFORD**

The Development Manager reported that this application sought full planning permission for 77 dwellings together with associated access road, car parking, landscaping and open space. There would be 50 market housing units and 27 affordable housing units. The units would comprise 22 detached, 22 semi-detached, 13 terraced and 20 flats.

The proposed access was from Rectory Lane to the north of the site, which would be shared by two neighbouring residential properties. An area of open space was proposed at the front of the site.

The buildings would be made of a variety of materials, including brick, tile hanging and render, and be two and two and a half storeys high with pitched and hipped roofs.

There would be a total of 173 parking spaces, including 152 allocated to specific properties in a combination of parking bays and garages. A link to a footpath which crossed the eastern part of the site was also proposed.

DCS/112 Planning Application: DC/15/1886 (Cont.)

The application site was to the south of Rectory Lane and West of Meiros Way, Ashington. Its eastern boundary abutted the built-up area boundary, with the northern part of the site, including access, within the built-area of Ashington and the southern part outside the built-up area. A public right of way crossed part of the site adjacent to the northern boundary, and also adjacent to the eastern boundary where it was separated from the rest of the site by an earth bund. The dwelling Chanctonbury Lodge was to the North East, and there were two further properties beyond the footpath to the east. There was a reservoir pump house and two residential properties adjacent to the Western boundary.

Ashington Primary School recreation ground lay beyond open land and farm land to the south. There were mature trees along the eastern boundary which were covered by a Tree Preservation Order (TPO/0822). There were also mature trees along the southern and south western boundaries.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Parish Council had objected to the application. Twenty-nine letters of objection from 28 households, 20 letters of support from 19 households and businesses, and two letters of comment had been received. One member of the public and the applicant's agent both addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Since publication of the report, an addendum had been circulated to Members which updated the recommended reasons for refusal; the reason regarding the loss of employment land had been removed in the light of further discussions with the applicant and a review of submitted information.

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; loss of commercial floor space; design, character and landscape; amenities of nearby and future residents; highway impacts, access and parking; biodiversity; flood risk and drainage; impact on heritage; safety and security; infrastructure contributions; sustainable construction; and the number of representations.

Members concluded that the proposal was not consistent with the Horsham District Planning Framework and was unacceptable.

DCS/112 Planning Application: DC/15/1886 (Cont.)

RESOLVED

That planning application DC/15/1886 be determined by the Development Manager, following the expiration of the consultation period and the consideration of any comments received. The view of the Committee was the application should be refused for the following reasons:

- 01 The proposed development is located in the countryside, outside of the defined built-up area boundary of Ashington, a Medium Village, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Plan. The site is partly greenfield and the scheme does not comprise development essential to its countryside location. The scheme would not result in the sustainable development of rural areas or the District as a whole. The proposal would result in expansion of the settlement of Ashington into the open countryside and would conflict with the overarching strategy and hierarchical approach to concentrating development within the main settlements and is therefore contrary to Policy 2, Policy 4 and Policy 26 of the Horsham District Planning Framework (2015) and paragraph 7 of the National Planning Policy Framework (2012).
- 02 The proposed development does not secure the 35% of units required to be provided as affordable housing units by Policy 16; or provide for contributions towards local infrastructure improvements including open space, sport and recreation, community centres and halls, education, libraries, transport and fire and rescue services, that are necessary to make the development acceptable, as required by Policy 39. The proposal is therefore contrary to Policies 16 and 39 of the Horsham District Planning Framework (2015), as it has not been demonstrated how the affordable housing needs of the District or the infrastructure needs of the development would be met.

DCS/113 **PLANNING APPLICATION: DC/15/1547 – ERECTION OF NEW BUILD 32 BED DEMENTIA CARE HOME ON LAND TO THE REAR OF THE ANCHORAGE RESIDENTIAL HOME**
SITE: THE ANCHORAGE, COOMBELANDS LANE, PULBOROUGH
APPLICANT: MR NICK WYATT

The Development Manager reported that this application sought the erection of a 32 bedroom dementia care home with associated access, car parking, amenity areas and landscaping. The care accommodation would be on the ground floor with five ancillary staff bedrooms in the first floor roof space.

The building would have a ridge height of 5.6 metres and be of irregular shape to fit the shape of the site. The design included large windows to maximise light.

There would be a 115 metre long access track from Coombelands Lane, with a carpark for ten cars at the western end. A pedestrian route would extend beyond the track to the east to provide a link with the existing care home. Whilst a number of trees would be removed, areas of landscaped garden were proposed.

The application site was located outside the built-up area of Pulborough south west of The Anchorage care home. An area of industrial development and the station carpark was directly to the South, with the railway line beyond; Pulborough Station was 300 metres from the site.

To the north was an open field beyond which was an agricultural building eight metres from Coombelands Lane and an agricultural dwelling to the East of this. The dwellings along Coombelands Lane were set back from the carriageway and well screened.

The existing care home was a large building that has been extended at various points, with access from Coombelands Lane to the east. The site was adjacent to Church Place Conservation Area, with St Mary's Church, a Grade I Listed Building, some distance to the East. There were fields to the West beyond which was the South Downs National Park.

Details of relevant government and council policies and planning history, as contained within the report, were noted by the Committee.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Parish Council had objected to the application. Ten letters of objection from eight addresses had been received. A representative of the Parish Council spoke in objection to the application.

DCS/113 Planning Application: DC/15/1547 (Cont.)

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; its impact on the character and appearance of the South Downs National Park and landscape setting; heritage assets and archaeology; design; impact on the amenities of nearby residents; highways; ecology; and drainage and flood risk.

Members noted concerns regarding drainage issues and were assured that conditions 9 and 10 would secure an appropriate drainage strategy and means of foul and surface water sewerage disposal.

With regards to traffic concerns, it was noted that the Highway Authority had raised no objection, and visibility splays would be provided at the site access. Members discussed the potential impact of construction traffic, in particular with regards to Church Place, and it was agreed that during the determination of the application the Development Manager would liaise with West Sussex County Council to seek their confirmation that the Construction Management Plan required under Condition 5 would adequately address the routing of construction vehicles.

RESOLVED

That planning application DC/15/1547 be determined by the Development Manager in order to carry out further consultation with the Highway Authority to ensure that the Construction Management Plan adequately addresses the routing of construction vehicles. The preliminary view of the Committee was that the application should be granted.

DCS/114 **PLANNING APPLICATION: DC/15/0059 – APPLICATION FOR THE VARIATION OF CONDITION 38 OF PLANNING PERMISSION DC/13/0735 (OUTLINE APPLICATION FOR DEVELOPMENT COMPRISING THE DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES AND REDEVELOPMENT TO PROVIDE UP TO 475 RESIDENTIAL DWELLINGS, LAND TO ACCOMMODATE A NEW PRIMARY SCHOOL AND LAND TO ACCOMMODATE AN EXTENSION TO EXISTING DOCTORS' SURGERY, LAND FOR NEW DENTIST'S SURGERY AND CRECHE (FALLING WITHIN CLASS D1), WITH ASSOCIATED ACCESS AND PLAY SPACE. SUCH DEVELOPMENT TO INCLUDE PROVISION OF STRATEGIC LANDSCAPE, PROVISION OF NEW VEHICULAR, CYCLE AND PEDESTRIAN ACCESS ROUTES, ANCILLARY ENGINEERING AND OTHER OPERATIONS)**
SITE: LAND EAST OF BILLINGSHURST TO NORTH AND SOUTH OF A272, EAST STREET, BILLINGSHURST
APPLICANT: BELLWAY HOMES, DEVINE HOMES PLC AND RESIDE DEVELOPMENTS LTD

The Development Manager reminded Members that DC/15/0059 had sought variation of Condition 38 attached to DC/13/0735 for the erection of up to 475 dwellings in order to allow for a number of minor material amendments. The officers' recommendation had been agreed, subject to the completion of a legal agreement, in March 2015. The Committee had subsequently agreed the officers' recommendation for further minor material amendments to DC/13/0735 in June 2015 in order to facilitate the applicant's intended phasing of works.

Since Members had resolved to approve application DC/15/0059, subject to conditions and completion of a legal agreement, the Council had adopted the Horsham District Planning Framework. Now that the framework had been adopted it was necessary for the application to be reassessed in the light of the new policy context.

Members were referred to the previous reports which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal. Members noted that the required legal agreement had now been completed.

Members considered the application in the context of relevant policies within the HDPF and agreed that the Committee's resolution to grant permission was still appropriate.

RESOLVED

That planning application DC/15/0059 be granted subject to the following conditions:

- 01 The development hereby permitted shall be carried out in accordance with the approved plans.

DCS/114 Planning Application: DC/15/0059 (Cont.)

- 02 The first application for approval of Reserved Matters shall include full details of the proposed spine road and associated verges and landscaping, and shall be made to the Local Planning Authority before the expiration of three years from 07 March 2014.
- 03 Application for approval of Reserved Matters in relation to Strategic Infrastructure and Open Space shall be made to the Local Planning Authority prior to the submission of any application for Reserved Matters in relation to a Parcel as identified on the Framework Plan (drawing RD1340-GA-101 Rev P) and before the expiration of three years from 07 March 2014.
- 04 Applications for approval of Reserved Matters in relation to a parcel as identified on the Framework Plan (drawing RD1340-GA-101 Rev P) shall be submitted no later than seven years from 07 March 2014.
- 05 The development hereby permitted shall be begun either before the expiration of three years from 07 March 2014, or before the expiration of two years from the date of approval of the last of the Reserved Matters in relation to a parcel as identified in the Framework Plan (drawing RD1340-GA-101 Rev P), whichever is the later.
- 06 The Reserved Matters submissions for Open Space shall include full details (including, but not limited to, location of each area, type of play equipment, surfacing, planting, fencing, seating and signage for each area) of not less than two Local Areas for Equipped Play (LEAPs) for younger children, two Neighbourhood Equipped Play Areas (NEAPs) for older children (one of which is to include a multi-use space for ball games), one Youth Activity area, and a surfaced outdoor gym area with not less than ten gym equipment stations, arranged in two pods of five pieces of equipment. The LEAPs and NEAPs shall accord with the requirements set out in Appendix B of the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document SPD (2007). The Youth Activity area shall accord with the minimum size requirements for a LEAP and shall accord with the criteria for accessibility, planting and facilities and features set out in Appendix B of the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document SPD (2007).

DCS/114 Planning Application: DC/15/0059 (Cont.)

- 07 The development hereby permitted shall be carried out in accordance with the Phasing Plan reference RD1340-GA-109 Rev A received by the Council 27th October 2015 and considered under ref DISC/14/0281.
- 08 Details of the access, appearance, landscaping, layout and scale (hereinafter called 'the Reserved Matters') in relation to a parcel as identified in the Framework Plan (drawing RD1340-GA-101 Rev P) or part thereof shall be submitted to and approved in writing by the local planning authority before any development of that parcel or part thereof begins. The development shall be carried out as approved.
- 09 The plans and particulars to be submitted and approved pursuant to condition 8 in respect of landscaping for the residential development parcels as identified in the Framework Plan (drawing RD1340-GA-101 Rev P) shall be consistent with the approved Design Code and shall include details of the following:
 - i. Open Space layout and design
 - ii. Details of existing trees, hedges, shrubs and other vegetation to be retained consistent with the Landscape Parameters Plan/ Open Space Strategy (drawing RD1340-GA-102 Rev I)
 - iii. Plan that identifies the proposed corridors for underground services
 - iv. Layout, types, character, and structure of the proposed planting together with an indicative schedule of planting species
 - v. Layout and types of hard surfacing
 - vi. Existing and proposed levels for roads and footpaths, proposed contours for earthworks including those for any sustainable urban drainage features (pursuant to condition 27), and terracing for dwellings illustrated by representative cross sections
- 10 Applications for Reserved Matters for the residential parcels shall be in accordance with the densities shown on drawing number RD1340-GA-109 Rev A received by the Council 27th October 2015 and considered under ref DISC/14/0281.
- 11 Notwithstanding the approved Parameter Plan - Building Heights (drawing RD1340-GA-104 Rev E), the details of building heights in respect of the sensitive edges as shown on the development Framework Plan (drawing RD1340-GA-101 Rev P) shall be determined through the Reserved Matters submissions.

DCS/114

Planning Application: DC/15/0059 (Cont.)

- 12 Details of the access, appearance, landscaping, layout and scale (the Reserved Matters) pursuant to condition 2 and 3, in relation to the Spine Road, other Strategic Infrastructure and Open Space shall be consistent with the Design Code and Landscape, Open Space and Ecological Masterplan as defined in conditions 15 and 22 and shall include:
 - i. Details of the spine road, primary roads and roundabouts - layout, vertical and horizontal alignment illustrated by long and cross sections
 - ii. Details of all existing and proposed underground services to be shown on a single combined services plan and details of any other associated statutory undertakers infrastructure
 - iii. Lighting proposals
 - iv. Bridges and culverts, including any animal crossings
 - v. Details of existing trees, hedges, shrubs and other vegetation to be retained which shall be consistent with the approved Landscape Parameters Plan/Open Space Strategy (drawing RD1340-GA-102 Rev I)
 - vi. Layout, design and appearance of open spaces
 - vii. Layout, types, character, structure of the proposed strategic planting together with an indicative schedule of planting species
 - viii. Layout and types of hard surfacing
 - ix. Existing and proposed AOD levels and contours of any earthworks, including those for sustainable urban drainage features (pursuant to condition 27), with representative cross sections

The Strategic Infrastructure and Open Space details shall be implemented in accordance with the approved details.

- 13 Prior to the commencement of development of a parcel as identified in the Framework Plan (drawing RD1340-GA-101 Rev P) or part thereof, finished floor levels of the development in relation to a nearby datum point shall be submitted to the Local Planning Authority. Once agreed by the Local Planning Authority in writing the development shall be carried out in accordance with the approved details.
- 14 Not later than the submission of the first Reserved Matters submission, a written Heritage Asset Mitigation Strategy for the whole development site shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall

DCS/114 Planning Application: DC/15/0059 (Cont.)

include details of the intended mitigation of the impact of the development on buried archaeological Heritage Assets, including but not limited to:

- i. the Roman site;
- ii. details of proposed measures for enhancement and interpretation both of the retained heritage within the site, including Hammond's Windmill and elements of the medieval fieldscape, and of heritage assets which will largely not be retained intact; and
- iii. a timetable which phases the mitigation works in accordance with the relevant phasing of development.

Development of the Spine Road, Strategic Infrastructure and Open Space shall not commence until the details have been approved in writing by the Local Planning Authority. The strategy shall be implemented as approved.

- 15 Not later than the submission of the first Reserved Matters submissions for the Spine Road, Strategic Infrastructure and/or Open Space, a Design Code shall have been submitted to the local planning authority. The Design Code shall include:
- i. Broad character areas;
 - ii. Broad landscape and open space strategy;
 - iii. Block typologies;
 - iv. Street hierarchy and types;
 - v. Minor artefacts and structures to include type of street furniture, refuse units, lighting columns and lanterns;
 - vi. Street tree planting strategy
 - vii. Parking areas strategy
 - viii. Material and boundary palettes

Once agreed by the Local Planning Authority in writing each Reserved Matters application shall be accompanied by a Design Statement which shall explain how the proposal conforms to the approved Design Code or such revision as may be agreed in writing by the local planning authority.

- 16 No dwelling hereby permitted shall be occupied until provision for the storage of refuse/ recycling bins for that dwelling has been made within the site in accordance with details for the relevant parcel or part thereof to be submitted to and approved in writing by the Local Planning Authority.
- 17 Prior to submission of a Reserved Matters application for parcels H1, H2, H6, H7, H8c, H9, H10 and H11 or part thereof,

DCS/114 Planning Application: DC/15/0059 (Cont.)

a Noise Design Statement, demonstrating measures to be employed to minimize exposure of proposed noise-sensitive building(s) within that relevant parcel or part thereof from road traffic noise, in particular noise arising from the spine road and A272, shall be submitted to and approved in writing by the local planning authority. Each Reserved Matters application for that relevant parcel or part thereof shall be accompanied by a Noise Assessment and, where necessary, a Noise Mitigation Scheme, demonstrating compliance with the Noise Design Statement.

- 18 Prior to opening and use of the land for a Doctors' Surgery car park as shown on the Framework Plan (drawing RD1340-GA-101 Rev P) a scheme for a footway/ cycleway link between Roman Way and the site boundary shall be submitted to and approved in writing by the Local Planning Authority. The plans and particulars to be submitted for approval shall include:
- i. Existing and Proposed levels (expressed as AOD) with representative cross sections
 - ii. Plan showing existing trees, hedgerows and vegetation to be retained and to be removed together with a schedule of their location, sizes, crown spread, species and root protection areas of existing trees
 - iii. Hard surfacing materials and construction details
 - iv. Method statement/Specification for construction
 - v. Programme for implementation

Thereafter, the works shall be implemented in accordance with the approved details.

- 19 No dwelling within Parcel H6 as shown on the Framework Plan (drawing RD1340-GA-101 Rev P) shall be occupied until a scheme of improvement works along Little East Street and to footpath FP1941 between Little East Street and the site boundary has been submitted to and approved in writing by the Local Planning Authority. The plans and particulars to be submitted for approval shall include:
- i. Existing and Proposed levels (expressed as AOD) with representative cross sections
 - ii. Plan showing existing trees, hedgerows and vegetation to be retained and to be removed together with a schedule of their location, sizes, crown spread, species and root protection areas of existing trees
 - iii. Hard surfacing materials and construction details
 - iv. Method statement/Specification for construction
 - v. Programme for implementation

DCS/114 Planning Application: DC/15/0059 (Cont.)

Thereafter, the works shall be implemented in accordance with the approved details.

- 20 The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement reference SJA ams 14044-01d, dated October 2015, received by the Council on 27th October 2015 and considered by the Council under reference DISC/14/0283. Tree protective fencing as set out in the Arboricultural Method Statement shall be maintained in accordance with the approved details for the duration of the works in that parcel or phase as set out in a programme to be agreed as part of the Arboricultural Method Statement or an alternative time as may be agreed in writing by the Local Planning Authority.
- 21 No existing trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be removed as part of this permission as shown on Tree Protection Plan (drawing SJA TPP 13040-01 Rev D), shall be wilfully damaged or uprooted, felled/removed, topped or lopped until 5 years after completion of the development hereby permitted.
- 22 Not later than the submission of the Reserved Matters submissions for the Spine Road, Strategic Infrastructure and/or Open Space, a landscape, open space and ecology masterplan setting out the landscape, play space, public art, ecology and hydrology strategy for the open spaces, spine road and footway/ cycleway links shall be submitted to the local planning authority. Once agreed by the local planning authority in writing each Reserved Matters application shall be accompanied by a Design Statement which shall explain how the proposal conforms to the approved landscape, open space and ecology masterplan or such revision as may be agreed in writing by the local planning authority.
 - (i) Plans and particulars to be submitted for approval pursuant to this condition prior to the submission of the Reserved Matters application for the Spine Road shall include but not be limited to:
 - a. Location of existing trees and vegetation in accordance with Landscape Parameters Plan/ Open Space Strategy (drawing RD1340-GA-102 Rev I)
 - b. Sustainable design principles and themes for amenity, naturalistic, native species structure planting and wildflower seeding.

DCS/114 Planning Application: DC/15/0059 (Cont.)

- c. Location and extent of activity areas and associated buffer zone for each play area specified in condition 6
 - d. Indicative hard and soft landscaping for all areas not within a Parcel as shown on the approved Framework Plan (drawing RD1340-GA-101 Rev P)
- (ii) Plans and particulars to be submitted for approval pursuant to this condition prior to the submission of any Reserved Matters application for Strategic Infrastructure and Open Space shall include, but not be limited to:
- a. Key wetland, grassland, woodland and hedgerow habitat mitigation and enhancement measures
 - b. Location, design, size and appearance of open spaces and play areas, demonstrating that the areas and size of informal open spaces are in full accordance with the approved Framework Plan (drawing RD1340-GA-101 Rev P)
 - c. A detailed schedule for the play areas identifying the numbers and types of equipped play features, including natural play features to be provided associated with each.
 - d. Phasing plan for the implementation of each of the open spaces and play areas, specifying dwelling occupation triggers.
 - e. A timetable for implementation of strategic planting areas
 - f. A strategy for public art provision and implementation specifying types of public art features to be provided and indicative locations, together with the commissioning approach and the timing of its delivery
- 23 Not later than the first submission of the Reserved Matters submissions for the Strategic Infrastructure or Open Space, a Landscape, Open Space and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall set out the mechanism and strategy for the management and maintenance of the open space, play areas, public art and all landscape areas, other than those within the curtilage of private properties, including the spine road, primary and secondary roads, pedestrian and cycle routes, trees, retained and new hedgerows and shall include:
- i. Management aims and objectives of the LEMP
 - ii. Details of the parties/organisations proposed to be responsible for management and maintenance of landscaped and open space areas, providing their contact details and to include a plan identifying the areas they are responsible for.

DCS/114 Planning Application: DC/15/0059 (Cont.)

- iii. Specifications of maintenance operations and their timing for different types of soft and hard landscape
- iv. Full details of the proposed funding mechanism and strategy for the implementation of LEMP, identifying any areas proposed for adoption.

The development shall be implemented in accordance with the approved details and thereafter maintained as such.

- 24 The development hereby permitted shall be carried out in accordance with the scheme of lighting shown on drawing numbers Z501-C-100-P8, Z502-C-101-P9, Z505-C-102-P10, Z507-C-103-P9 and Z509-C-104-P8 received by the Council on 27th October 2015 and considered by the Council under reference DISC/14/0281.
- 25 Reptile mitigation and translocation shall be carried out in accordance with Ecology Solutions, Ref: 3412.Reptile.Report.vf, dated March 2014 (considered by the LPA under reference DISC/14/0029) under the supervision an Ecological Clerk of Works, unless otherwise agreed in writing by the Local Planning Authority. The final translocated numbers and species translocated to each location shall be submitted to the Local Planning Authority in writing upon completion. Each Reserved Matters application shall be accompanied by a statement demonstrating compliance with the approved strategy.
- 26 Prior to the commencement of development on the relevant parcel or part thereof an irreducible 3m buffer shall be established alongside all retained hedgerows within which no development, save for required and agreed hydrological works, shall be constructed and retained for the duration of the construction works.
- 27 The development hereby permitted shall be carried out in accordance with the details of surface water drainage set out in the submitted Flood Risk Assessment reference 131477-R1-FRA-DIA (5) and drawing numbers 2611-P3, 2612-P3, 2610-P2, 2614-P2, 2700-P2, 2701-P3, 2704-P3, 2702-P2, 502-P6, 505-P7, 500-P7, 501-P7, 2703-P2, 500-P7, 501-P7, 503-P7, 504-P7, 506-P6, 507-P6, 2613-P3, 2615-P4 and 2616-P4 received by the Council on 26th August 2015 and considered by the Council under reference DISC/14/0284. The scheme shall be fully implemented and subsequently maintained, in

DCS/114 Planning Application: DC/15/0059 (Cont.)

accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the LPA.

- 28 The attenuation ponds hereby permitted shall be constructed in accordance with the details of attenuation ponds shown on drawing numbers 2700-P2, 2701-P3, 2702-P2, 2703-P2 and 2704-P3 received by the Local Planning Authority on 26th August 2015 and considered under reference DISC/14/0284.
- 29 Prior to the commencement of development on a parcel or part thereof, details of all bridges/ box culverts over water proposed on the parcel or part thereof shall be submitted to and approved in writing by the local planning authority. Thereafter the bridges/ box culverts shall be constructed as set out in the approved scheme.
- 30 The development hereby permitted shall be carried out in accordance with the details of foul and surface water sewerage disposal shown on drawing numbers 2611-P3, 2612-P3, 2610-P2, 2614-P2, 2700-P2, 2701-P3, 2704-P3, 2702-P2, 502-P6, 505-P7, 500-P7, 501-P7, 2703-P2, 500-P7, 501-P7, 503-P7, 504-P7, 506-P6, 507-P6, 2613-P3, 2615-P4 and 2616-P4, received by the Council on 26h August 2015 and considered by the Council under reference DISC/14/0284.
- 31 As part of the Reserved Matters submission for a parcel or part thereof, details of car parking shall be submitted to the Local Planning Authority. The car parking shall be implemented prior to the occupation of the dwelling(s) it serves and retained thereafter.
- 32 The development hereby permitted shall be constructed in accordance with the Construction Environment Management Plan (CEMP) reference 4120/001/R01-P7 dated October 2015, received by the Local Planning Authority on 30th October 2015 and considered under reference DISC/14/0279. Each Reserved Matters application for a parcel or part thereof shall be accompanied by a statement demonstrating compliance with the site-wide CEMP and including the following details specific to that parcel or part thereof:
 - i. the parking of vehicles of site operatives and visitors
 - ii. location and layout of construction compounds
 - iii. loading and unloading of plant and materials

DCS/114 Planning Application: DC/15/0059 (Cont.)

- iv. storage of plant and materials used in constructing the development
- v. the location of, erection and maintenance of security hoarding with proposals for design and implementation of advance planting measures where appropriate to reduce its visual impact

The measures shall be adhered to for the duration of the construction works of the relevant phase or parcel.

- 33 No dwelling within a parcel or part thereof shall be occupied unless and until access to that parcel or part thereof from the public highway from which it is taking access (A29 Hillands roundabout or A272 East Street) has been designed, laid out and constructed in all respects in accordance with detailed plans to be submitted to and approved in writing by the Local Planning Authority.
- 34 Prior to the commencement of development on the relevant parcel or part thereof, details shall be submitted to and approved in writing by the Local Planning Authority to prevent surface water being discharged onto the public highway.
- 35 Prior to the commencement of development of the relevant parcel or part thereof, details of the layout, specification of, and construction programme for the new junctions, roads, footpaths and casual parking areas, surface water drainage associated with the highway and means of disposal shall have been submitted to and approved in writing by the Local Planning Authority.
- 36 Parcel H1 shall not be occupied until the existing access to the A29 has been stopped up and permanently removed and the area affected made good in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.
- 37 Prior to the commencement of development on the relevant parcel or part thereof, details of the provision of facilities for the parking of cycles within that parcel or part thereof shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to the occupation of the dwelling they serve and shall be thereafter retained solely for that purpose.

DCS/114 Planning Application: DC/15/0059 (Cont.)

- 38 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be report in writing immediately to the Local Planning Authority in accordance with the Discovery Strategy set out in section 8.7 of the Ground Investigation Report reference GE9719 dated June 2014. In addition, an investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared, and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.
- 39 Prior to the occupation of any dwelling, a Travel Plan shall be submitted and approved in writing by the Local Planning Authority, in consultation with WSCC, setting out details of proposed sustainable transport initiatives to encourage modal shift away from the private car.
- 40 Notwithstanding the approved details, the dentist surgery shall be located in Parcel H10 to a standard as may be agreed in writing by the Local Planning Authority through the discharge of Reserved Matters pursuant to condition 4 and implemented in accordance with the approved details.

DCS/115 **PLANNING APPLICATION: DC/15/1382 – ERECTION OF 45 DWELLINGS, ASSOCIATED LANDSCAPING AND PARKING, AMENDED ACCESS TO BILLINGSHURST DOCTOR'S SURGERY (OUTLINE)**
SITE: LAND TO THE SOUTH OF BILLINGSHURST SURGERY, ROMAN WAY, BILLINGSHURST
APPLICANT: DEVINE HOMES

The Development Manager reminded Members that this application had sought outline permission for the erection of 45 dwellings, with all matters reserved except for access and layout. The Committee had resolved to grant permission in November 2015, subject to the completion of a legal agreement (Minute No. DCS/69 (17.11.15) refers).

The application site was located to the South of Roman Way and was bounded to the East by the site boundary referred to in DCS/113 above. One member of the public spoke in objection to the original application. The applicant's agent addressed the Committee in support of the original application.

DCS/115 Planning Application: DC/15/1382 (Cont.)

Members were referred to the previous report which contained details of the location, planning history, the outcome of consultations and a planning assessment of the proposal, making reference to the previous and current Development Plan.

Members considered the application in the context of relevant policies within the HDPF and agreed that the Committee's resolution to grant permission, subject to the completion of a legal agreement to secure on-site affordable housing provision, was still appropriate.

RESOLVED

- (i) That a legal agreement be entered into to secure affordable housing provision and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/15/1382 be determined by the Development Manager. The view of the Committee was that the application should be granted subject to the following conditions:
 - 01 The development hereby permitted shall be carried out in accordance with the approved plans.
 - 02 Approval of the details of the scale of each building, the appearance of each building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - 03 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
 - 04 The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
 - 05 Prior to the commencement of development precise details of the finished floor levels of the development in relation to a fixed datum point located outside of the application site shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed and maintained in accordance with the approved details.

DCS/115 Planning Application: DC/15/1382 (Cont.)

- 06 No external lighting or floodlighting shall be installed at the site or affixed to any dwelling within the development without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.
- 07 Prior to the commencement of development, details of screen walls and/or fences shall be submitted to and approved in writing by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected. Thereafter the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details and no additional screen walls or fences over and above those approved shall be erected at any time.
- 08 Prior to the commencement of development a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles and secure, covered parking for bicycles shall be submitted to and approved in writing by the Local Planning Authority. The areas of land so provided prior to the occupation of the dwelling it serves and shall not thereafter be used for any purpose other than the parking of vehicles and cycles as indicated on the approved drawings.
- 09 Prior to the occupation of the development details for the provision for the storage of refuse and recycling bins shall be made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- 10 Prior to the commencement of the development hereby permitted, details of a cycle and pedestrian link from the development site to the adjacent area of planned public open space, including timescale for delivery, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 11 The development hereby permitted shall not commence unless and until the accesses to the site from Roman way have been designed, laid out and constructed in accordance with plans and details to be submitted to and approved by the LPA.
- 12 The development hereby permitted shall not be occupied unless and until the access roads serving the development have been designed, laid out and constructed in accordance

DCS/115 Planning Application: DC/15/1382 (Cont.)

with plans and details to be submitted to and approved by the LPA.

13. The development hereby permitted shall not commence until a Construction Management Plan (CMP) has been submitted and approved by the LPA to include the following:
 - Construction traffic routeing (this should be along Roman Way and then to and from high street (north) only i.e. not through the village centre)
 - Location of site offices
 - Location of plant and materials storage
 - Area for the loading/unloading and turning of HGV delivery vehicles
 - Location of wheel washing equipment
 - Location of staff and contractor parking
14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C or E of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilages of the dwellings hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwellings unless permission is granted by the Local Planning Authority pursuant to an application for the development.
15. Prior to the commencement of development full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:
 - A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
 - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking/underground guying details
 - A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
 - Existing and proposed levels, contours and cross / long sections for all earthworks

DCS/115 Planning Application: DC/15/1382 (Cont.)

- Hard surfacing materials: layout, colour, size, texture, coursing and levels
- Walls, fencing and railings: location, type, heights and materials
- Minor artefacts and structures – location, size and colour and type of street furniture, play equipment, signage, refuse units and lighting columns and lanterns

The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of the development. Any plants which within a period of 5 years 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 the Local Planning Authority gives written consent to any variation.

- 16 Prior to the commencement of development a detailed long term 25 year Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the Local Planning Authority in writing. The plan shall include:
 - Aims and Objectives
 - A description of Landscape Components
 - Management Prescriptions
 - Details of maintenance operations and their timing
 - Details of the parties/organisations who will be maintain and manage the site, to include a plan delineating the areas that they will be responsible forThe plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the LPA.
- 17 The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan reference PJC/3706/15/B contained within the Arboricultural Impact Assessment reference PJC/3706/15 received by the Council on 19th June 2015.
- 18 Not later than the submission of the first Reserved Matters application pursuant to the permission hereby granted, an Ecological Mitigation and Management Plan and Construction Environmental Management Plan shall be produced to incorporate all recommendations from the supporting ecological

DCS/115 Planning Application: DC/15/1382 (Cont.)

information. This will include details of the proposed reptile receptor site, planting details for the western boundary, and felling recommendations for Category 2 trees in addition to mitigation and enhancement for other species. This plan shall be submitted to, and agreed in writing by, the Local Planning Authority. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

- 19 Not later than the submission of the first Reserved Matters application pursuant to the permission hereby granted, a bat sensitive lighting scheme shall be produced in liaison with the consultant ecologist and in accordance with the recommendations made in the Preliminary Ecological Assessment (PJC Ecology) received by the Council 19th June 2015, and the Tree Assessment Report (the Ecology Company) received by the Council 2nd November 2015. The development shall thereafter be carried out in accordance with the approved details and no additional external lighting shall be erected or placed within the site or attached to any building without prior approval in writing from the Local Planning Authority.
- 20 Prior to the commencement of development full details of the design and construction of all sustainable urban drainage features shall be submitted to and approved by the Local Planning Authority in writing. The details shall include:
 - Plan showing existing and proposed levels and contours and cross sections
 - Location, design and material of inlet and outlet structuresThe scheme shall be implemented in full accordance with the approved details.
- 21 Prior to the commencement of development, a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings shall be submitted to and approved by the Local Planning Authority in writing. All materials used shall conform to those approved.
- 22 No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

DCS/115 Planning Application: DC/15/1382 (Cont.)

- 23 Prior to the commencement of development hereby permitted, full details of the foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The drainage works shall be thereafter constructed prior to the occupation of the development in accordance with the approved details, and thereafter retained and maintained as approved.
- 24 The burning of any materials from site clearance or from any other source shall not take place within 10m of the furthest extent of the canopy of any tree, group of trees, or hedgerow, targeted for retention on the site or on land adjoining.
- 25 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the local planning authority:
 - a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment (c) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

- 26 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning

DCS/115 Planning Application: DC/15/1382 (Cont.)

authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

DCS/116 PLANNING APPLICATION: DC/16/0286 – VARIATION OF CONDITION A TO PREVIOUSLY APPROVED APPLICATION DC/14/2571 (DEMOLITION OF EXISTING SPLIT LEVEL BUNGALOW ON THE SITE AND CONSTRUCTION OF 2NO. NEW CHALET BUNGALOW STYLE DWELLINGS, INCLUDING 2NO. NEW DETACHED GARAGES) RELATING TO AN AMENDED LOCATION AND SIZE OF GARAGE FOR HOUSE 1 SITE: LITTLE ACRE, SANDGATE LANE, STORRINGTON

APPLICANT: PROPERTY SPHERE

(Councillor Ray Dawe declared a personal interest in the application because he knew a neighbour of the application site.)

The Development Manager reported that this application sought to vary Condition A of permission DC/14/2571 for the construction of two chalet bungalows. The variation sought to amend the size and location of the garage for plot 1. The proposal would move the garage from close to the eastern boundary to the southern boundary. It would be over four metres wider than originally proposed with an increased ridge height, but slightly narrower. There would be stairs on the eastern elevation to the first floor studio and WC.

A previous permission DC/15/2443 had been granted in which the amended design and siting for this garage had been approved. However this had incorrectly referred to a previous scheme DC/14/1189. The current proposal was required so that the siting and design of the garage granted in DC/15/2443 could be applied to the second approved scheme DC/14/2571 as this was the scheme which the applicant intended to implement.

The application site was within the built up area of Storrington on the northern side of Sandgate Lane. The bungalow, Little Acre, had been demolished and the new dwellings were under construction. Access was from Sandgate Lane, a narrow single track lane with homes of differing style and character. There were detached properties surrounding the site.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. There had been no consultations undertaken. Members were advised that the thirteen conditions listed in the report were correct but required renumbering so the numbers ran consecutively.

DCS/116 Planning Application: DC/16/0286 (Cont.)

The Parish Council had objected to the application. Six letters from five addresses had been received objecting to the application. One member of the public addressed the Committee in support of the proposal, and a representative of the Parish Council spoke in objection to it.

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 and the effect of the development on the amenities of neighbouring properties. It was noted that the use of the garage would be limited to purposes solely ancillary to the main dwelling.

Members noted that the proposed design and siting of the garage was identical to that approved under DC/15/2443 and considered that the proposal was acceptable.

RESOLVED

That planning application DC/16/0286 be granted subject to the following conditions:

- 01 The works for which planning permission is hereby granted must be begun not later than 17th March 2018.
- 02 The development shall take place in accordance with the materials approved under application ref: DISC/14/0295.
- 03 The hard and soft landscaping works shall be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the details approved under application ref: DISC/14/0295.
- 04 The screen walls and/or fences shall be retained and maintained in accordance with the details approved under application ref: DISC/14/0295.
- 05 The cycle parking facilities shall be provided and retained in accordance with the details approved under application ref: DISC/14/0295.
- 06 The Construction Management Plan approved under application ref: DISC/14/0295 shall be implemented and adhered to throughout the entire construction period.
- 07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England)

DCS/116 Planning Application: DC/16/0286 (Cont.)

Order 2015 or Orders amending or revoking and re-enacting the same, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the development without the prior permission of the Local Planning Authority pursuant to an application for the purpose.

- 08 No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 09 No burning of materials in connection with the development shall take place on the site.
- 10 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C, D, E of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilage of the dwellings hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.
- 11 No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:
 - All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated on the approved site layout drawing to be completed and cleared away;
 - All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with

DCS/116 Planning Application: DC/16/0286 (Cont.)

section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

- 12 No trees, hedges or shrubs on the site, other than those the Local Planning Authority has agreed to be felled as part of this permission, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.
- 13 The garage hereby permitted shall be used solely for purposes ancillary to the occupation and enjoyment of the existing dwelling identified as House 1 on drawing 1323 2.19 REVA, and shall not be occupied as an independent or self-contained planning unit of residential accommodation.

REASON

The proposal is in accordance policies 32 and 33 of the Horsham District Planning Framework.

DCS/117 **PLANNING APPLICATION: DC/15/2815 – SITING OF TWO NO.**
ADDITIONAL MOBILE HOMES FOR OCCUPATION BY PERSONS
FALLING WITHIN THE DEFINITION OF A GYPSY (FAMILY MEMBERS)
AND ERECTION OF A DAY ROOM TO SERVE THE THREE PITCHES
SITE: OLD FIELD STABLES, FRYERN ROAD, STORRINGTON
APPLICANT: MR JOSEPH LIGHT

The Development Manager reported that this application sought planning permission for two mobile homes and a day room for occupation and use by persons falling within the definition of a Gypsy. There was already one mobile home on the site.

The homes would have two bedrooms each, a living room/dining room, kitchen, hall and bathroom. The day room would include a utility room, kitchen, two bathrooms and a WC.

The application site was located outside of the built up area of Storrington in a countryside location. It was on the western side of Fryern Road, to the north of the property known as Oldfield Cottage.

On the boundary with Fryern Road there was a panel fence with a hedgerow immediately abutting the road, with a gated access at the southern end of this boundary. There was a paddock to the north. In addition to the existing mobile home, there was a hay barn and stable block. The surrounding area was characterised by individual houses with some paddocks and associated stables.

Details of relevant government and council policies were noted by the Committee, in particular those within the HDPF relating to the allocation of sites for Gypsy and Traveller accommodation. The planning history of the site was also noted by the Committee.

Officers recommended that an additional condition be added to those printed in the report, which would require a landscaping and maintenance plan for the whole site.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Parish Council had strongly objected to the application. Twenty-one letters of objection had been received. Two members of the public spoke in objection to the proposal. The applicant's agent addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the development and the need for Gypsy accommodation; the

DCS/117 Planning Application: DC/15/2815 (Cont.)

impact on the character of the landscape and the street scene; sustainability; and the amenities of neighbouring residents.

Members discussed aspects of the proposal including its potential impact on the character of the area, in particular the gap between West Chiltington and Storrington.

Members considered the proposal in the context of the HDPF and the Council's current inability to fulfil its statutory duty to meet an identified need for current and future Gypsy and Traveller sites. In response to concerns that commercial activity had been carried out on the site, Members were advised that the Council's Compliance Team had found no breach of the restrictions related to DC/12/2345 for the stationing of one mobile home.

After careful consideration, Members concluded that on balance the proposal would be acceptable if permission were limited to two years.

RESOLVED

That planning application DC/15/2815 be granted subject to two additional conditions, to be determined by the Development Manager:

- (i) restricting the development to a temporary consent for two years, with the land being reverted to its former use and condition after that time; and
- (ii) requiring a landscaping and maintenance plan for the whole site,

and the following conditions:

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 02 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).
- 03 There shall be no more than 3 pitches on the site as a whole with no more than one 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.

DCS/117 Planning Application: DC/15/2815 (Cont.)

- 04 No industrial, commercial or business activity shall be carried on from the site, including the storage of materials.
- 05 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
- 06 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The works shall be carried out in strict accordance with the approved details.
- 07 No development shall take place until details of storage provision for refuse and recycling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details prior to the occupation of the pitches.
- 08 No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed mobile homes and amenity blocks have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
- 09 No development shall take place until details of screen walls, gates and/or fences have been submitted to and approved in writing by the Local Planning Authority and no mobile home shall be occupied until such screen walls, gates and/or fences associated with them have been erected. Thereafter the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details.
- 10 No works or development shall take place until full details of all hard and soft landscaping works have been approved in writing by the Local Planning Authority. All such works shall be carried out in accordance with the approved details. Any plants 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 the Local Planning Authority gives written consent to any variation.
- 11 No work for the implementation of the development hereby permitted shall be undertaken on the site except

DCS/117 Planning Application: DC/15/2815 (Cont.)

between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

- 12 No burning of materials shall take place on the site in connection with the development.
- 13 The mobile homes hereby approved shall not be occupied until the parking, turning and access facilities have been provided in accordance with the plans hereby approved (and the parking turning and access facilities shall thereafter be retained solely for that purpose).
- 14 Full details of means of foul and surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on the development hereby approved. The scheme agreed shall be implemented strictly in accordance with such an agreement unless subsequent amendments have been agreed with the Local Planning Authority.

DCS/118 PLANNING APPLICATION: DC/15/2586 – ERECTION OF A 3 BED

DETACHED DWELLING WITH SINGLE GARAGE

SITE: THE SPINNEY, SPINNEY LANE, WEST CHILTINGTON

APPLICANT: MS D BADHAM

(Councillor Jonathan Chown declared a personal interest in the application because he knew one of the objectors.)

The Development Manager reported that this application sought planning permission for the erection of a two storey 3-bedroom dwelling with a ridge height of approximately seven metres, and detached garage. The house would be some 6.5 metres back from the highway boundary. The building would have dropped eaves, with first-floor rooms set within the roof-slope. There would be plain roof tiles, and walls of brick and painted 'feature' bricks on the elevations.

The application site was within the built-up area of West Chiltington and was an L-shaped plot on the northern side of Spinney Lane. The land originally belonged to 'The Spinney', a dwelling to the east of the application site. Whilst the site had been partially cleared, vegetation and overgrown shrubs still remained. A ditch ran along the north-western boundary. The surrounding area was characterised by detached properties of varying designs set in reasonably sizable plots.

DCS/118 Planning Application: DC/15/2586 (Cont.)

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee.

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. The Parish Council had objected to the application. Seven letters of objection, from four addresses, had been received. One member of the public spoke in objection to the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the development; the design of the proposal and the amenity of neighbouring occupiers; biodiversity; and highways and traffic.

Members considered the proposal in the context of the HDPF. Whilst the Parish Council had objected to the proposal, the site was within the built-up area and the proposed plot size would be in keeping with those in the locality. Members concluded that the proposal was acceptable.

RESOLVED

That planning application DC/15/2586 be granted subject to the following conditions:

- 01 The development hereby permitted shall be carried out in accordance with the approved plans.
- 02 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 03 No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed replacement dwelling has been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
- 04 Prior to the occupation of the dwelling hereby approved full details of all hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development

DCS/118 Planning Application: DC/15/2586 (Cont.)

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.

- 05 Prior to the commencement of development or any preparatory works, a Reptile Mitigation Strategy shall be submitted to the LPA for approval; and will include information regarding the receptor site, habitat enhancements, exclusion of reptiles from the working area, and timing of works (to include considerations to avoid disturbing other protected or notable species). All approved details shall then be implemented in full and in accordance with the agreed timings and details.
- 06 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 submitted to and approved by the Local Planning Authority.
- 07 No part of the development shall be first occupied until provision for the storage of refuse / recycling bins has been made within the site in accordance with plans and details submitted to and approved by the Local Planning Authority.
- 08 No work shall be carried out on the site unless there is available within the site provision for the parking, loading, and unloading of vehicles, and the storage of materials and equipment associated with the building works. All details shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.
The approved facilities shall be retained and available for use throughout the period of work required to implement the development, unless alternative details are agreed in writing by the Local Planning Authority.
- 09 Prior to the commencement of development, the following details shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water:

DCS/118 Planning Application: DC/15/2586 (Cont.)

- Measures which will be undertaken to divert the public sewers known to be crossing the site.

All approved details shall then be implemented in full and in accordance with the agreed timings and details.

- 10 Prior to the commencement of development, details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Surface water disposal should not involve disposal to a public foul sewer, and needs to take into account the location of the site within a Source Protection Zone. All approved details shall then be implemented in full and in accordance with the agreed timings and details.
- 11 No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 12 No burning of materials in connection with the development hereby approved shall take place on the site.

REASON

The proposal would lead to an acceptable form of development and would not lead to material harm in terms of its impact on the residential amenities of neighbouring properties and the character of the surrounding area. The proposal is therefore in keeping with the presumption in favour of sustainable development within the NPPF, and with local policies set out within the Horsham District Planning Framework.

The meeting closed at 16:25 having commenced at 14:00.

CHAIRMAN

Agenda Item 5

DEVELOPMENT MANAGEMENT (SOUTH) COMMITTEE – 19th April 2016 REPORT BY THE DEVELOPMENT MANAGER APPEALS

1. Appeals Lodged

I have received notice from the Department of Communities and Local Government that the following appeals have been lodged:-

1.1. Written Representations/Householder Appeals Service

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/15/2005	Gallina Gay Street Lane North Heath Pulborough RH20 2HW	In Progress	Refuse	Delegated
DC/15/2193	The Smithy 9 Lower Street Pulborough	In Progress	Refuse	Delegated

1.2. Hearing

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/14/2663	Manton Stud Okehurst Lane Billingshurst RH14 9HR	In Progress	Refuse	Delegated

1.3. Inquiry

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/15/1995	Land at Bax Close Storrington West Sussex RH20 4LZ	In Progress	Refuse	Refuse
DC/14/1695	Land South of Ashington House London Road Ashington	In Progress	Refuse	Refuse

2. Appeal Decisions

I have received notice from the Department of Communities and Local Government that the following appeals have been determined:-

Ref No.	Site	Appeal	Officer Recommendation	Committee Resolution
DC/15/0563	Hurlands The Haven Billingshurst West Sussex	Allowed	Refuse	N/A

DC/15/0630	Cherry Tree Cottage Sunset Lane West Chiltington	Dismissed	Refuse	N/A
DC/15/0783	116, High Street Billingshurst	Dismissed	Refused	N/A
DC/15/0448	Silver Birches Thakeham Road Storrington Pulborough	Dismissed	Refused	N/A
DC/15/1549	Silver Birches Thakeham Road Storrington Pulborough	Dismissed	Refused	N/A
DC/15/1863	36 Priory Field Upper Beeding Steyning	Refused	Allowed	N/A
DC/14/2254	Rosebank Jarvis Lane Steyning	Refused	Allowed	N/A
DC/15/1297	Agricultural Barn Henfield Road Small Dole	Dismissed	Refused	N/A
DC/15/0698	Lupin Cottage Hampers Lane Storrington Pulborough	Allowed	Refused	N/A
DC/15/1477	Garden Cottage Wappingthorne Farm Lane Steyning	Dismissed	Refused	N/A



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 19 April 2016

DEVELOPMENT: Details of Strategic Infrastructure and Open Space pursuant to outline planning permission DC/15/0059

SITE: Land East of Billingshurst To North and South of A272 East Street
Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/14/2536

APPLICANT: C/O agent

REASON FOR INCLUSION ON THE AGENDA: More than 5 different representations received which are contrary to the Officers' recommendation

RECOMMENDATION: To approve the application, 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 approval of reserved matters pursuant to DC/15/0059 in respect of strategic infrastructure and open space only. This application does not include details of reserved matters for any of the residential parcels approved under DC/13/0735 (subsequently amended by DC/15/0059).

1.3 This application was originally submitted as an application for approval of reserved matters pursuant to DC/13/0735. However, the proposal was not consistent with the approved drawings of DC/13/0735, namely in respect of location of minor accesses, location of drainage infrastructure, removal of an underpass and location of play areas. It was therefore necessary for the Applicant to submit an application under S73 of the Town and Country Planning Act 1990 (as amended) to vary the approved drawings of DC/13/0735 to reflect the amended scheme before the Council could consider a reserved matters application. The amended outline application (reference number DC/15/0059) was considered at the committee meeting of 4th June 2015 where Members resolved to grant permission, subject to completion of a Legal Agreement to secure matters such as infrastructure contributions and affordable housing provision. The application was again considered by Members at the 15th March 2016 meeting, where the Application was assessed against the HDPF, which had been adopted in the period since Members'

resolution to permit the application in June 2015. The Legal Agreement has now been completed and the decision of DC/15/0059 has now been issued. The Council are therefore now able to consider this application for approval of details of Strategic Infrastructure and Open Space pursuant to outline planning permission DC/15/0059.

- 1.4 As set out above, this application proposes details of strategic infrastructure and open space. This includes the main spine road, drainage infrastructure and details of public open space.
- 1.5 The main site accesses from the existing highway network were first approved under DC/13/0735 and then amended by DC/15/0059. The Framework Plan approved at the outline stage shows a main spine road running from the A29/Stane Street roundabout, across the northern part of the site, and then down to the A272, where a new roundabout would provide the junction with the A272 and the spine roads into the northern and southern parts of the site. In the part of the site to the north of the A272, most of the residential parcels would be separated from the spine road by landscaped areas, with the exception of parcels H6 and H7, which adjoin the spine road. To the south of the A272, only a narrow landscaped strip separates the residential parcels from the spine road. There would be a new access to Hilland Farm (dwellings and buildings to the north of the site) from the spine road, and this would involve a short section of retaining wall facing the A29 roundabout due to the change in land levels.
- 1.6 From the A29/Stane Street roundabout, the speed limit of the main spine road would be 50mph. The speed limit would reduce to 30mph just to the west of footpath 1942, which crosses the site and spine road. This first section of the spine road would not have a pedestrian footway. Pedestrian access to the parcels would be facilitated through the public open space adjacent to Stane Street (annotated as SO1 on the submitted plans) and then through into parcel H1, which then links to H2 and the remainder of the development. To the south of the point at which public footpath 1942 crosses the spine road, a footway is provided to the western side of the spine road, with designated pedestrian crossing areas to allow access on foot to the three smaller parcels on the eastern side of the spine road. A new toucan crossing is proposed on the A272, to link the northern and southern parts of the site (note that the land reserved for a new school is to the eastern side of the southern part of the site). The southern part of the spine road would have footways to both sides. The A272 will be subject to a speed limit of 30mph from a point about 50m east of Old Reservoir Farm. Bus stops with shelters are proposed to both sides of the A272, to the west of the new roundabout junction with the spine road.
- 1.7 A number of structures are proposed to facilitate provision of services to the site. These include substations to the east of the access into parcel H2, to the south east of parcel H4, to the north of parcel H11 and to the south east of parcel H11 and foul pumping stations to the south east of parcel H6 and the south east of parcel H11. Attenuation of surface water would be managed by a combination of storage tanks and attenuation basins, and the overall surface water management principles and flood risk assessment was approved at the outline stage. Storage tanks would be sited below part of play area SO1 and under the area proposed for car parking serving the existing doctors surgery, to the south of parcel H3a. The attenuation ponds and basins are proposed to be integrated into the areas of public open space to provide attractive landscape features as well as serving a functional purpose. A new bund would be created in the large area of open space in a dip adjacent to the woodland and former allotments to the south of Roman Way, to allow for controlled release of surface water in heavy rainfall events (this area is not proposed to be permanently wet). Three attenuation ponds which are intended to be permanently wet are sited between parcels H6 and H8. These would be landscaped with wetland edges and some boardwalks to facilitate public access to these areas. Four further attenuation basins are proposed which are not intended to be permanently wet, one between parcels H7 and

H9, one to the south east of the land reserved for a school, one to the south east of parcel H11 (incorporated into play area SO5) and one to the south west of parcel H11.

- 1.8 There are a number of public open spaces proposed. Condition 6 of outline application DC/15/0059 requires provision of not less than:
- two Local Equipped Areas for Play for younger children
 - two Neighbourhood Equipped Areas for Play for older children (one of which is to include a multi-use space for ball games)
 - one Youth Activity Area
 - one outdoor gym area with not less than 10 gym equipment stations arranged in two pods of five pieces of equipment.

Standards for LEAPs and NEAPs are set out in Appendix B of the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document SPD (2007). Condition 6 also requires the Youth Activity Area to comply with the minimum size requirements for a LEAP set out in the SPD.

- 1.9 The submitted drawings include the following play areas:
- SO1 Minor Play Area (adjacent to the site entrance from Stane Street/A29): a LEAP with equipment for younger children
 - SO2 Major Play Area (between parcels H2 and H4): a NEAP with equipment for older children and younger children and a multi-use surface for ball games. Adjacent to this play area is a mound, which would have an informal trail to the top with views through to St Mary's Church, which is considered to be an important view corridor.
 - SO3 Major Play Area (to the north of parcel H8): a NEAP with equipment for older children. This play area would be adjacent to the wet attenuation ponds, which would have paths and boardwalks to allow interaction with the wetland features.
 - SO4 (adjacent to the woodland and former allotments to the west of the site): an informal open space planted as meadow
 - SO5 Minor Play Area (to the south east of parcel H11): a LEAP with equipment for younger children and a youth activity area comprising table tennis tables and informal seating.
 - SO6 (to the south west of parcel H11): An outdoor gym area for adults/teens and a play trail for older children.

- 1.10 The site includes the remains of Hammonds Mill, a non-designated heritage asset, to the west of parcel H8a. The Heritage Asset Mitigation Strategy required by condition 14 of DC/15/0059 requires approval of measures for enhancement of Hammonds Mill. The approved scheme includes removal of overgrown vegetation and stabilisation of the structure. This would form part of a 'heritage trail' through the site, with interpretation boards and taking in the view to St Mary's Church.

DESCRIPTION OF THE SITE

- 1.11 The site remains the same as that which was subject of DC/13/0735. The site area is 35.27 hectares, with net residential development area of 14.68 hectares. 2.46 hectares would be made available to accommodate a new primary school, dental surgery and crèche. The site is outside of the built-up area, and is largely greenfield, aside from the A272 which crosses the site. The site is bounded to the south by a dense hedgerow and the western boundary is defined by mature trees. The eastern boundary of the site is also characterised by established field hedgerows whilst the northern boundary is more open in character.
- 1.12 In terms of topography the site is undulating in character with two distinct high points. The northern boundary is one of the higher points of the site and the second is found at the point where the A272 crosses the eastern boundary. A valley is naturally formed between

these two points through which flows an existing watercourse. Long views to St Marys Church are obtained from the northern boundary as well as to the South Downs beyond. Billingshurst Conservation Area partially adjoins the application site on its western boundary.

- 1.13 Since permission was first granted under application DC/13/0735, some preliminary works have taken place at the site. This includes archaeological investigation of both the northern and southern parts of the site (final report of the southern part is yet to be submitted), ecological investigation and translocation of reptiles and land quality investigation (concluded to be very low risk of contamination).

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012) chapters 1 (Building a strong, competitive economy), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment).

RELEVANT COUNCIL POLICY

- 2.3 The Development Plan comprises the Horsham District Planning Framework (November 2015). The relevant Policies of the HDPF include 1 (Sustainable Development), 11 (Tourism and Cultural Facilities), 24 (Environmental Protection), 25 (District Character and the Natural Environment), 26 (Countryside Protection), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Heritage Assets) 35 (Climate Change), 36 (Appropriate Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision) 40 (Sustainable Transport) and 43 (Community Facilities, Leisure and Recreation).

NEIGHBOURHOOD PLAN

- 2.4 Billingshurst Parish was designated as a Neighbourhood Plan area on 30th December 2015. No draft Plan has been published for consultation at this stage.

PLANNING HISTORY

DC/11/1654	Development comprising the demolition of existing buildings and structures and redevelopment to provide up to 550 dwellings (Class C3), land to accommodate a new primary school and land to accommodate a dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)	Refused
DC/13/0735	Development comprising the demolition of existing	Permitted

buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations (Outline)

DC/15/0059	Application for the Variation of Condition 38 of planning permission DC/13/0735 (Outline application for development comprising the demolition of existing buildings and structures and redevelopment to provide up to 475 residential dwellings, land to accommodate a new primary school and land to accommodate an extension to existing doctors' surgery, land for new dentist's surgery and creche (falling within Class D1), with associated access and play space. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, ancillary engineering and other operations)	Permitted
------------	---	-----------

3. OUTCOME OF CONSULTATIONS

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

- 3.1 The Council's former Landscape Consultant raised a number of areas of concern in respect of the application as originally submitted. The Applicant submitted amended plans in response to those concerns. The Council's new internal Landscape Architect has assessed the amended plans, in consultation with the Council's Parks and Countryside Development Officer. Overall, no objection is raised to the principle of the proposals, but some minor amendments are sought, including changes to types of play equipment and surfacing.

- 3.2 The HDC Drainage Engineer raises no objection and has no conditions to recommend.

- 3.3 The HDC Strategic Planning Officer advises that they have no comments to make on the application.

OUTSIDE AGENCIES

- 3.4 West Sussex County Highway Authority raises no objection to the proposal.

- 3.5 West Sussex County Archaeology Officer raises no objection subject to compliance with condition 10 (Heritage Asset Mitigation Strategy) of outline application DC/13/0735.

- 3.6 West Sussex County Ecology Consultant raises no objection to the proposal.

- 3.7 The Environment Agency raises no objection to the proposal.

PUBLIC CONSULTATIONS

- 3.8 Billingshurst Parish Council object to the proposal. Their comments include the following points:
- 13 accidents recorded between Billingshurst High Street and Buck Barn.
 - Spine road will be used as a bypass road and will therefore generate significant noise, affecting the quality of life of future residents.
 - Concern regarding lack of pedestrian crossing points on the spine road.
 - Concern regarding lack of school places and capacity of doctors surgery and dentist in Billingshurst.
 - Lack of public transport locally, and trains to London are already full to standing room only by the time they reach Billingshurst.
 - The application has no employment uses proposed- people will have to travel for work and school.
 - 600 properties in Billingshurst may be at risk of flooding.
 - Surface water drainage from the site will discharge into areas that are at risk of flooding and have been subject to historic flooding.
 - The Bowling Alley to Little East Street has flooded seven times during November 2014. Surface water also floods a cul-de-sac to the south.
 - Although the development will not increase greenfield discharge rates, these are flooding other residential areas now.
 - Groundwater levels are high. Archaeological dig at the site in 2014 during a period with no rain for months had trial pits full of water.
 - Developments should not discharge into sub-standard watercourses, most of which are just ditches.
 - This development will impact areas downstream of the site.
- 3.9 Twenty-seven letters of objection have been received by the Council. The points raised can be summarised as follows:
- Existing properties in the vicinity of the site flood, and so do others downstream. The proposed development would make this situation worse.
 - The proposed drainage strategy is not sufficient and will result in flooding of other properties.
 - The area is identified by the Environment Agency as being at high risk from surface water flooding.
 - Attenuation systems often fail from misuse, inadequate storage facilities/breakdowns etc.
 - The community and infrastructure cannot handle massive development.
 - Poor public transport in the vicinity of the site.
 - Insufficient parking at the station.
 - Schools are nearly at capacity.
 - Spine road will not alleviate congestion in the village.
 - Loss of agricultural land.
 - The developer should build additional medical facilities and school, not just provide the land.
 - The bypass will not be used, as people take the shortest route.
 - There is already pressure for parking in the village centre, and the proposal will add to this.
 - No new jobs are proposed, so future residents are likely to be commuters, but there is insufficient parking at the station and commuting by car will add to traffic and congestion.
 - Commuter parking and parking for schools pick up/drop off spills onto surrounding roads causing obstruction.
 - Applicant does not control sufficient land to construct new footpath links.
 - Concern regarding loss of trees.
 - Proposal makes insufficient provision for protection of ecology.

- Loss of privacy and security due to increased use of footpaths in the vicinity and due to scale of development.
- Noise and disturbance to neighbouring residents due to construction of play areas.
- It is not clear how existing services running through the site will be protected.

3.10 One letter of comment has been received, which includes the following points:

- Pedestrian access should be provided from Roman Way to the site, so that existing residents can use the public open spaces.

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 This application seeks approval of details of strategic infrastructure and open space only, and not details of any of the residential parcels. The principles set out at the outline stage applicable to consideration of this application include the indicative Movement parameter plan showing the main vehicle and pedestrian/cycle routes through the site and open spaces, the Framework plan showing locations of attenuation ponds/basins and indicative locations of play areas and the Tree Protection Plan showing retained trees and hedgerows. Condition 12 of the outline approval requires the application for reserved matters in respect of the spine road, other strategic infrastructure and open space to include details of the roads, site levels, planting, services and hardsurfacing.

6.2 The Council's Landscape Consultant has made comments in respect of the appearance of the spine road, which has been designed to 50mph standard and which requires a number of areas of embankment and cutting to ensure a suitable road surface, and therefore could result in a fairly utilitarian appearance. However, the proposal does strike a balance between the technical requirements of the Highway Authority to create a safe route which adequately caters for the intended level of usage, and the introduction of new landscaping to soften the appearance of the spine road and the development and minimise the landscape impact of the development. For example, the areas of 'Structure Planting' along the northern part of the spine road and around the new roundabout on the A272 are intended to be planted as woodland and coppice, to screen the development and spine road from the wider area. The planting then becomes more formal, and parkland-like on the approach to Parcels H6 and H7, which both abut the Spine Road. The areas of embankment and cutting are all proposed to be planted, aside from the one stretch of retaining wall serving the entrance to Hilland Farm at the north of the site, for which materials can be approved by condition.

6.3 The proposed landscape masterplan shows a number of surfaced routes through the site, and linking with the existing built-up area and footpath network. These serve to link the green infrastructure and open spaces outside of the parcels (note that as the parcels come forward, these too will provide routes between the public open spaces). One of the main

routes through the site is a 'heritage trail', linking the remains of Hammonds Mill with a viewpoint through to St Marys Church, and taking in the former medieval field pattern proposed to be reinforced through new planting in the vicinity of open space SO4. Another main route is to parcel C1 (land reserved for construction of a school), which is in the southern part of the site and a toucan crossing is provided over the A272 to link the northern and southern parts of the site.

- 6.4 The County Highway Authority raises no objection to the proposal. The Council's Landscape Consultant initially commented that the proposed scheme of landscaping and surfacing materials may not meet the County Council's standards for adoption. This has been raised with the County Highway Engineer who has advised that there are not any fundamental conflicts between the highway layout and the landscaping layout. The County Council will carry out their full assessment of construction and landscaping within the area of adoptable highway at the s38/278 application stage (relating to adoption of new highways and work within the public highway). Landscaping features, new planting, retained vegetation, street furniture and surfacing materials are a key part of bringing a development together and delivering a high quality scheme. Therefore, should the highway adoption necessitate amendments to the landscaping scheme, these will need to be considered on their own merits at a later date.
- 6.5 The Council's Landscape Consultant also initially suggested that the Applicant look at reducing the width of some of the footpaths and cycleways crossing the site to around 2.4m wide, in order to minimise their visual impact and assist in integration with the landscaping scheme overall. The Applicant submitted amended drawings to address this concern (see page 18 of the Landscape Masterplan Summary RD1340-L-DOC-0001, received 27.10.2015). However the County Highway Engineer has advised that some of these should revert back to their originally proposed widths of up to 3m in order to provide standard dimensions for shared use surfaces. Overall, the route of the roads and footpaths is considered acceptable to provide good connectivity across the site, to the village centre, and to the countryside beyond. The only area yet to be agreed is the final width of some sections of shared footpath/cycle way and the surfacing type. A condition is recommended to address this issue.
- 6.6 The submitted drawings include a provisional utilities strategy layout, which shows the location of utilities infrastructure such as electricity, gas, water and drainage. Other than some drainage infrastructure which integrates with the open spaces, most buried services are shown mainly to the roads and footways. Such siting avoids the removal of vegetation in the event that services infrastructure needs to be dug up. There are some areas where services are contained in a verge, such as to the south east of parcel H4, but the vast majority avoid conflict with new planting.
- 6.7 In addition to the landscaped footpaths and trails through the site, the areas of public open space include a field (SO4) and areas around attenuation ponds for informal recreation. Five areas with play or gym equipment are proposed. The outline permission DC/15/0059 required provision of at least 2 LEAPs and 2 NEAPs, along with a youth activity area the size of a LEAP and outdoor gym equipment. The Planning Obligations SPD sets out the standards for LEAPs and NEAPs. This states that a LEAP should have an activity area of at least 400sqm and a buffer zone to the nearest dwelling of at least 10m to a dwelling boundary, and 20m to the nearest dwelling window, with a minimum overall size, including buffer, of 900sqm. A LEAP should have at least 5 different types of play equipment (providing opportunities for balancing, rocking, climbing/agility, sliding and social play). A NEAP should have an activity area of at least 1,000sqm, with a buffer zone between the play area and the nearest dwelling boundary of at least 30m, with a minimum overall size therefore of approximately 4,000sqm. A NEAP should have at least 8 types of play equipment (providing opportunities for balancing, rocking, climbing/agility, sliding and social play). At least 5 of the pieces of equipment in a NEAP should encourage adventurous

climbing, single point swinging, balancing, rotating or gliding. Both types of play area should provide ancillary facilities such as seats for parents/carers, litter bins, suitable surfacing and signage.

- 6.8 The proposed LEAP at SO1 has a fenced activity area of about 480sqm, and is sited about 11m from the boundary with parcel H1, allowing for the required 10m to a dwelling boundary. The layout of parcel H1 will therefore need to ensure that no dwelling window is within 20m of the activity area. The fenced activity area is about 20m from the existing dwellings to the south. SO1 is shown as providing equipment for younger children, including a rotating disc, rocker, balancing logs and stepping stones, a slide, sandpit and a multiple swing including a cradle swing. This play area is sited close to the northern site access and a footpath running to the south of the play area provides pedestrian/cycle access from the A29/Stane Street into parcel H1. Given its location close to a road, SO1 is proposed to be fenced, whereas the remaining play areas would be un-fenced, allowing integration with the landscaping scheme and land forms.
- 6.9 The proposed NEAP at SO2 includes areas to the north and south of public footpath 1942, which crosses the site. To the north a fan-shaped multi-use surface is proposed, with a northern retaining wall cut into the proposed mound which would provide a basketball hoop, football goal, climbing wall and built-in seating, providing a youth activity area. To the west of the ball-court is a timber adventure play structure incorporating platforms, bridges, nets and slides, providing mainly for older children. At the south western edge of the ball-court an astroturf mound with stepping blocks and music instruments is proposed, aimed at younger children. The activity area to the north of the footpath at SO2 has an area of about 730sqm. To the south of the footpath, an area of about 400sqm is proposed which is aimed at younger children and provides balancing logs, a play house, a sandpit with water play area, a hip-hop (see-saw type structure) and cantilevered swing. The total equipped activity area therefore has an area of about 1,130sqm. This equipped play area is closely linked to the heritage trail and mound to the north of the ball-court, which will also provide opportunities for play. The activity area is sited a minimum of about 20m from the edge of parcel H4, and therefore the layout of the dwellings in parcel H4 will need to take account of the 30m buffer required from the activity area to a dwelling boundary. A sufficient 30m buffer is provided to the edge of parcel H2, to the north of SO2. The Design Code (submitted pursuant to condition 15 of DC/15/0059) indicates that the residential layout of parcels H2 and H4 which adjoin the open space in which SO2 is set will have ‘prime frontages’ facing the open space. These are described as *‘highest quality street and public space elevations...with front doors facing the street or public space’*. As such, the residential parcels coming forward which adjoin SO2 are intended to incorporate active frontages facing the open space to provide surveillance and overlooking of this area.
- 6.10 The ‘heritage trail’ leads south from the mound adjacent to SO2, to SO4, an informal open space planted as a meadow and with a dual function for stormwater attenuation. The heritage trail then continues south, as does a footpath/cycleway to the eastern side of the SO4 meadow, both leading to the NEAP at SO3. SO3 has an activity area of about 1100sqm, with a minimum buffer of about 25m to the edge of Parcel H8 (the remainder of the 30m buffer to a dwelling boundary will therefore need to be accommodated in the residential layout of the parcel that comes forward). The equipment proposed in SO3 could be used by both older and younger children and includes an area based on a fallen tree incorporating nets, bridge, platforms, slide and ropes, a ‘climbing forest’ with posts, nets and ladders, wooden stepping stones and logs, a wheel-chair accessible roundabout, hammocks, living willow play houses, sandpit with sand table and a multiple swing station. The planting in the vicinity of SO3 is to include edible fruits for picking. To the east of SO3 is an area with permanently wet attenuation ponds, which are set in an informal landscaped area with paths and a boardwalk facilitating interaction and exploration of the wetland area.

- 6.11 Open space SO5 is located in the southern part of the site, between parcels H11 and the land reserved for construction of a school. This would be a LEAP with an activity area of about 750sqm, but adjacent to an attenuation basin (not intended to be permanently wet). A buffer of over 20m is provided from the edge of the equipped activity area to the edge of parcel H11, although the attenuation basin also forms part of the intended play strategy in this location and is only about 6 metres from the edge of parcel H11, therefore requiring the buffer zone to extend into parcel H11. The play equipment here includes logs, posts and stepping stones for balancing, a gravity bowl (spinning), air rider and swings aimed at younger children, with a separate area with table tennis tables intended for older children and youth.
- 6.12 Open space SO6 is to the south west of parcel H11, and includes outdoor gym equipment as well as an area with balancing logs, posts, bars and ramps which can be used for play as well as exercise. The gym equipment proposed would include a spinning bike, leg press, cross trainer, sit-up bench, multi-use exercise frame, pull-up bars, overhead ladder and boxing tyres. The outdoor gym would have an area of about 400sqm, and the mixed use area for play and exercise would have an area of about 100sqm. The gym equipment would be a minimum of about 10m from the edge of parcel H11 (note that the Council do not have an adopted standard for buffer zones between residential dwellings and outdoor gym areas), and over 20m between the mixed use exercise and play equipment and the edge of parcel H11.
- 6.13 Overall, the equipped play areas proposed are broadly in accordance with the requirements of condition 6 of the outline permission DC/15/0059. However, there is not a separate youth activity area the size of a LEAP proposed. Despite this, the total activity area proposed is in the region of 3,560sqm, which is in excess of the 3,200sqm activity area which would be provided by 2 LEAPs, 2 NEAPs and a youth activity area the size of a NEAP as required by condition 6. The total area provision (excluding the gym equipment) is therefore in excess of that required by condition 6. Whilst, youth provision has not been made in a separate area, there are features contained in the proposed equipped play areas which provide for youth activity, such as the table-tennis tables in SO5 and the multi-use ball court and climbing wall at SO2, as well as the mixed use equipment for play and exercise at SO6. Overall therefore, it is considered that the proposal does make acceptable provision for equipped play, in addition to the informal open spaces for play and recreation, within the development site. The Council's Parks and Countryside Development Officer has considered the proposals and advised of a number of amendments that should be made in order to improve the scheme in terms of its durability, interest and versatility. These include suggestions of alternative pieces of play equipment, details of fixings for ancillary items such as picnic benches and details of extent and type of surfacing in the vicinity of play equipment. Overall however, no objection is raised to the strategy for play and recreation across the site, and the amendments requested by the Parks and Countryside Development Officer can be dealt with by conditions.
- 6.14 The Legal Agreement completed at the outline stage allows the developers to either transfer the areas of landscaping and open space to a Management Company or offer it for transfer to the District Council. The Landscape, Open Space and Ecological Management Plan (submitted pursuant to condition 20 of DC/13/0735 under reference DISC/15/0283) indicates that, other than the adoptable highway verges, most of the site would be maintained by a Management Company, and not offered to the District Council.
- 6.15 Condition 7 of DC/15/0059 refers to the development being carried out in accordance with the approved phasing plan. This shows the spine road being delivered in phase 1, along with the open spaces at SO1, SO3 and SO4. Open spaces at SO2 and SO5 are shown within phase 2. However, the phasing plan is annotated to explain that after construction of the spine road to base course for construction traffic, together with strategic planting to screen the development, the three phases of works are likely to be simultaneous, as there

are three developers working separately on the site. Condition 22 of DC/15/0059 requires the reserved matters application for Strategic Infrastructure and Open Space to include a timetable for implementation of strategic planting areas, and a phasing plan setting dwelling occupation triggers for each of the open spaces and play areas. The delivery of public open spaces at a suitable stage is necessary to ensure that future residents are able to use these public areas, and also to benefit existing local residents, particularly as SO3 and SO4 are both on the edge of the site, accessible from the existing built-up area via the woodland footpath from Little East Street and SO1 is adjacent to the existing public highway at Stane Street. The proposed conditions reflect the phasing of delivery of open spaces sought by Officers.

- 6.16 Following receipt of the comments of the Landscape Architect and Parks and Countryside Development Officer, the Applicant submitted amended plans. At the time of drafting this report, consultation responses had not been received from the relevant consultees regarding the amended plans. The conditions listed below reflect the need for additional detail of play equipment, surfacing and planting in some areas prior to these aspects being carried out. Should the Applicant submit acceptable details prior to a decision being issued, conditions would be amended to reflect this.

7. RECOMMENDATIONS

- 7.1 To approve the application, subject to conditions.

1. A condition listing the approved plans

2. The areas of structure planting shown on drawing RD1340-Z1250-L-002 Rev F received by the Council 27.10.2015 shall be completed in the first planting season following the laying out and construction to base course for each section of the main spine road.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

3. Prior to the commencement of construction of each equipped play area, including the multi-use ball court and outdoor gym area, full details of equipment, surfacing and associated planting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate provision is made for outdoor play and recreation within the development, in accordance with Policy 32 of the HDPF.

4. Prior to the commencement of construction of any footpath/cycle route through the site shown on drawing RD1340-Z1250-L-002 Rev F, full details of the surfacing and width of that section of footpath/cycleway shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate provision is made for access to parcels and play areas by means other than private car, in accordance with Policy 40 of the HDPF.

5. Prior to the commencement of new planting on the site, full details of the schedule of planting shall be submitted to and approved in writing by the LPA.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

6. The areas of landscaping and public open space and footpaths/cycleways not contained within a Residential Parcel and not identified as Strategic Planting on drawing RD1340-

Z1250-L-002 Rev F shall be delivered (i.e. surfaced, planted, equipped and available for use by members of the public) in accordance with the approved drawings and the following schedule, with reference to the residential parcels and areas of public open space identified on drawing number 121502-BEL-SL-LOP01 received by the Council on 5th April 2016:

- Open Space Zone A to be delivered prior to the completion of no more than 50% of the residential units within parcels H1 and H2
- Open Space Zone B to be delivered prior to the completion of no more 50% of the residential units within parcel H2, 50% of the residential units on parcel H3 or 50% of the units on parcel H4, whichever is the sooner
- Open Space Zone C to be delivered prior to the completion of no more than 50% of the residential units on parcel H3, 50% of the residential units on parcel H4, 50% of the units on parcel H6 or 80% of the units on parcel H8, whichever is the sooner
- Open Space Zone D to be delivered prior to the completion of no more than 50% of the residential units parcel H10 or 50% of the residential units on parcel H11, whichever is the sooner.
- Open Space Zone E to be delivered prior to the completion of no more than 80% of the units on parcel H11 or 80% of the units on Parcel H10, whichever is the sooner.

Reason: To ensure that appropriate provision is made for outdoor play and recreation within the development, in accordance with Policy 32 of the HDPF.

7. Prior to the construction of the retaining wall shown on drawing number CONS20412-Z100-L-DD-201 received by the Council on 06/04/2016, details of materials including samples, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the development and the locality, in accordance with Policy 32 of the HDPF.

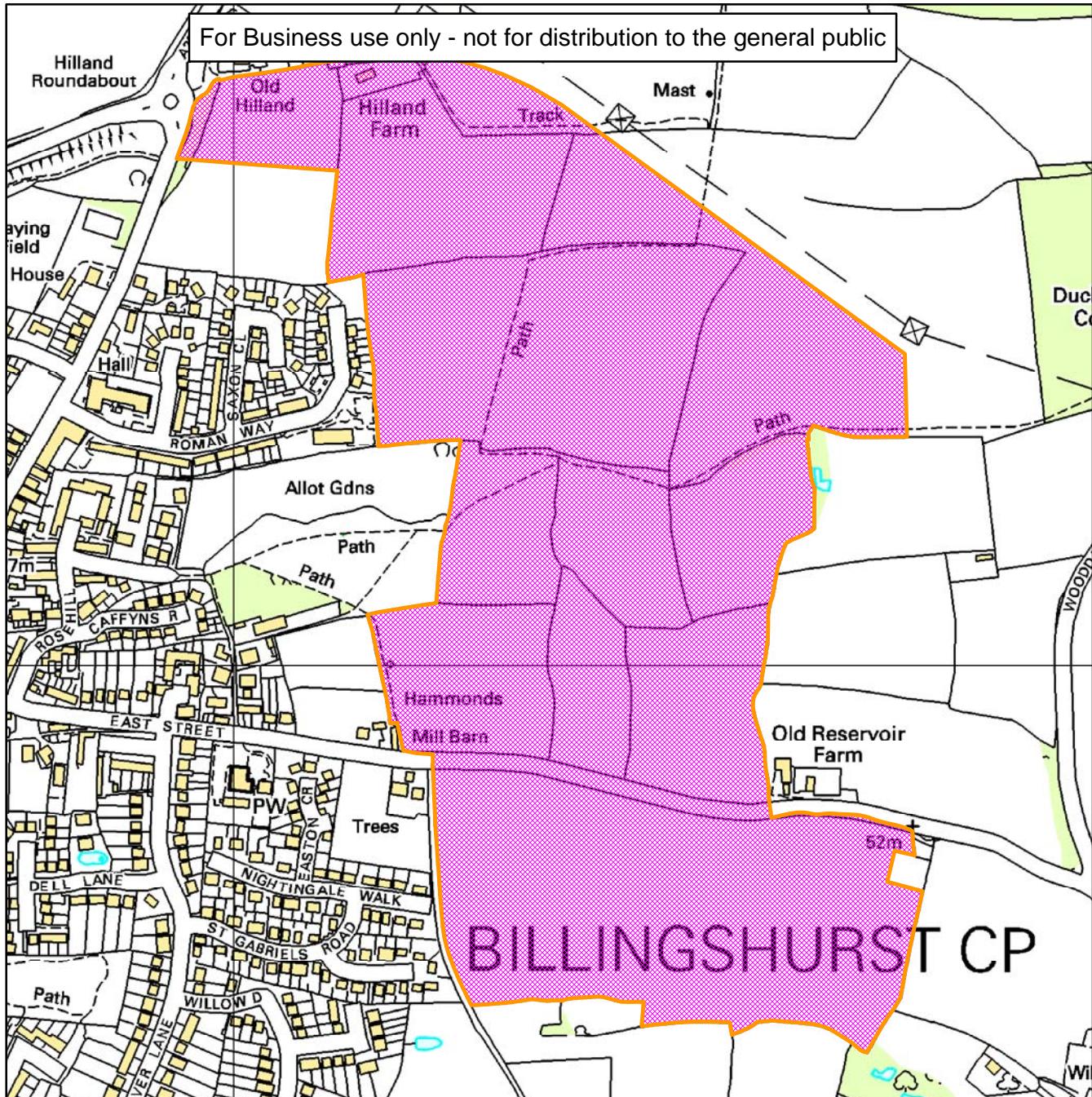
Notes to applicant:

1. The Applicant is reminded of condition 5 of DC/15/0059, which requires the development to be commenced within three years from 07 March 2014, or two years from the date of approval of the last of the Reserved Matters in relation to a parcel, whichever is the later.
2. The applicant is advised that it will be necessary to enter into a S278 agreement with WSCC for the adoption of the main spine road. This will involve detailed consideration of construction of the road and surfacing materials

Background Papers: see related applications: DC/14/2536, DC/15/0059 & DC/13/0735



Land East of Billingshurst



Scale: 1:5,508

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

- TO:** Development Management Committee (South)
- BY:** Development Manager
- DATE:** 19 April 2016
- DEVELOPMENT:** Residential development of 87 dwellings, including 30 affordable units, together with associated open space (including ecological mitigation and an equipped play area), landscaping and the creation of a new vehicular access from Merringdean Road
- SITE:** Kingslea Farm, Merringdean Road, Billingshurst, West Sussex
- WARD:** Billingshurst and Shipley
- APPLICATION:** DC/15/0896
- APPLICANT:** Countryside Properties

REASON FOR INCLUSION ON THE AGENDA: More than five letters of representation have been received that are contrary to the Officer recommendation.

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager subject to securing a legal agreement and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

- 1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The original application proposed the erection of 107 no. units. The number of proposed units has been reduced, however, and the latest proposal for consideration is for the erection of 87 no. dwellings (Class C3), with associated access and areas of public open space.

- 1.3 The development would comprise;

18 no. two bedroom flats;
11 no. two bedroom dwellings;
37 no. three bedroom dwellings;
12 no. four bedroom dwellings; and
9 no. five bedroom dwellings.

- 1.4 35% of the proposed residential units would be made available on the affordable housing market. The affordable housing units would comprise;

- 18 no. two bedroom flats;
4 no. two bedroom dwellings;
8 no. three bedroom dwellings;
- 1.5 The proposed dwellings would be arranged as detached and semi-detached pairs, together with short terraces of up to 4 no. houses. Two larger buildings, containing flats, are proposed on the northern side of the site.
- 1.6 The properties would be constructed from a varied palette of materials, including red brick, white timber weather boarding and tile hanging, designed to reflect the local vernacular. The dwellings have been designed to include projecting gables, lean-to canopies, porches and chimneys.
- 1.7 The proposed vehicle access to the site would be taken from Merringdean Road and would be sited approximately two-thirds of the way along the eastern boundary, 70 metres to the south of the existing junction serving Kingsfold Close. It would comprise a single priority junction and would achieve visibility splays in excess of 2.4 metres x 90 metres in both directions. The proposed access, which has been the subject of a Stage 1 Road Safety Audit, would be sited within the section of Merringdean Road that is the subject of a 30 mph speed restriction.
- 1.8 The main internal access road through the site would have a width of 5.5 metres, reducing to 4.8 metres on the smaller side roads. The existing footpaths through the site would be retained, with additional paths provided to increase permeability through the development. A new 3 metre wide shared foot/cycle path would be provided on the eastern side of the site, adjacent to the hedgerow fronting Merringdean Road. The path has been introduced in order to provide a south-north pedestrian link through the site, as this part of Merringdean Road does not have a pavement. The internal path would terminate at the north-eastern end of the development, via an existing stile, providing access back onto Merringdean Road. An informal crossing point (incorporating a dropped kerb and tactile paving) would be provided in order to achieve access to the pavement on the eastern side of the highway (which in turn, provides a continuous pedestrian route to Billingshurst).
- 1.9 A total of 211 no. parking spaces would be provided at the site. 192 no. of the spaces would be allocated, equating to an average of 2.42 spaces per dwelling. 19 no. visitor spaces would be provided.
- 1.10 The development is anticipated to generate 45 no. two-way vehicle movements in the morning peak hour and 52 no. two-way vehicle movements in the evening peak hour.
- 1.11 The Transport Assessment, submitted in support of the application, proposes that an enhanced gateway feature be introduced within Merringdean Road, where the speed limit reduces from 40 mph to 30 mph. The gateway would include a visual narrowing of the highway and an associated change in surface material. The gateway feature is intended to reduce the speed of traffic travelling north, towards the development site.
- 1.12 As part of the development, it is also proposed to provide improved cycle links into Billingshurst. The Transport Assessment includes plans showing the provision of cycle lanes, including across junctions, and the provision of improved street lighting to meet current British Standards.
- 1.13 With the exception of the section of hedgerow to be removed in order to provide the proposed vehicular access, the remaining trees and hedgerows around the perimeter of the site would be retained and reinforced. Additional native tree and hedge planting is proposed around the boundaries of the site. It is proposed to plant Common Hawthorn, Holly, Field Maple, Oak and Wild Cherry trees. It is also proposed to erect bat and bird boxes at the site and to create log piles in order to provide habitat for invertebrates.

- 1.14 Under the original submission, it was proposed to erect 107 no. dwellings. The number of dwellings was reduced, however, in order to allow for the provision of larger landscape buffers around the southern, western and eastern edges of the site. The increased landscape provision was considered necessary in order achieve an appropriate transition between the proposed dwellings and the adjacent countryside. The reduction in dwelling numbers also provided opportunity to achieve greater separation distances between the opposing side elevations of the dwellings on the western and southern sides of the site, in an attempt to reduce their visual prominence and the potential impact on the setting of the Grade II Listed Great Gillmans Farm to the west.
- 1.15 The originally submitted plans showed the provision of a Locally Equipped Area of Play (LEAP) in the south-western corner of the site. Under the latest submission, the equipment has been removed and it is now proposed to provide a more 'natural', woodland trail through the site, including timber play equipment located next to the internal footpaths.
- 1.16 The application is supported by a Noise and Vibration Assessment; Ecological Assessment; Great Crested Newt Mitigation Strategy; Landscape and Visual Matters Report; Arboricultural Report; Tree Survey; Heritage Statement; Transport Assessment; Travel Plan; Flood Risk Assessment and Drainage Strategy; Energy and Sustainability Statement, and Economic Benefits Statement.

DESCRIPTION OF THE SITE

- 1.17 The application site comprises a single agricultural field with an overall area of 5.34 hectares. The site, which is within Flood Zone 1, is located approximately 0.8 km to the south of Billingshurst railway station and 1.6 km from the town centre. The nearest bus stops are located in Natts Lane, approximately 400 metres from the application site. The stops are served by bus service 100, which provides hourly services between Horsham and Burgess Hill.
- 1.18 The application site, together with a smaller area of land to the west (and at the rear of Great Gillmans Farm) has been allocated for housing by Policy SD11 of the HDPF. Policy SD11 identifies that the sites, in combination, could deliver 'around 150 no. dwellings.'
- 1.19 The site is generally flat, although there is a slight slope from east to west. It contains 2 no. Public Rights of Way (FP1321 and FP1322) which run along the southern and western boundaries. The Public Right of Way on the western side of the site extends up into the northern corner of the site, where it terminates (via a stile) onto Merringdean Road.
- 1.20 The site is enclosed on all sides by trees and hedges. The site includes a total of 14 no. individual trees and 9 no. groups. The densest vegetation is on the north/north-western and southern boundaries. Beyond the eastern boundary is Merringdean Road, a two lane carriageway that is the subject of a varied speed limit. The majority of the highway immediately outside of the application site is the subject of a 30 mph speed restriction, however, this increases to 40 mph at the southern end of the site, as vehicles drive out of Billingshurst. Beyond Merringdean Road, and on the eastern side of the highway is a development known as Kingsfold Close, a residential cul-de-sac of 12 no. detached, two storey dwellings. The properties are constructed from a combination of red and brown brick with first floor tile hanging. The dwellings are set on spacious plots, with landscaped front gardens.
- 1.21 To the south of the site is a farm and open countryside. The northern side of the site is bordered by a private, single lane driveway, which provides access from Merringdean Road to Great Gilmans Farm House, a Grade II Listed Building. The farm house, which is located to the west of the application site, is a seventeenth century, timber framed building with casement windows. The two storey building has a painted brick ground floor with timber

weather-boarding at first floor level. The property has a hipped, tiled crown-post roof. The property has been extended in recent years through the provision of a single storey side extension.

- 1.22 Great Gillmans was built as part of Little Gillmans Farm, which also included Blackthorne Barn and agricultural fields. It is a typical example of the historical fixed farmsteads found around Billingshurst. Great Gillmans is significant in respect of its architecture and historic interest, in so far that it had an important role (together with other farmsteads) in the development of Billingshurst as a farming village. Its setting is also of significance, in that its substantial lands and rural views are typical of a historical farmstead in Billingshurst.
- 1.23 The farmhouse is now positioned within a site measuring approximately 3.3 acres, comprising 4 no. paddocks, stables, planted gardens and an enclosed courtyard, with a swimming pool and outbuilding. The agricultural function of the farmhouse has now ceased and the property is now used as a residential dwelling, with facilities for keeping and exercising horses.
- 1.24 An overhead power line traverses the application site in an east-west direction across the southern part of the site. The applicant anticipates that these lines would be buried as part of the proposals, in order to improve south facing views.
- 1.25 To the north of the site, planning permission reference DC/10/0939 (which was allowed, on appeal, in 2011), granted consent for 150 no. units. The scheme, which is currently being built-out and is nearing completion, is accessed from Merringdean Road. As part of the scheme, the developer is required to introduce traffic calming features, in the form of an enhanced gateway feature on Merringdean Road, together with the introduction of priority arrangements to reduce traffic speeds on the highway.
- 1.26 50 no. residential units have also been approved to the west/north-west of the application site, at the rear of the Grade II Listed Great Gilmans Farm. These dwellings, which were approved in 2013 under planning reference DC/13/2379, would be accessed from the development approved by DC/10/0939, as described above. The dwellings would wrap around the rear boundary of Great Gilmans Farm and its associated outbuildings.
- 1.27 To the north-east of the application site, and on the eastern side of Merringdean Road, planning permission reference DC/13/0147 (which was allowed on appeal) granted consent for the erection of 46 no. residential properties, together with a new access onto Merringdean Road. This application is currently being built out. Beyond this development, planning permission reference DC/11/2385 granted consent for a further 46 no. dwellings, accessed from the easternmost end of Daux Avenue. The consent includes alterations to the Natts Lane/Merringdean Road/Lower Station Road/Daux Avenue junctions in order to improve visibility for drivers pulling out onto Daux Avenue.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Government Planning Policy is contained within the National Planning Policy Framework (NPPF). The Policies contained within this document are, therefore, material to the consideration of this application. Due regard must also be had to the guidance contained within the Government's National Planning Practice Guidance. The following Sections of the NPPF are particularly relevant to the consideration of this application;

- Section 1: Building a Strong Competitive Economy
- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

RELEVANT COUNCIL POLICY

2.3 The following Policies of the HDPF are considered to be relevant to the consideration of this application:

- Policy 1 (Strategic Policy: Sustainable Development)
- Policy 2 (Strategic Policy: Strategic Development)
- Policy 3 (Strategic Policy: Development Hierarchy)
- Policy 4 (Strategic Policy: Settlement Expansion)
- Policy 15 (Strategic Policy: Housing Provision)
- Policy 16 (Strategic Policy: Meeting Local Housing Need)
- Policy SD11 (Strategic Policy: Land South of Billingshurst)
- 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 34 (Cultural and Heritage Assets)
- Policy 35 (Strategic Policy: Climate Change)
- Policy 36 (Strategic Policy: Appropriate Energy Use)
- Policy 37 (Sustainable Construction)
- Policy 38 (Strategic Policy: Flooding)
- Policy 39 (Strategic Policy: Infrastructure Provision)
- Policy 40 (Sustainable Transport)
- Policy 41 (Parking)
- Policy 42 (Strategic Policy: Inclusive Communities)

2.4 Together with a smaller site to the west, the land subject of this application, forms part of the Strategic Housing land allocation SD11. Housing allocation SD11 identifies that, in combination, the two sites will provide 'around 150 no. residential dwellings'. The second site allocated as part of SD11 is currently the subject of a separate application, which is being considered under reference DC/16/0274. This application is for 45 no. dwellings.

2.5 Policy SD11 notes that "*development of this area will be required in order to deliver the necessary infrastructure, facilities and services to meet the needs of the community.*" It states that the development "*will be designed at an appropriate density and layout, which relates to the existing settlement, providing a mix of dwelling sizes, types and tenures to reflect local need.*"

2.6 The supporting text indicates that "*the design of the development shall ensure that there is a landscape buffer to the south of the village providing a clear transition into the open countryside and a strong defensible boundary to the settlement edge.*" In formulating proposals, developers must have due regard to the design and layout in order to ensure that it will "*preserve and recognise existing sensitive heritage assets and their settings, including the Listed Great Gillmans Farmhouse, as well as conserving and enhancing the biodiversity and positive landscape qualities of the site.*"

- 2.7 In accordance with Housing Allocation SD11, the development must have a “*legible layout which facilitates and supports all modes of sustainable transport, providing clear linkages to local services and facilities. Access to the site must be in a safe and convenient location, ensuring good visibility in all directions and taking account of the capacity requirements of Merringdean Road.* The Policy states that “*the internal road layout should be designed to allow for the circulation of bus routes, should this be required.*”
- 2.8 The Horsham District Local Development Framework Planning Obligations Supplementary Planning Document 2007 is also relevant to the consideration of this application.
- 2.9 The Horsham District Council Infrastructure Delivery Plan (2014) and Horsham Council Community Infrastructure Levy Preliminary Draft Charging Schedule (2014) are also material considerations.

NEIGHBOURHOOD PLAN

- 2.8 Billingshurst Parish does not have an adopted Neighbourhood Plan.
- 2.9 The Billingshurst Parish Design Statement (2009) sets out the Parish Council’s design aspirations for Billingshurst and is intended to be applied to any future development within the village itself and other centres within the Parish boundaries.

PLANNING HISTORY

- 2.10 There is no relevant planning history relating to the application site.
- 2.11 The following developments are, however, relevant to the consideration of this application;

DC/10/0939	Development at Land South of Groomsland Drive and Gillmans Industrial Estate for the erection of 150 dwellings	PER
DC/11/2385	Development at Land East of Daux Avenue for the erection of 46 dwellings	PER
DC/13/0147	Development at Land at Daux Wood for the erection of 46 dwellings	PER
DC/13/2379	Land adjoining Blackthorne Barn for the erection of 50 dwellings	PER
DC/16/0274	Development of the land south of Merringdean Acres so as to accommodate 45 dwellings together with associated access road, car parking, landscaping and open space	PEND

3. OUTCOME OF CONSULTATIONS

- 3.1 Where comments 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 Strategic Planning** (summary)

The site is one of two parcels of land allocated in the adopted HDPF (November 2015) Policy SD11 Strategic Policy: Land South of Billingshurst.

The HDPF was adopted by Council on the 27th November 2015 and now forms the development plan for the District.

In principle, there is no policy objection to the development as it is an allocated site. The allocation combined two sites for housing development and associated infrastructure to accommodate around 150 dwellings. There was no set number for the individual sites in the allocation. The Main Modifications to the Local Plan introduced a definition that allowed allocations to be referred to as "around" which was agreed in discussion at the Examination to be a 10% tolerance for strategic sites. Therefore, the allocation could yield between 135 and 165 units depending on design and infrastructure considerations. During the detailed consideration of the application the amount of development on the site has been reduced to address other policy issues. The proposal is now for 87 dwellings. In order to deliver the housing envisaged by Policy SD11, due regard must be had to what can be delivered on the remaining site within the allocation. There is a current application on this other site (DC/16/0274) for 45 dwellings. This application is still being considered. When combined, the two sites would generally deliver the quantum of development indicated, when applying the 10% tolerance threshold. Therefore, the application is consistent with the allocation and is supported by planning policy.

- 3.3 **HDC Environmental Management, Waste and Cleansing** (summary)

Each property must have a designated bin collection point within 25 metres of the dwelling that it serves.

- 3.4 **HDC Housing** (summary)

No objection. The proposed mix is acceptable.

- 3.5 **HDC Parks and Countryside** (summary)

No objection. The provision of green space across the site is acceptable. There is a requirement to provide play equipment at the site although it is agreed that this can take the form of 'natural' play equipment. The details need to be agreed by the Local Planning Authority, in consultation with the Parks and Countryside team.

- 3.6 **HDC Drainage Technician** (summary)

No objection. The principle of the proposed drainage scheme is acceptable. Conditions should be used requiring the submission and approval of the final details of the foul and surface water drainage for the site.

3.7 **HDC Environmental Health** (summary)

No objection, subject to a condition requiring development to stop if unexpected contamination is found to be present at the site. In this event, work should not recommence until an appropriate remediation strategy has been submitted to and approved by the Local Planning Authority.

Some of the proposed dwellings will be sited close enough to Merringdean Road for prospective occupiers to be affected by noise disturbance. A condition should be attached, therefore, requiring the submission and approval of a scheme of works to reduce the intrusion of noise to all habitable rooms and amenity spaces affected by unacceptable noise levels. The scheme should have due regard to the requirements of BS8233:2014.

A condition should also be attached requiring the submission and approval of a Construction Environmental Management Plan (CEMP), to control the potential impacts on adjacent residents during the construction period.

3.8 **HDC Landscape Officer** (summary)

The density in the northern section of the site is very high and a lower residential density would be preferable in landscape terms. However, given the reduction of 20 no. units and the enhancements made to the southern/south-western boundary, it would be possible to support the application, subject to agreeing further details relating to; the soft landscaping across the site; the provision of street furniture (ie, benches); a specification of the hard surfacing materials across the site; details of a landscape management and maintenance plan; details of any acoustic fencing required; details of the nature trail equipment; and the design of the pumping station.

3.9 **HDC Heritage Officer** (summary)

Comments received in response to the original submission for 107 units.

The proposed development would cause less than substantial harm to the setting of Great Gilmans Farm, a Grade II Listed farmhouse dating from the 17th Century. It is also considered that the scheme would cause harm to the wider landscape, which is clearly rural in character and marks a significant change from the already extended urban environment of Billingshurst to the north and the western side of Merringdean Lane.

The introduction of 107 no. dwellings, with associated residential paraphernalia would have a significant and harmful impact on the rural character of this green field, altering not only its appearance, but also its role in maintaining the rural scene in contrast to the urban environment to the north. As such, it is considered that the very urban nature of the development and despite attempts to soften the edges, would read as an unacceptable visual intrusion into the countryside scene.

The site falls within the setting of the Listed Building which is seen in views across it, from within it and in conjunction with it. The sense of the Listed Building's rural setting will be significantly harmed, now and in the future, having a lasting, permanent and damaging impact. The experience of the Listed Building will also be eroded. Its current extent of relative isolation, which is an important aspect of its significance, would also be affected.

There is a statutory duty to preserve the setting of heritage assets and any level of harm must be given considerable weight in the decision-making process. As such, the wider public benefits of granting planning permission must be so significant to sufficiently outweigh the harm and include sufficient mitigation.

A verbal update on the latest proposal for 87 no. dwellings will be provided at Committee.

OUTSIDE AGENCIES

3.10 **Environment Agency**

Do not wish to comment on the application.

3.11 **Ecology Consultant** (summary)

No objection. Subject to conditions requiring the submission of a bat sensitive lighting scheme and an Ecological Mitigation, Management and Monitoring Plan, it is not considered that the development will have an adverse impact on the interests of nature conservation. A condition should also be attached requiring an updated badger survey to be undertaken prior to the commencement of development (including preparatory work) to confirm the continued absence of badger setts from the effected part of the site.

To avoid risk to potentially nesting birds, an informative should also be included on any decision stipulating that the removal of trees and/or shrubs should take place between September and the end of February.

3.12 **Natural England** (summary)

No objection.

3.13 **Southern Water** (summary)

No objection, subject to conditions requiring the submission of details of the proposed means of foul and surface water sewerage disposal, to be approved by the Local Planning Authority, in consultation with Southern Water.

Initial investigations reveal that there is currently inadequate capacity in the local network to provide foul sewage disposal to service the development. Additional off-site sewers, or improvements to existing sewers will be required in order to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain a specific location.

3.14 **WSCC Drainage** (summary)

No objection. A condition should be attached requiring the submission and approval of a surface water drainage scheme.

3.15 **WSCC Highways** (summary)

The applicant has submitted details relating to the provision of improvements to the cycle network, to provide improved links between the application site and Billingshurst. The applicant has also provided details of traffic calming measures, including a gateway feature on Merringdean Lane, to reduce the speed of vehicles travelling along the highway to the east of the site. It will be necessary to make sure that the implementation of these features is co-ordinated with the provisions secured by planning permission reference DC/10/0939.

A verbal update will be provided at Committee.

3.16 **WSCC Public Rights of Way**

No objection. Footpaths 1321 and 1322 are within the site boundaries, however, they have been appropriately accommodated within the development.

3.17 **Archaeology Consultant** (summary)

No objection. Notwithstanding the surveys, there remains a possibility that archaeological finds may be present across the site. A condition should be attached to any permission, therefore, requiring the applicant to prepare a Written Scheme of Investigation to address any unexpected archaeology that may be found during construction. Concern is raised regarding the likely impact of the development on the local highway network.

3.18 **Sussex Police (Crime Prevention and Design)** (summary)

No objection. The design and layout has produced outward facing dwellings and, in the main, back-to-back gardens, which has virtually eliminated the need for potentially vulnerable rear garden paths. Parking is overlooked and is provided on driveways, garages or parking bays so that the street remains unobstructed.

Gates should be lockable. In the single instance where there is a rear garden path, consideration should be given to providing a 1.5 metre fence, with 0.3 metre of trellising in order to increase opportunities for surveillance.

PUBLIC CONSULTATIONS

3.19 **Billingshurst Parish Council** (summary)

Object to the planning application. Concern is raised regarding the impact of the development on flooding and drainage. Concern is also raised regarding the lack of a footpath on Merringdean Road and onward pedestrian access to the village. The Parish Council has also noted the loss of the Locally Equipped Play Area from the plans.

In the event that planning permission is granted, the Parish Council has requested that the financial contributions secured through the legal agreement be put towards the following community facilities; upgrading/refurbishment/repair of the facilities at the Lower Station Road Recreation Ground, including a new bridge to span the Parbrook; upgrading/refurbishment/repair of the facilities at the Billingshurst Bowling Club; upgrading/refurbishment/repair of the facilities at the Billingshurst Scout and Guides' hut.

3.20 29 no. letters of objection (received from 23 no. different addresses) were received in response to the original public consultation relating to the development of the site for 107 no. units. A letter of objection has also been received from the CPRE Countryside Trust. The letters raised the following issues:

- concern regarding the cumulative impact of recent developments in Billingshurst;
- concern regarding the increase in traffic on the local highway network and the associated impact on highway and pedestrian safety;
- concern regarding the use of the local highway network by construction traffic;
- concern about traffic speeds on Merringdean Road;
- inadequacy of on-site car parking provision and the availability of parking in Billingshurst, including at the station;
- concern regarding the inadequate infrastructure, services and facilities in Billingshurst;
- concern regarding drainage and flooding issues;
- concern regarding the loss of countryside and the potential impact on wildlife and protected species;
- concern regarding the loss of trees/hedges;
- concern regarding the potential increase in air pollution
- the Design and Access Statement contains errors

3.21 17 no. letters of objection (received from 16 no. different addresses) have been received in response to the amended plans relating to the development of the site for 87 dwelling units. The letters raised the following new issues:

- concern regarding the visual impact of the development;
- there are limited job opportunities in Billingshurst;
- problems with litter and rubbish in Merringdean Road;
- impact on property values

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 to consider in this case are; the acceptability of the principle of residential development in this location; the acceptability of the mix and tenure type of the proposed dwellings; the design and layout of the proposed development and its impact on the character and appearance of the landscape and the amenity of existing and prospective occupiers; the impact on the setting of the adjacent Grade II Listed Building; whether the proposed access arrangements are acceptable; the adequacy of the parking and refuse collection arrangements; whether the development can be delivered without having a harmful impact on local traffic conditions, or highway and pedestrian safety; the impact of the proposal on drainage and flooding; the interests, nature conservation (including trees), flooding and land contamination and; whether appropriate mechanisms are in place to secure the necessary infrastructure improvements.

The Principle of Development

6.2 The principle of residential development at the site is established by Policy SD11 of the HDPF. In combination with a site immediately to the west of Great Gillmans Farm, the application site is expected to deliver around 150 no. dwellings.

6.3 The provision of 87 no. dwellings, on the larger of the two sites will, therefore, make a significant contribution to this provision helping to meet the housing needs of the District, as required by the HDPF. Given the application site is the larger of the two land allocations that make up Policy SD11, it is appropriate that this site should accommodate the greater quantum of development. The remainder of the land allocated under Policy SD11 is the subject of a separate application for 45 no. dwellings (DC/16/0274), which provides a combined total of 132 no. units. Whilst this falls slightly below the figure of 'around 150 dwellings' as set out in Policy SD11, it would be very close to the 10% tolerance that was agreed for strategic sites during the Local Plan Examination. The slight reduction in overall housing numbers has also been necessitated in order to overcome specific detailed landscape and heritage related matters, so as to comply with other Policies in the HDPF. The amended scheme is, therefore, considered to represent the best approach in so far as achieving both an acceptable design solution and the best/most efficient use of land.

Dwelling Type and Tenure

- 6.4 35% of the proposed residential units that would be provided across the site would be made available on the affordable housing market, in accordance with Policy 16 of the HDPF. The development will provide 18 no. two bedroom flats, 4 no. two bedroom dwellings and 8 no. three bedroom dwellings, which will be made available on the affordable housing market and this is considered to represent a suitable mix. The affordable units will be sited towards the north-western side of the site, however, they will be surrounded by open market dwellings and this will help to promote the creation of inclusive communities. The tenure of the affordable housing units will be controlled by the legal agreement.
- 6.5 Policy 16 of the HDPF seeks to achieve a mix of housing sizes to meet the District's housing needs, as identified in the Strategic Housing Market Assessment (SHMA), in order to create balanced and sustainable communities. The SHMA recognises that larger development sites, such as that under consideration, provide the best opportunity to deliver larger homes and a broader mix of house sizes and suggests a proportion of up to 45% of all units on such sites have three or more bedrooms. Whilst the proportion of three or more bedroom properties across the development site as a whole would exceed the above guideline threshold, it is important to note that the SHMA itself recognises that demand for family homes remains strong and that the exact mix of housing across the site has been tailored to reflect the established pattern of development in the locality and the need to provide low density development, comprising larger dwellings set on spacious plots towards the southern edges of the site (to reduce the potential impact on the character of the adjacent countryside). The proposed mix will help to meet a local need and is supported by the Housing Services Manager.

Layout, Residential Density and Landscaping

- 6.6 In accordance with the requirements of Policy SD11, the design of the proposed development must be suitable, having due regard to its position at the transition between the built up area and the adjacent open countryside and its proximity to the Grade II Listed Great Gillmans Farm.
- 6.7 Accordingly, careful consideration has been given to the proposed layout in order to ensure that a suitably robust landscaping buffer can be provided around the perimeter of the site, particularly on the south-eastern and south-western boundaries. The landscaping buffer, which will comprise native trees and hedgerows, will be complemented by generous areas of public open space which, in combination, will ensure that an appropriate transition is achieved between the proposed development and the adjacent open countryside. Indeed, the lowest density of development would be located at the southern end of the site, where properties would also be set back a considerable distance from the application boundaries, to avoid the perception of a harmful encroachment into the adjacent rural environment.
- 6.8 The dwellings at the southern end of the site will comprise detached units, set on spacious plots and this will also help to reduce the perception of built form adjacent to the open countryside. The fragmented layout of these dwellings, together with the strong landscape strip to be provided on the boundaries of the site, will help to reflect the more rural character of the land immediately to the south-west and south-east. The roads providing access to these dwellings will have a more informal appearance, so as to reflect the more rural context of this side of the site.
- 6.9 The highest density of development would be sited on the northern side of the site, away from the open countryside and adjacent to the more suburban context of Merringdean Road and its associated residential developments, including that approved immediately to the north. The dwellings would, however, be screened by existing and new landscaping

and this would help to reduce the relative perception of built form when viewed from outside of the application site.

- 6.10 The density in the northern part of the site would be noticeably higher than across the remainder of the development. This design concept has evolved, however, in order to ensure that an appropriately low density of development can be provided towards the more landscape sensitive southern boundary, whilst at the same time, achieving an appropriate overall quantum of development across the site as a whole, noting the allocation prescribed by Policy SD11 of the HDPF. Overall, the development proposed an average residential density of 16.3 dwellings per hectare (dph).
- 6.11 Each dwelling will be provided with its own useable area of private amenity space and the garden sizes and separation distances between opposing elevations comply with Horsham District Council's design guidance. Opportunities have been sought to introduce street planting and to enhance the most prominent corner plots and junctions with suitable areas of soft landscaping. Under these circumstances, and whilst it is noted that the density of development in the northern corner is higher than across the remainder of the site, the proposed layout and average residential density is considered acceptable. In reaching this conclusion, due consideration has also been given to the design, layout and residential density of the development immediately to the north and the layout of the development approved under DC/13/2379 to the west. Taken in this context, it is not considered that the northern area of the development would be at odds with the established pattern of development in the immediate locality.
- 6.12 Large areas of the site would remain undeveloped, providing pleasant and useable areas of outdoor amenity space for both existing and prospective occupiers. The informal nature of the landscaping will reinforce the rural character to the south and establish a clear, defensible boundary between the edge of the built up area and the open countryside, as required by Policy SD11.
- 6.13 The existing footpaths at the site will be retained and complemented by additional pedestrian routes throughout the site. Not only will this ensure that the site is easy to negotiate, it will allow continued access by local residents to the retained areas of public open space. The provision of a woodland trail will provide an attractive alternative to a more formalised Locally Equipped Area of Play (LEAP) and will avoid the need to provide more urban features such as safety surfacing and fences/enclosures, which would be less in keeping with the adjacent countryside.
- 6.14 It is noted that the public's experience of the existing footpaths will be altered by the introduction of new dwellings, particularly at the northern end of the site. Whilst the development would have an urbanising affect on the path, it is important to note that the pedestrian's experience of this route has already been altered, to a degree, by the development immediately to the north. On balance, therefore, and noting the provision of new paths across the site, which will provide new and alternative routes across the site (and will maintain access to the adjacent countryside), the proposed arrangement is considered acceptable.
- 6.15 The proposal will result in the loss of a section of vegetation on the eastern boundary in order to accommodate the proposed access, however, this is a very small section of hedgerow relative to the overall length of the boundary. The access will be sited towards the northern end of the site, close to existing residential accesses, thereby reducing the potential impact on the rural character of this part of the highway. Taken in this context, it is not considered that the removal of the hedge will have an unacceptably harmful impact on landscape character.

- 6.16 The proposed attenuation pond has been designed to make a positive contribution to the landscape character. The final details of the pond can be controlled by a suitably worded condition.

Design

- 6.17 Careful consideration has been given to the design and siting of the proposed dwellings in order to achieve active frontages, including on corner plots, and high levels of natural surveillance. The height of the proposed dwellings is comparable to adjacent developments and is appropriate in this location, noting that the southernmost properties will be sited away from the site boundaries in order to reduce their visual prominence when viewed from the adjacent countryside.
- 6.18 The choice of external facing materials has been carefully considered so as to achieve an appropriate level of continuity across the site, whilst at the same time, avoiding monotony in the streetscene. The provision of porches, chimneys, projecting gables, first floor tile hanging and timber boarding will help to enliven the appearance of the dwellings and the provision of both hipped, barn-hipped and pitched roofs will add further visual interest.
- 6.19 The plans show that wherever rear garden walls would be visible from an adjacent access and/or paths, they would be complemented by suitable areas of soft landscaping, so as 'soften' the appearance of these boundary features. The provision of wooden fencing to enclose rear gardens where they are not publicly visible is common in modern residential developments and is acceptable. Notwithstanding this, details of all rear boundary treatments, including materials is to be controlled by condition, so as to ensure a suitably high quality of design.
- 6.20 The use of contrasting hard surfacing materials across the site will not only enhance the appearance of the development, but will also help to control traffic speeds and establish a hierarchical system of streets. The applicant has indicated that the roads at the southern end of the site would be finished in bound gravel, so as to reflect the rural character of the adjacent countryside. Where car parking courts are proposed, they are set back from the highway, so as to reduce their prominence in the streetscene, thereby ensuring that the development does not become dominated by large areas of hard surfacing.
- 6.21 In order to ensure that the development maintains a high quality appearance, it is proposed to include a condition removing the permitted development rights relating to the erection of new walls, fences, or other means of enclosure at the front and/or side of dwellings, where this elevation fronts onto a highway or path. Likewise, in order to ensure that suitable separation distance is maintained between opposing side elevations, it is proposed to remove the permitted development rights relating to the erection of side extensions. Finally, in order to preserve the appearance of the properties on the southern side of the site (where they front on to the adjacent countryside), it is proposed to remove the permitted development rights relating to roof alterations to the front roofslope (to prevent the erection of dormer windows without first obtaining planning permission).

Residential Amenity

- 6.22 The properties to the east in Kingsfold Close are located on the opposite side of Merringdean Road. Whilst it is accepted that the proposals could alter the outlook from the first floor windows of the closest properties in this cul de sac, in light of the intervening road and landscaping, and the orientation of the properties, it is not considered that the proposed development will have a harmful impact on the residential amenity of the occupiers of these dwellings in terms of loss of light, outlook or privacy.
- 6.23 Similarly, the properties immediately to the north are located beyond a dense tree screen and an intervening private access drive that serves Great Gillmans Farm. As such, it is not

considered that the development will harm the amenity of these residents in terms of loss of light, outlook or privacy.

- 6.24 The separation distance with Great Gillmans Farm to the west is sufficient to ensure that the development does not harm the residential amenity of the occupiers of this property.
- 6.25 It is recognised that the introduction of 87 no. dwellings, into what is a currently undeveloped field, will result in increased levels of activity associated with, for instance, the use of rear gardens and the comings and goings of vehicles. Given the separation distances involved, however, and the intervening landscaping (which is to be enhanced as part of the development proposals), it is not considered that this will result in unacceptable levels of disturbance to adjacent occupiers.
- 6.26 The details of any street lighting required at the site is to be controlled by condition. This will ensure that the design is acceptable and that the development does not result in unacceptable light pollution or instances of glare. The provision of appropriate lighting will also protect the amenity of existing and prospective occupiers and help to reduce the potential urbanising affect on the adjacent countryside.
- 6.27 The application is supported by a Noise Survey, which assesses the likely impacts of the adjacent highway on the living environment of prospective occupiers. The Survey concludes that, subject to appropriate mitigation, in the form of acoustic glazing, the adjacent highway should not give rise to unacceptable levels of disturbance to prospective occupiers. The Head of Environmental Health has endorsed this view and has recommended that conditions be included requiring the submission and approval of the details of such mitigation measures. The subsequent implementation of these facilities can be controlled by condition.
- 6.28 A condition will be used requiring the submission and approval of a Construction Environment Management Plan, including details of the design and siting of any site compound(s), the measures to control noise and dust from the site (including hoarding) and the siting of any plant and machinery. A condition will also be used to control the hours of construction. This will protect the amenity of residents during the construction period.

Heritage Impact

- 6.29 There are 14 no. Listed Buildings within 1km of the site. Due to their siting relative to the application site, however, the proposed development only has the potential to have an impact on the Grade II Listed Great Gillmans Farm.
- 6.30 In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority must have special regard to the desirability of preserving Listed Buildings and their setting or any features of special architectural or historic interest that they possess.
- 6.31 The application site is located within the setting of Great Gillmans, a Grade II Listed Building. The NPPF and NPPG recognise that 'heritage assets may be affected by direct physical change or by changes in their setting'. Guidance provided by Historic England (formerly English Heritage) expands on this position, explaining that the setting of a heritage asset includes the surroundings in which it can be experienced. In this regard, it must be noted that setting does not rely wholly on a visual relationship or inter-visibility. Rather, a range of other factors must be considered, including, but not exhaustive of, matters relating to topography, openness, enclosure, boundaries, functional relationships, and relationships with other heritage assets. Whilst it is noted that the boundaries of the farm may have evolved since the property was first constructed, the application site clearly forms part of its original setting.

- 6.32 Recent case law arising from the Court of Appeal's judgment in Barnwell Manor Wind Energy Ltd v E Northants DC, English Heritage, National Trust and SSCLG [2014] EWCA Civ 137 clarifies how a decision taker must address the issue of harm to the setting of a Listed Building. This decision closely follows that of the High Court in North Norfolk DC v SSCLG & Mack [2014] EWHC 279 (Admin), which concluded that, in accordance with Paragraph 134 of the NPPF, it is not permissible to carry out a simple balancing exercise, rather, it is necessary to determine 'whether there is justification for overriding the presumption in favour of preservation'. This emphasises that, in enacting Section 66(1) of the Listed Buildings Act, Parliament has intended that the desirability of preserving the settings of Listed Buildings should not simply be given careful consideration for the purpose of deciding whether there would be some harm, but should be given 'considerable importance and weight', when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption in favour of preservation. This is the case whether the harm is 'substantial' (and thus engages Paragraph 133 of the NPPF) or is 'less than substantial' (thereby engaging Paragraph 134 of the NPPF). The judgment makes clear the point that 'less than substantial harm' to the setting of a Listed Building does not equate to a less than substantial objection to the grant of planning permission. It is within this context, therefore, that the Local Planning Authority is duty bound to consider the application.
- 6.33 It is acknowledged that the application site is currently partially screened from Great Gillmans by the intervening belt of vegetation on the western boundary. Notwithstanding the presence of this vegetation screen, it is evident that views of the application site are afforded from the first floor windows in the eastern elevation of the Listed Building, particularly in winter months, when the trees have lost their leaves. Historic England's guidance is clear in its contention that the screening of development does not, in itself, make it an acceptable addition to the landscape or significantly reduce impact on character. It must also be remembered that the appreciation of built form, associated with the erection of 87 no. dwellings, would also be readily discernable at night, due to the associated street and house lighting, irrespective of the presence of screening. The provision of 87 no. houses on the application site would, therefore, alter the rural setting of the Grade II Listed Building, by introducing built form onto what is currently an undeveloped field, having an adverse impact on the rural isolation of the building, which currently contributes to its significance. The sense of openness that is currently experienced from the building would also be altered.
- 6.34 It must be noted, however, that the sense of rural isolation has already been diminished, to an extent, by the development immediately to the north of the application site, which has further extended the village of Billingshurst southwards, towards the Grade II Listed Building and by the grant of planning permission DC/13/2379 immediately to the west. Taking all the above matters into account, therefore, on balance, it is considered that the harm identified above would be 'less than substantial', as set out in Paragraph 134 of the NPPF.
- 6.35 On this basis, it is necessary to balance all material planning considerations in the planning judgement in order to determine whether the proposals constitute sustainable development within the meaning of the NPPF. This includes whether the public benefits associated with the proposed development would outweigh the less than substantial harm identified in the paragraphs above.
- 6.36 The proposed development has been sensitively designed so as to ensure a low residential density at the southern end of the site, closest to the Listed Building, with large areas of open space and landscaping provided in order to ensure that the proposal retains a rural interface with the adjacent Listed Building. Whilst the dwellings at the southern end of the site have not sought to achieve a pastiche replication of the traditional farmstead developments that were once typical of the village of Billingshurst, they have, nevertheless, been designed to provide spacious layouts and opportunities for increased areas of soft

landscaping, respecting the more rural character of this part of the site. Whilst the development would introduce urbanising features within the setting of the Listed Building, it is noted that the context within which this building is experienced and appreciated has evolved considerably over time, with the introduction of the Gillmans Industrial Estate and the residential development immediately to the north of the application site, both of which have, consequently, extended the boundaries of the village considerably closer to the Listed Building. Planning permission DC/13/2379 has further altered the context within which the Listed Building must be considered. The above factors, coupled with the fact that the closest of the proposed dwellings will be set in excess of 100 metres from the eastern elevation Great Gillmans, reduce the level of harm to the setting of this Listed Building.

- 6.37 In accordance with Policy SD11 of the HDPF, the application site, together with a smaller site, immediately to the west of Great Gillmans Farm is allocated for housing development and is expected to contribute to the delivery of around 150 no. dwellings. Whilst, during the course of the application, the number of units proposed at the site has been reduced (in order to achieve an improved design, increased areas of soft landscaping and a lower density of development at the southern end of the site), the provision of 87 no. houses will continue to make a significant contribution to the delivery of housing in the District, in accordance with the overarching requirement of the HDPF, which seeks to deliver 800 homes per annum. From a social perspective, the proposed development would also provide 30 no. affordable housing units, which would help to meet the needs of the local community.
- 6.38 The financial contributions secured through a planning obligation, as described in greater detail in Sections 6.63 – 6.69 of this report would, together with highway improvements (including improved cycle links to Billingshurst) and enhanced local facilities, support the local community's social well-being. The proposed development would also provide useable areas of public open space, which greatly exceed the requirements set out in the Horsham District Council Design Guidance and this would help to contribute to the open space provision in the District. Policy SD11 itself notes that the development of this site is necessary in order to deliver the necessary infrastructure, facilities and services to meet the needs of the community.
- 6.39 The provision of additional housing would have some short term economic benefits, including employment opportunities during the construction process and prospective occupiers would be likely to contribute to the local economy and would also be required to pay Council Tax. Whilst this positive benefit must be given less weight than the provision of housing on an allocated site, it is, nevertheless, an important consideration in the balancing exercise.
- 6.40 In summary, whilst the introduction of 87 no. dwellings at the application site will result in less than substantial harm to the setting of the adjacent Grade II Listed Building by altering its rural setting, the development has been sensitively designed to reduce this impact. The application site is allocated for housing within the HDPF and the provision of 87 no. units will make a meaningful contribution to the overall quantum of development identified in strategic housing allocation SD11 and the Council's requirement to deliver 800 no. houses per annum over the HDPF period. The development will also deliver social benefits, including the provision of 30 no. affordable housing units, which must be given considerable weight in the balancing exercise, as well as less significant benefits, including improvements to community facilities used by local residents. Taking all of the above matters into account, it is considered that the positive benefits of granting planning permission would significantly and demonstrably outweigh any adverse impacts, including to the setting of the Listed Building. The proposal is, therefore, considered to amount to sustainable development, relative to paragraphs 14 and 49 of the NPPF.

6.41 Archaeological investigations have been undertaken and no archaeological features, deposits or finds were encountered. Notwithstanding this, the Council's Archaeological Consultant has suggested that it is possible that unexpected archaeological finds may still be encountered during the construction period and has requested that a condition be attached requiring the applicant to submit a Written Scheme of Investigation for approval, prior to commencement of development.

Highway Impact, Access and Parking

- 6.42 Adequate visibility is available at the proposed site entrance to ensure that vehicles are able to enter and exit the site safely and conveniently. The layout of the internal roads (including the widths, swept paths and visibility splays) and junctions will provide safe, well-lit routes for both vehicles, cyclists and pedestrians. Given the nature of the layout, traffic speeds throughout the site will be low and this will help to provide a safe environment for all users of the highway. The plans show that adequate space is available within the internal roads to allow a refuse collection vehicle to turn safely and conveniently.
- 6.43 The Local Highway Authority has confirmed that the existing highway network retains adequate spare capacity to accommodate the additional traffic associated with the 87 no. additional dwellings, including when existing developments are taken into account. The application is supported by a Travel Plan, which includes a requirement to reduce car journeys from the site by 10%. The implementation and subsequent monitoring of the Travel Plan will be controlled by condition and this will help to promote sustainable alternatives to the use of the private motor vehicle, reducing the number of vehicles on the local highway network.
- 6.44 The provision of an enhanced gateway feature to the south of the site (at the transition between the 40 mph and 30 mph speed limits) will help to reduce the speed of vehicles travelling north towards the village and beyond the access to the development site. This will help to improve highway safety. The Local Highway Authority has agreed the design of the traffic calming measures, in principle, however, the final details of the scheme and its subsequent implementation will be controlled by a condition. The condition will need to ensure the effective co-ordination between the highway works proposed by planning permission DC/10/0939.
- 6.45 The proposed development will provide adequate facilities for both visitor and resident car parking, in accordance with West Sussex County Council's Parking Standards. It is not, therefore, considered that the development will result in harmful overspill parking either within the site itself, or within the local highway network. The design and siting of the spaces will allow for safe and convenient maneuvering. A condition will be used requiring that all driveways, garages and parking courts are retained for the parking of vehicles, so as to ensure that adequate car parking remains available across the development site.
- 6.46 The proposed development will provide an internal path on the eastern side of the site so that pedestrians may walk through the site without having to use Merringdean Road. This is preferable to providing a new pavement on the road itself, which would necessitate the loss of an extensive length of hedgerow. It is also considered that the path will also provide a more pleasant environment for pedestrians. The path will terminate at the north-eastern end of the site, where an informal crossing will provide access across the road and onto the pavement on the eastern side of the highway. From here, pedestrians will be able to access Billingshurst on foot.
- 6.47 The site is located within reasonable walking distance of a number of local services and facilities. The site is also located close to bus stops, which will help to reduce the reliance on the private motor vehicle. Whilst these facilities are close, the Local Highway Authority has advised that the cycle links between the application site and Billingshurst are in need of

improvement. In order to address this identified deficiency, the applicant proposes to provide improved cycle links towards the village centre, through the provision of marked lanes and crossings. Although the Local Highway Authority has confirmed the acceptability of the design of these improvements, in principle, the final details and the subsequent implementation will be secured by way of the legal agreement.

- 6.48 Appropriate facilities for the storage of cycles and refuse bins have been shown, the final details of which can be controlled by condition. Refuse collection points have been shown and this will allow for the safe collection of bins on collection days. The precise details of the refuse collection points, and their subsequent implementation and retention, will be controlled by condition.
- 6.49 Taking all of the above matters into account, it is not considered that the proposed development will have a harmful impact on the local highway network or highway and pedestrian safety. Appropriate facilities will be available for the parking of vehicles and cycles and the development will provide improved cycle links towards Billingshurst.

Flood Risk and Drainage

- 6.50 The application site is located within Flood Zone 1, which is defined as having a low probability of flooding. The area is identified as having a low risk of flooding from the Main River. It is also noted that there are watercourses at the boundaries of the application site and that a number of local residents have reported incidents of localised flooding.
- 6.51 The site is underlain by Weald clay and intrusive investigations have confirmed that ground conditions are not suitable for the use of infiltration drainage techniques. This is not uncommon, however, and suitable drainage strategies, in the form of attenuation ponds, are often used to overcome this issue, as is being proposed in this application.
- 6.52 The application is supported by a Flood Risk Assessment that demonstrates that the proposed attenuation pond has been designed to ensure that there is no increase in surface water run-off at the site. The Council's Drainage Technician has raised no objection to the drainage strategy proposed. A condition will be used to control the implementation and future maintenance of the SUDs to ensure that they remain effective for the lifetime of the development, as requested by Southern Water.
- 6.53 Southern Water has advised that there is currently inadequate capacity in the local network to provide foul sewage disposal for the proposed development. Additional off-site sewers, or improvements to existing sewers, will, therefore, be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided by Southern Water to drain to a specific location.
- 6.54 Subject to the conditions requiring full details of the foul and surface water drainage schemes, together with details of the management and maintenance for the SUDs, it is not considered that the proposed development will increase the risk of flooding to people or property, in accordance with the NPPF and Policy 38 of the HDPF.

Land Contamination

- 6.55 It is not anticipated that the land is contaminated. Notwithstanding this, a condition can be used that will require works to cease in the event that unexpected contamination is found to be present, until such a time that suitable mitigation measures have been agreed, in writing, by the Council.

Ecology and Biodiversity

- 6.56 Additional information has been submitted regarding the potential of the site to support foraging and commuting bats (including Barbastelle). The potential impacts of the development on the Men's Special Area of Conservation (SAC) has also been appropriately considered and appropriate avoidance and mitigation measures have been formulated.
- 6.57 Due to the proximity of the site to a number of ponds, the land has potential to provide habitat for Great Crested Newts (particularly during their terrestrial phase). Additional information has been provided regarding the adjacent ponds and newt populations and appropriate mitigation has been put forward.
- 6.58 In light of the above, and subject to conditions requiring the submission and approval of a bat sensitive lighting scheme and an Ecological Mitigation, Management and Monitoring Plan, it is not considered that the development will have an adverse impact on the interests of nature conservation.
- 6.59 The Council's Ecological Consultant has also advised that a condition should be attached requiring an updated badger survey to be undertaken prior to the commencement of development (including preparatory work) to confirm the continued absence of badger setts from the effected parts of the site.
- 6.60 To avoid risk to potentially nesting birds, an informative will also be included on any decision stipulating that the removal of trees and/or shrubs should take place between September and the end of February.

Renewable Energy

- 6.61 The applicant proposes to design-in measures to reduce the scheme's carbon dioxide emissions. It is proposed to achieve this objective by reducing the energy demands of the proposed buildings by incorporating measures to increase passive solar gain, achieve high levels of thermal efficiency and by using low energy lighting.
- 6.62 The development would, therefore, comply with the NPPF, which seeks to ensure that development minimises emissions of greenhouse gases and utilises sustainable construction techniques.

Section 106 Obligations

- 6.63 Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions would be required towards amenity open space, play and recreation areas, indoor and outdoor sports provision, community facilities, libraries, education, fire and rescue and highway improvements.
- 6.64 All contributions must be justified in accordance with the three tests set out under Regulation 122 of the Community and Infrastructure Levy Regulations 2010, in so far that they must be; necessary to make the development acceptable in planning terms; directly related to the development and; fairly and reasonably related in scale and kind to the development.
- 6.65 It is considered that the District Council's approach continues to meet the three statutory tests, as explained below.
- 6.66 The developer contributions, which would be secured through an appropriate legal agreement, would be allocated towards improvements within the local area, to ensure they benefit local residents. The Sport, Open Space and Recreation Assessment lists other

types of improvements that can be made to existing facilities, for instance, new lighting, seating, safety signage, provision of new/improved safety surfacing, new play equipment, dog proof fencing, provision of additional litter bins, additional planting, amongst others.

- 6.67 Due to the scale of the proposed development, it is considered that prospective occupiers would make use of the enhanced community facilities and would benefit, therefore, from any improvements. It is necessary for each new dwelling to contribute towards improvements to the facilities to enhance strategic areas of recreational space for residents, rather than having to travel further afield. The Parish Council has identified specific schemes towards which the community facilities contribution could be put towards.
- 6.68 For the reasons outlined above, the provision of a commuted sum for specific local projects is considered a fair approach to deal with the cumulative pressure on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in the Billingshurst and Shipley ward.
- 6.69 The developer has confirmed a willingness to enter into a legal agreement to secure the necessary sums, in accordance with the NPPF and Policy 39 of the HDPF and this is therefore reflected in the recommendation.

Other issues

- 6.70 The impact of a development on existing property prices is not a material planning consideration in the determination of this application. Although Design and Access Statements are prepared by the applicant in support of their application, the development proposals are assessed following a site visit and based on the submitted plans. The matters raised by Billingshurst Parish Council are duly noted, including those relating to flooding and drainage, which are addressed in sections 6.50 – 6.54 of this report. The precise details of the means of access to the site for construction traffic and the hours of construction will be controlled by a suitably worded condition. It has been noted that the equipped play area has been deleted from the amended plans. As referenced in section 6.13 of this report, however, the provision of a more informal woodland trail is considered more appropriate in this location.
- 6.71 Paragraphs 186 and 187 of the NPPF require Local Planning Authorities to approach decision making in a positive way and look for solutions rather than problems, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This sentiment is reflected in Policy 1 of the HDPF, which requires the Council to work pro-actively with applicants to find solutions that allow applications to be approved wherever possible.
- 6.72 Accordingly, discussions were held with the applicant in order to agree amendments to the design, layout and siting of dwellings across the site. Due regard has also been had to the Parish Council's comments which have identified projects that the financial contributions secured through the legal agreement could be put towards, to best suit the needs of the Parish and local residents.

Conclusion

- 6.73 The acceptability of the principle of residential development at the site is established by Policy SD11 of the HDPF. The proposed development, by reason of its appropriate design, layout, appearance, scale and soft landscaping proposals will not significantly harm the character or appearance of the area or the residential amenity of existing or prospective occupiers. It will provide a mix of dwelling types, including 35% affordable housing units, thereby contributing to the mix of units available in the local area. The layout, access and vehicle parking arrangements, together with the provision for refuse storage and cycle parking are acceptable. The development will not harm the interests of highway or

pedestrian safety and will not contribute to harmful levels of congestion in the local highway network. Adequate provision has been made for open space which, together with the provision of new landscaping and boundary planting will provide valuable amenity space, wildlife habitats and provide a suitable buffer with the adjacent open countryside, so as not to harm the local landscape. The development will not increase the risk of flooding to people or property and will not have an adverse impact on the interests of nature conservation, archaeology or land contamination. The development includes measures to enhance biodiversity and promote energy conservation.

- 6.74 The introduction of 87 no. dwellings at the application site will result in less than substantial harm to the setting of the adjacent Grade II Listed Building by altering its rural setting. The development has, however, been sensitively designed to reduce the impact on the Listed Building. The application site is allocated for housing within the HDPF and the provision of 87 no. units will make a meaningful contribution to the overall quantum of development identified by Policy SD11 and the Council's overall requirement to deliver 800 no. houses per annum.
- 6.75 Taking all the above matters into account, it is considered that whilst the proposals will result in less than substantial harm to the setting of the Listed Building, the positive benefits of granting planning permission would significantly and demonstrably outweigh any adverse impacts and the proposals represent a sustainable form of development, in accordance with the NPPF.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be delegated for approval to the Development Manager subject to securing a legal agreement and appropriate conditions;
1. Approved plan numbers
 2. The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.
Reason: To comply with Section 91 of the Town and Country Planning Act, 190 (as amended).
 3. No development shall take place until details of the surface water drainage scheme, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:
 - (a) The attenuation pond, including detailed designs and sections;
 - (b) information about the design relating to storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.;
 - (c) a timetable for the implementation of the surface water drainage scheme;
 - (d) a management plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

The surface water drainage scheme shall be carried out, managed and retained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to protect water quality and to ensure the future maintenance of the surface water drainage system and to comply with the NPPF and Policy 38 of the Horsham Development Planning Framework (2015).

4. No development shall take place until a scheme to dispose of foul water has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include details of the following:
 - (a) a timetable for the implementation of the foul water disposal scheme;
 - (b) a management plan for the lifetime of the development.

The scheme shall be carried out, managed and retained in accordance with the approved details.

Reason: To ensure that there is adequate provision for foul drainage from the site and to comply with the NPPF and Policy 38 of the Horsham Development Planning Framework (2015).

5. No development shall take place until details of all underground trenching requirements or services, including the positions of soakaways, service ducts, foul, grey and storm water systems and all other underground service facilities and associated ground excavations, have been submitted to and approved, in writing, by the Local Planning Authority. These details shall demonstrate effective co-ordination with the approved landscape scheme and with existing trees on the site. All such underground services shall be installed in accordance with the approved details.

Reason: To protect the roots of important trees and hedgerows on the site in accordance with the NPPF and Policy 25 of the Horsham Development Planning Framework (2015).

6. No development shall take place until details of the traffic management measures and pedestrian crossing to be provided on Merringdean Road, necessary to reduce traffic speeds and secure safe pedestrian access have been submitted to and approved, in writing, by the Local Planning Authority. The approved details, which will demonstrate effective co-ordination with any highway works implemented under planning permission DC/10/0939, shall be implemented prior to the occupation of the first dwelling.

Reason: In the interests of highway and pedestrian safety and improved cycle links between the site and Billingshurst and to comply with the NPPF and Policy 40 of the Horsham Development Planning Framework (2015).

7. No development shall take place until the details of all external lighting for the site, including within parking courts have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include:
 - (a) a layout plan with beam orientation and light spill relative to any established bat roosts and key flight and foraging routes;
 - (b) the design of all lighting, including luminaire type, mounting height, aiming angles and luminaire profiles;
 - (c) a light scatter diagram with relevant contours;
 - (d) a timetable for the implementation of the lighting scheme;

The lighting scheme shall be carried out only in accordance with the approved details and timetable.

Reason: In the interests of amenity, to create a safe environment, to prevent light pollution and interests of nature conservation, to comply with the NPPF and in the interests of preserving the environment for protected species, in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and Policies 24, 25, 26 and 32 of the Horsham Development Planning Framework (2015).

8. No development shall take place until a detailed Construction Environmental Management Plan (CEMP) for the development has been submitted to and agreed, in writing, by the Local Planning Authority. The CEMP shall contain details of:

- (a) the location of the site compound and any buildings within it;
- (b) the location of any moveable structures, plant, or machinery required temporarily in connection with the development;
- (c) the means of enclosure of the site compound;
- (d) the provisions to be made for the parking of contractors, site operatives, employees and visitors vehicles;
- (e) the provision for wheel washing facilities;
- (f) a scheme for recycling/disposing of waste and spoil resulting from construction works;
- (g) measures to control the emission of dust and dirt from the site during construction;
- (h) measures to prevent adverse impacts to surface water and ground water;
- (i) construction vehicle routes;
- (j) a scheme to reduce emissions associated with the construction process.

The development shall be carried out in accordance with the approved CEMP unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure the environment is protected and that the demolition and construction works on site do not impact surrounding properties and/or adjacent occupiers and to comply with the NPPF and Policies 24 and 33 of the Horsham Development Planning Framework (2015).

9. No development shall take place until details of ecological mitigation measures have been submitted to and approved, in writing, by the Local Planning Authority. The ecological mitigation measures shall include details of:

- i) a wildlife protection, mitigation and enhancement plan, setting out practical steps to be taken to avoid impacts on wildlife during site preparation and construction and make future provision of biodiversity (informed by the results of the Preliminary Ecological Appraisal), together with a timetable for the implementation of enhancements;
- ii) a pre-development badger survey and mitigation measures as appropriate;
- iii) a detailed lighting plan, supported by modelled lux levels and luminaire profiles, showing the measures to be used to minimise light pollution of boundary hedgerows and subsequent impacts on nocturnal wildlife, particularly bats;
- iv) a hedgerow enhancement and management, including measures to maximise wildlife habitat value.

The development shall be carried out in accordance with the approved details and timetable, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To avoid adverse impacts on protected and priority species and to enhance the biodiversity value of the site, in accordance with the NPPF and Policy 24 of the Horsham Development Planning Framework (2015).

10. No development shall take place until details of the finished floor levels of the development in relation to an appropriate datum point have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

Reason: In the interests of visual amenity and to comply with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

11. No development shall take place until details of the windows and doors, including the measures to protect prospective occupiers from unacceptable levels of noise, together with appropriate ventilation systems, have been submitted to and approved, in writing, by the Local Planning Authority. The windows and doors and associated ventilation systems shall be installed in accordance with the approved details prior to the occupation of each dwelling and shall thereafter be retained.

Reason: Such details have yet to be submitted and in the interests of residential amenity and to comply with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

12. No development shall take place until details, including samples, of all external facing and roofing materials for the dwellings, flats and garages hereby approved have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out only in accordance with the approved materials.

Reason: To ensure that the external appearance of the buildings is acceptable and to preserve the character and visual amenity of the locality, in accordance with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

13. No development shall take place until a written programme of archaeological investigation and recording has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the findings of the archaeological investigation/recording shall be submitted to the Local Planning Authority within 6 months of the completion of the development.

Reason: To ensure that any archaeological evidence is investigated and recorded and to comply with the NPPF and Policy 34 of the Horsham Development Planning Framework (2015).

14. No development above slab level shall take place until a programme/timetable for the implementation of the following approved aspects of the development have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved programme/timetable and retained thereafter.
 - (i) the make up and provision of internal roads, footways, driveways, junctions and street lighting;
 - (ii) the provision of vehicle parking and turning areas;
 - (iii) the pedestrian paths and cycle paths through the site
 - (iv) the provision of benches

Reason: In the interests of highway and pedestrian safety, residential and visual amenity and to comply with the NPPF and Policies 33 and 40 of the Horsham Development Planning Framework (2015).

15. The roads, footways, cycle path, driveways, internal junctions, parking areas shall be surfaced in accordance with the details, including samples, to be submitted to and

approved, in writing, by the Local Planning Authority and provided and made available in accordance with the programme/timetable approved under condition 14.

Reason: In the interests of highway and pedestrian safety and the visual amenity of the locality and to comply with the NPPF and Policies 32, 33 and 40 of the Horsham Development Planning Framework (2015).

16. No development above slab level shall take place until full details of all boundary treatments, including screen walls, have been submitted to and agreed, in writing, by the Local Planning Authority. The details shall include:

- (i) elevation drawings showing the height and design of the boundary treatment;
- (ii) sample materials and/or manufacturer specifications of the material to be used in the construction of the boundary treatment.

The approved boundary treatments shall be provided in accordance with a programme/timetable to agreed, in writing, by the Local Planning Authority.

Reason: Such details have yet to be submitted and in the interests of security and the visual amenity of the locality and to comply with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

17. No development above slab level shall take place until details of bat and bird boxes and log piles to be installed at the site, including the design/manufacturer specification and locations for the bat and bird boxes and a timetable for their implementation, has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timetable thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: Such details have yet to be provided and to enhance the biodiversity value of the site and to comply with the aims and objectives of the NPPF and Policy 31 of the Horsham Development Planning Framework (2015).

18. No development above slab level shall take place until full details of the soft landscaping for the site, including a programme/timetable for its implementation, based on the information shown on plan PL-L01 Rev PL2, has been submitted to and approved, in writing, by the Local Planning Authority. The soft landscaping shall be provided in accordance with the approved details and programme/timetable thereafter.

Reason: To ensure that an appropriate level of open space is provided at the site and in the interests of the future visual amenity of the locality and to comply with the NPPF and Policies 25, 32 and 33 of the Horsham Development Planning Framework (2015).

19. No development above slab level shall take place until a Landscape Management and Maintenance Plan has been submitted to and agreed, in writing, by the Local Planning Authority. The approved landscaping shall be managed and maintained in accordance with the approved details thereafter, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the soft landscaping and areas of open space are managed and maintained appropriately and in the interests of the future visual amenity of the locality and to comply with the NPPF and Policies 25 and 33 of the Horsham Development Planning Framework (2015).

20. No development above slab level shall take place until details of the equipment and any associated landscaping, to be provided as part of the woodland trail has been submitted to and approved, in writing, by the Local Planning Authority. The play equipment shall thereafter be provided in accordance with the programme/timetable to be agreed in writing, with the Local Planning Authority, prior to occupation of the first dwelling.

Reason: To ensure that appropriate recreational areas are provided and in the interests of the visual amenity of the locality and to comply with the NPPF and Policies 25, 32 and 33 Horsham Development Planning Framework (2015).

21. No development above slab level shall take place until details of the surface water pumping station to be provided at the site, as shown on approved plan PL-L01 Rev PL2, including elevation drawings at an appropriate scale and sample materials have been submitted to and approved, in writing, by the Local Planning Authority. The surface water pumping station shall be constructed in accordance with the approved details thereafter.

Reason: Such details have yet to be provided and in the interests of visual and residential amenity and to comply with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

22. Before the development hereby permitted is first occupied, a detailed Travel Plan, including details of the appointment of a Green Travel Plan Coordinator and a method of monitoring and implementation shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall operate in accordance with the approved Travel Plan following the occupation of the first dwelling unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To reduce the impact of the development on the surrounding highway network, to support sustainable transport objectives, including a reduction in single occupancy car journeys, and to encourage an increased use of public transport, walking and cycling and to comply with the NPPF and Policy 39 of the Horsham Development Planning Framework (2015).

23. The approved cycle parking facilities shall be provided for each respective dwelling before it is first occupied and shall be thereafter retained, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that adequate cycle parking facilities are provided and to comply with the NPPF and Policies 33 and 40 of the Horsham Development Planning Framework (2015).

24. No development above slab level shall take place until details of the refuse storage and collection facilities for each dwelling have been submitted to and approved, in writing, by the Local Planning Authority. The approved facilities shall be provided and made available prior to the occupation of each respective dwelling and shall be thereafter retained, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that adequate refuse/recycling storage facilities are provided and to comply with the NPPF and Policy 32 and 33 of the Horsham Development Planning Framework (2015).

25. In the event that contamination not previously identified is found to be present on site, an investigation, risk assessment and mitigation study shall be undertaken and submitted to and approved, in writing, by the Local Planning Authority. A verification

report that demonstrates that the remediation has been carried out in accordance with the approved scheme shall be submitted to and approved, in writing, by the Local Planning Authority before the development is first brought into use, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the risks from contamination for future users of the land and neighbouring land, property and ecological systems are minimised and in the interests of the safety of construction workers, occupiers of adjacent land and off site receptors, and to comply with the NPPF.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no side extensions or front dormer extensions permitted by Classes A or B, Part 1, Schedule 2 shall be permitted to the dwellings on Plots 59, 60, 64, 65, 66, 71, 72, 73 and 74, as shown on approved plan 2414-A-1005-R.

Reason: To preserve the visual amenity of the locality and the setting of the adjacent countryside and to comply with the NPPF and Policies 25, 32 and 33 of the Horsham Development Planning Framework (2015).

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be permitted to be erected forward of the front and/or side elevations of any of the dwellings hereby approved.

Reason: To preserve the visual amenity of the locality and to comply with the NPPF and Policies 32 and 33 of the Horsham Development Planning Framework (2015).

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), all garages, driveways and parking areas shall be retained for the parking of vehicles only.

Reason: To ensure that adequate car parking is available at the site and in the interests of highway and pedestrian safety and amenity and to comply with the NPPF and Policy 40 of the Horsham Development Planning Framework (2015).

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order, 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of the development hereby permitted shall be erected or stored on the application site other than within the compounds approved pursuant to condition 8 of this planning permission.

Reason: To protect the amenity of neighbouring occupiers and in accordance with the NPPF.

30. No development shall be carried out, other than between the hours of 0800 and 1800 on Mondays to Fridays and 0900 – 1300 on Saturdays. No development shall be carried out at any time of Sundays, Bank Holidays or Public Holidays.

Reason: To protect the amenity of nearby properties and to comply with the NPPF.

31. No materials, including those obtained from demolition, site clearance or construction works shall be burnt on the site.

Reason: To protect the amenity of nearby properties and to comply with the NPPF.

32. The existing trees and hedges at the site trees which are to be retained at the site shall be protected during building operations in compliance with BS5837:2012 – Trees in Relation to Construction.

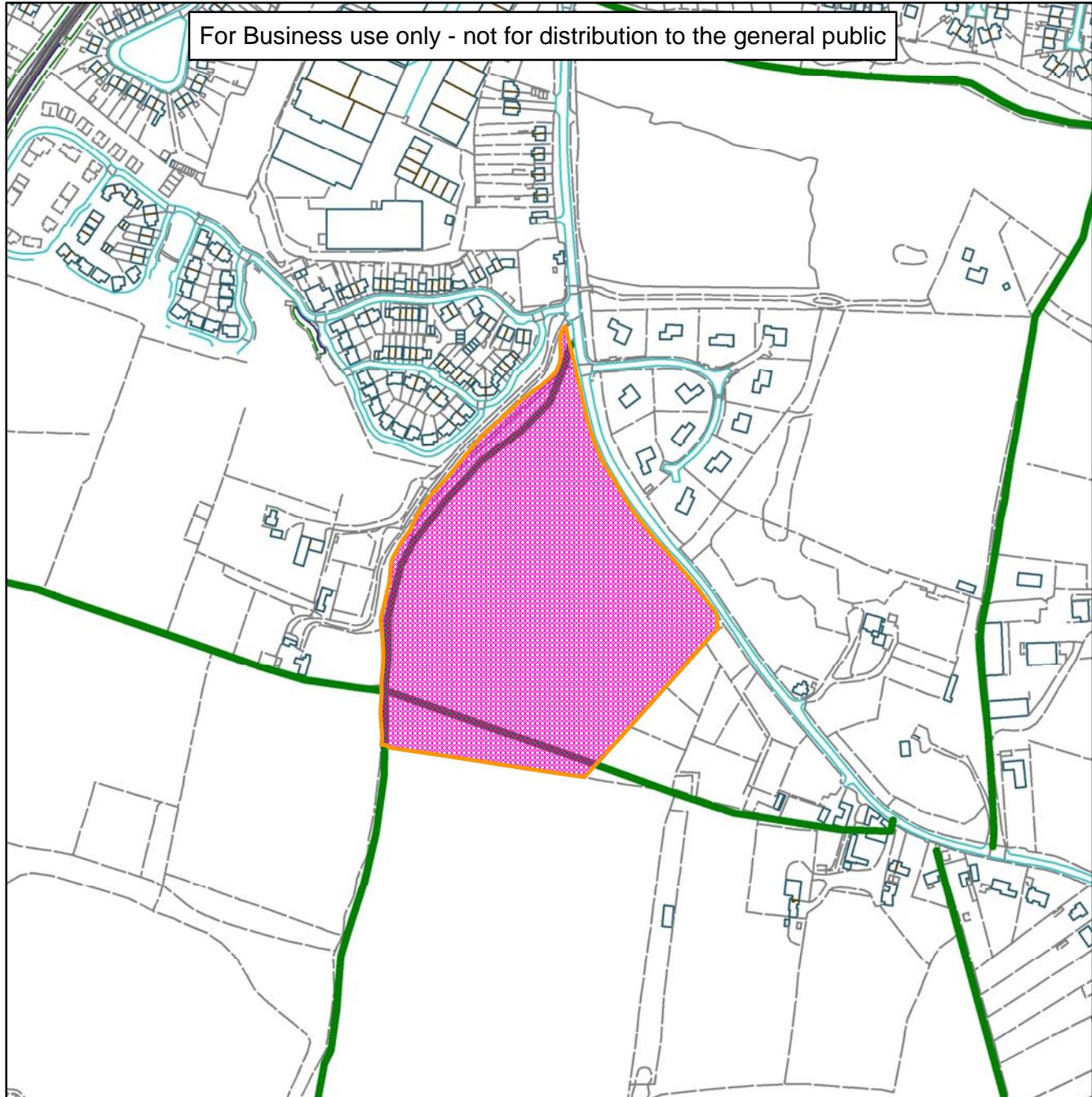
Reason: To ensure the enhancement of the development by the retention of natural features, and to comply with the NPPF.

Background Papers: DC/15/0896

This page is intentionally left blank



For Business use only - not for distribution to the general public



Scale: 1:4,564

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

- TO:** Development Management Committee (South)
- BY:** Development Manager
- DATE:** 19 April 2016
- DEVELOPMENT:** Variation of condition 1 to previously approved application DC/14/2273 which restricted the number of caravans that could be sited in the caravan park to 29, to allow an additional five caravans to be sited in the existing caravan park
- SITE:** Oaklands Park Emms Lane Brooks Green Horsham
- WARD:** Billingshurst and Shipley
- APPLICATION:** DC/15/2664
- APPLICANT:** Mr Daniel Wenman

REASON FOR INCLUSION ON THE AGENDA: Number of letters at variance to Officers recommendation

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks to vary condition 1 of DC/14/2273. Condition 1 of DC/14/2273 states that; "*No more than 29 caravans and mobile homes stationed on the land shall be occupied for human habitation.*" The application seeks permission to station a further five mobile homes on the site taking the total number of mobile homes to 34.

DESCRIPTION OF THE SITE

- 1.2 The site is located outside of any built up area boundary and lies on the eastern side of Emms Lane. The surrounding area is predominantly rural, however there is a row of 8 dwellings on the opposite side of the highway with a further two dwellings located to the south west of the site.
- 1.3 Oaklands Park was formerly part of the larger caravan park known as Brooks Green Park which originally consisted of 60 caravans/mobile homes. Brooks Green Park has recently been subdivided and now forms two separate parks. The park known as Brooks Green Park is located on the northern part of the original site and currently has planning permission for a total of 46 permanently sited mobile homes (these comprise 31 original units, 4 granted under DC/13/2165 and a further 11 granted under DC/15/0674). The

mobile homes submitted under DC/13/2165 and DC/15/0674 are subject to a legal agreement requiring occupiers to have a local connection.

- 1.4 The southern part of the original site is now known as Oaklands Park and forms the application site. The site has permission for 29 mobile homes for permanent residential use (consolidated under DC/14/2273), to be occupied by persons of 50 years of age or over, and with a local connection.
- 1.5 A further caravan park known as "Larkins Park" is located to the north of Brooks Green Park and comprises 28 touring caravans with occupancy restricted to 11 months in any year.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework 2012 (NPPF).

- NPPF7 - Requiring good design
- NPPF3 - Supporting a prosperous rural economy
- NPPF11 - Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

- 2.3 The following policies of the Horsham District Planning Framework (2015) are considered to be relevant to the determination of the application;

- Policy 1 Sustainable Development
- Policy 2 Strategic Development
- Policy 3 Development Hierarchy
- Policy 4 Settlement Expansion
- Policy 10 Rural Economic Development
- Policy 15 Housing Provision
- Policy 16 Meeting Local Housing Needs
- Policy 17 Exceptions Housing Schemes
- Policy 19 Park Homes and Residential Caravan Sites
- Policy 24 Environmental Protection
- Policy 32 The Quality of New Development
- Policy 33 Development Principles
- Policy 40 Sustainable Transport
- Policy 41 Parking

PLANNING HISTORY

SP/10/01	Replacement dwelling for mobile home Site: Brooks Green Park Emms Lane Brooks Green	REF
SP/16/97	Change of use of 2 holiday plots to use for owner and managers caravan Site: Brooks Green Park Emms Lane Brooks Green	PER

SP/9/97	Erection of a site office and equipment storage barn Site: Brooks Green Park Emms Lane Brooks Green	PER
SP/54/98	Tree felling & surgery Site: Brooks Green Park Emms Lane Brooks Green	PER
SP/61/98	Retention of land for residential purposes ancillary to use of mobile homes Site: Brooks Green Park Emms Lane Brooks Green	PER
DC/04/0084	Erection of dwelling with ancillary office to replace mobile homes	PER
DC/05/0643	Change of use of land for siting of existing mobile homes	PER
DC/05/0647	Erection of an amenity block (Outline)	PER
DC/08/0072	Erection of an amenity block (Approval of Reserve Matters)	PER
DC/08/2051	Variation of condition 4 of SP/44/98 to allow use of 28 caravans/mobile homes to be occupied between 1st November and 5th January and 1st February to 29th February (inclusive) each year	PER
DC/10/0696	To extend the time limit for implementation of DC/08/0072 (Approval of Reserved Matters) for the erection of an amenity block	PER
DC/13/2047	Fell 6 x trees at Brooks Green Caravan Park	PER
DC/14/1175	Variation of conditions 3,4,5 and 6 of planning permission DC/08/2051 to allow year round residential use of 28 caravans	WDN
DC/14/2273	Change of use to allow year round residential use of all 29 existing caravans and necessary infrastructure on existing caravan park.	PER
DC/15/2663	Change of Use from agricultural to allow the siting of an additional three residential mobile homes for year round occupation on land adjoining existing caravan park, and all necessary infrastructure	PDE

3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.1 **Strategic and Community Planning (summarised)** - As the Council are able to demonstrate a strong 5 year housing land supply position, the development of additional unallocated housing in this countryside location is not considered appropriate or necessary at this time. In addition, as this site has not been allocated for development or expansion in the HDPF or in a Neighbourhood Plan it is not in accordance with the development strategy and should therefore be refused as per paragraph 12 of the NPPF. The proposal is also not considered to accord with Policy 16 of the HDPF as an affordable housing offer has not been detailed.

- 3.2 **Public Health and Licensing** – No objection to the provision of additional homes with the proviso that the site retains open land for the purposes of recreation, amounting to ten percent of the total area in line with the site licence conditions.

OUTSIDE AGENCIES

- 3.3 **Southern Water** – No comments to make on proposal
- 3.4 **West Sussex Highways (summarised)** - It is not anticipated that the increase in traffic movements would be material or cause a highway safety concern.

PUBLIC CONSULTATIONS

- 3.5 **Shipley Parish Council** – Objection on the grounds of overdevelopment of this type of housing, insufficient drainage structures and deterioration of local carriageways as a result of increasing traffic and drainage problems.
- 3.6 **Thirteen letters of support** have been received relating to the application on the grounds that the proposal would provide low cost accommodation, homes on site are of top quality, and the site owners have improved the 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

- 6.1 It is considered that the main issues in the determination of the application are:

- Principle of the development
- Impact upon the surrounding countryside and neighbour amenity
- Highways

Principle

- 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 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the

needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.

- 6.4 Policy 19 of the Horsham District Planning Framework (2015) (HDPF) relates to Park Homes and Residential Caravan Sites and notes that park homes have a role to play in the provision of low cost housing in the district. The policy states that;

"Proposals for the provision of park homes/residential caravans to meet a local district wide housing need will be supported provided that the development:

- 1. Is provided to meet a local housing need; there will be a requirement for them to be marketed in the first instance for a reasonable period of time to residents of Horsham district;*
- 2. The park homes/residential caravans shall be used for permanent accommodation; and*
- 3. No significant barriers exist in terms of flooding, poor drainage and poor ground stability.*

Subsequent proposals for permanent housing development on the site or use as holiday accommodation will not be supported whilst the need for such accommodation exists."

- 6.5 Policy 19 supports the development of park homes to meet a 'local district wide housing need.' Park homes are a form of low cost market housing, and would therefore count towards the District's 5-year housing land supply. Since the adoption of the HDPF in November 2015, the Council is able to demonstrate a full 5-year supply of housing land sufficient to meet the needs of the District to 2031. It is therefore considered that at the current time there is not a District wide housing need as the Council can demonstrate a strong 5 year housing supply position, and therefore the proposal would not comply with policy 19.

- 6.6 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 moves to be considered in the context of paragraph 55 of the NPPF, and policy 3 and 4 of the Horsham District Planning Framework (HDPF). Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land.

- 6.7 Policy 4 relates to settlement expansion and states that; *"Outside built-up area boundaries, the expansion of settlements will be supported where;*
- a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.*
 - b.the level of expansion is appropriate to the scale and function of the settlement type.*
 - c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.*
 - d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and*
 - e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced."*

- 6.8 In respect of policy 3 and 4, the proposed units are outside the built up area boundary, are not allocated for development within the HDPF, and are not identified within an emerging Neighbourhood Development Plan. The Council is able to demonstrate a strong 5 year housing supply position, and consequently there is not a need for further housing at present on sites outside the built up area boundary and not allocated or identified in a Neighbourhood Plan.

Impact upon the surrounding countryside and neighbour amenity

- 6.9 The proposal seeks permission for the variation of condition 1 of DC/14/2273 to allow an additional five mobile homes to be sited on the existing caravan park. Section 7 of the NPPF provides guidance relating to design and states that good design is a "*key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*" It also notes in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.10 It is considered that due to the existing use of the site and the size of the park, five additional mobile homes could be satisfactorily absorbed into the site. It is considered that five additional units could be provided without appearing cramped and that the units would be viewed in the context of the existing pattern and form of development on the site. It is therefore considered in this respect the proposal would comply with Policy 33 of the HDPF and the guidance contained within the NPPF.
- 6.11 The site is bordered to the south by the residential properties of Camomile Barn and Cedar House, whilst to the west is Japhets, Fairways and Tuppland. It is considered due to the layout of the site and the proposed restriction on occupation to those aged 50 and above that the proposed increase in the number of units on the site would not lead to detrimental impacts upon the amenities of nearby residents in terms of general noise and disturbance.

Highway safety

- 6.12 The Highways Authority at WSCC has reviewed the proposed access to the site and has not raised any objections to the proposed development. Similarly, no objection is raised by the Highway Authority in relation to traffic movements and highway capacity or safety. Paragraph 32 of the NPPF states that '*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*' It is not considered that the proposed development would lead to impacts upon the highway that could be considered severe. The Highways Authority are satisfied that the proposed site can accommodate development at the scale proposed, would not cause any significant impact in terms of an increase in traffic movements within the vicinity of the site and that car parking could accord with the WSCC Parking Calculator. It is therefore considered in this respect the proposal complies with policy 41 of the HDPF.

Conclusion

- 6.13 The site is situated in a rural location outside of the defined built up area boundary. Policy 19 of the HDPF states that proposals for park homes will be supported where the proposal would meet a 'local district wide housing need'. In this respect the Council is able to demonstrate a strong 5 year housing supply position, and consequently there is not a need for further housing at this time on sites outside the built up area boundary which are not allocated or identified in a Neighbourhood Plan. Whilst no objection to the proposal is raised on amenity or highway grounds the proposal would be contrary to policy 3, 4, 19 and 26 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 It is recommended that the application is refused for the following reason;

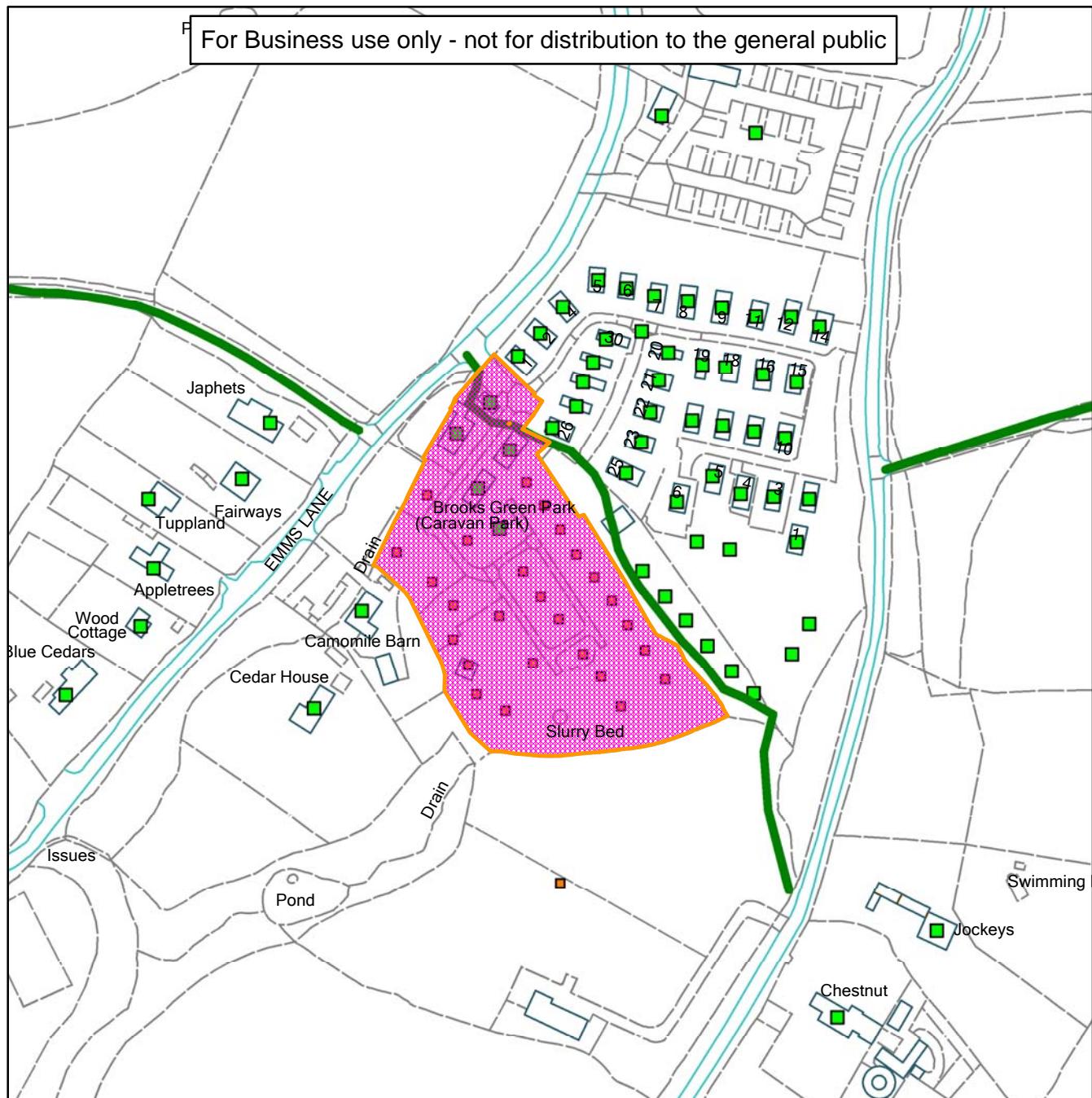
1. The proposed development is located in a countryside location, outside the defined built up area boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Development Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development that is contrary to the aims and objectives of the NPPF and Policies 1, 2, 3, 4, 19 and 26 of the Horsham District Planning Framework (2015).

Background Papers: DC/15/2664, DC/14/2273

This page is intentionally left blank



For Business use only - not for distribution to the general public



Scale: 1:2,282

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 19 April 2016

DEVELOPMENT: Change of Use from agricultural to allow the siting of an additional three residential mobile homes for year round occupation on land adjoining existing caravan park, and all necessary infrastructure

SITE: Oaklands Park Emms Lane Brooks Green Horsham

WARD: Billingshurst and Shipley

APPLICATION: DC/15/2663

APPLICANT: Mr Daniel Wenman

REASON FOR INCLUSION ON THE AGENDA: Number of representations received

RECOMMENDATION: To refuse Planning Permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks to site an additional three mobile homes on the site, located on a strip of land adjacent to the northern boundary, abutting Emms Lane. The proposed mobile homes would be between 10-15m in length, and would be sited within 3m of the northern site boundary. Each mobile home would be provided with an area of hard-standing and accommodation for at least 1 car to park. The access road would extend the existing roadway which runs between homes 3 and 4.

It is envisaged that these mobile homes would carry a restriction of being available to residents aged 50+.

DESCRIPTION OF THE SITE

1.3 The site is located outside of any built up area boundary and lies on the eastern side of Emms Lane. The surrounding area is predominantly rural, however there is a sparse line of dwellings on the opposite side of the highway with a further two dwellings located to the south west of the site boundary. Properties are generally set back from the highway, which is a narrow lane, with set-backs of between 16m-40m.

1.4 To the north-east of the application site are two further caravan / mobile home sites, Brooks Green Park and Larkins Park, with the latter being predominantly caravans. There are

three mobile homes of the neighbouring Brooks Green Park which are sited within some 3.5m of the site's northern boundary.

The bungalow on the wider application site is set off the northern site boundary by some 13m.

- 1.5 The application site comprises a tapering area of land currently designated as 'agricultural' land, which is of an open character. It is some 25m at its widest southern end, and about 15m at the northern end.
A line of trees and scrubby growth at low level define the northern boundary with the highway. The boundary has recently been demarcated by a timber panel fence.
- 1.6 Oaklands Park was formerly part of the larger caravan park of Brooks Green Caravan Park, and consisted overall of 60 caravans/mobile homes. However, the site has recently been divided between family members of the former owners and now forms two separate parks. Brooks Green Park currently comprises 36 permanently sited mobile homes, having recently received planning permission (DC/13/2165) for a further 4 residential mobile homes for all round use. More recently, a further planning permission was granted (DC/15/0674), allowing the siting of a further 11 homes. This adjacent site is subject to an occupancy restriction limiting use to the over 55's by way of a S106 agreement.
- 1.7 Oaklands Park currently comprises 29 mobile homes and a permanent 'manager's' bungalow. In early 2015, permission was granted for the mobile homes to be permanently occupied, rather than on a seasonal basis only. The homes were, however, restricted to the over 50's (DC/14/2273). The site visit revealed that considerable works are currently underway at the site. A number of the authorised former van 'pitches' as shown on the submitted site plan, have been upgraded into the more permanent 'park home' type of accommodation, some remain empty and awaiting development, whilst others still retain the older boxy static caravan type of accommodation. It is understood that these are part of phased works throughout the site, which would eventually see all existing mobile homes / caravans being replaced by the more permanent 'park-homes', along with landscaping works throughout the park.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**

NPPF1 - Building a strong, competitive economy
 NPPF6 - Delivering a wide choice of high quality homes
 NPPF7 - Requiring good design
 NPPF11 - Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development
 HDPF2 - Strategic Policy: Strategic Development
 HDPF3 - Strategic Policy: Development Hierarchy
 HDPF4 - Strategic Policy: Settlement Expansion
 HDPF11 - Tourism and Cultural Facilities

HDPF15 - Strategic Policy: Housing Provision
 HDPF16 - Strategic Policy: Meeting Local Housing Needs
 HDPF17 - Exceptions Housing Schemes
 HDPF18 - Retirement Housing and Specialist Care
 HDPF19 - Park Homes and Residential Caravan Sites
 HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
 HDPF26 - Strategic Policy: Countryside Protection
 HDPF32 - Strategic Policy: The Quality of New Development
 HDPF33 - Development Principles
 HDPF40 - Sustainable Transport
 HDPF41 - Parking

PLANNING HISTORY

SP/10/01	Replacement dwelling for mobile home	REF
SP/16/97	Change of use of 2 holiday plots to use for owner and managers caravan	PER
SP/9/97	Erection of a site office and equipment storage barn	PER
SP/54/98	Tree felling & surgery	PER
SP/61/98	Retention of land for residential purposes ancillary to use of mobile homes	PER
DC/04/0084	Erection of dwelling with ancillary office to replace mobile homes	PER
DC/05/0643	Change of use of land for siting of existing mobile homes	PER
DC/05/0647	Erection of an amenity block (Outline)	PER
DC/08/0072	Erection of an amenity block (Approval of Reserve Matters)	PER
DC/08/2051	Variation of condition 4 of SP/44/98 to allow use of 28 caravans/mobile homes to be occupied between 1st November and 5th January and 1st February to 29th February (inclusive) each year	PER
DC/10/0696	To extend the time limit for implementation of DC/08/0072 (Approval of Reserved Matters) for the erection of an amenity block	PER
DC/13/2047	Fell 6 x trees at Brooks Green Caravan Park	PER
DC/14/1175	Variation of conditions 3,4,5 and 6 of planning permission DC/08/2051 to allow year round residential use of 28 caravans	WDN
DC/14/2273	Change of use to allow year round residential use of all 29 existing caravans and necessary infrastructure on existing caravan park.	PER
DC/15/2664	Variation of condition 1 to previously approved application DC/14/2273 which restricted the number of caravans that could be sited in the caravan park to 29, to allow an additional five caravans to be sited in the existing caravan park	Pending Consideration

3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk

OUTSIDE AGENCIES

- 3.1 **West Sussex Highways** - Any comments will be reported verbally

INTERNAL CONSULTATIONS

- 3.2 **Strategic and Community Planning** - Objection. As the Council are able to demonstrate a strong 5 year housing land supply position, the development of additional unallocated housing in this countryside location is not considered appropriate or necessary at this time. In addition, as this site has not been allocated for development in the HDPF or in a Neighbourhood Plan it is not in accordance with the development strategy and should therefore be refused as per paragraph 12 of the NPPF.

- 3.3 **Public Health and Licensing** – No Objection subject to recommended planning conditions. The site would be subject to its own caravan site licence.

PUBLIC CONSULTATIONS

- 3.4 **Parish Council Consultation** – Objection. The reasons for objection were the lack of sufficient drainage for this development, the detrimental effects of increased traffic use on local roads and that this area of the parish has reached saturation of this type of housing.

- 3.5 **Public Consultations** – To date, 14 letters of representation have been received from 14 different nearby residential properties.

- 3.6 11 letters of support have been received on the grounds that the proposal would:

- Result in a big improvement
- Provide much needed affordable homes for mature adults
- Provide top quality and smart home
- Provide comfortable living accommodation for the elderly
- That the owner is taking pride in enhancing the park
- Park has the capacity for more homes without effect on local infrastructure
- Retirement Home Park is being developed in a thoughtful and considerate way

- 3.7 2 letters set out the following objections:

- Overdevelopment
- The current caravan parks are designed in such a way as to be self-contained and provide no visual or noise based disturbance to the neighbours on Emms Lane. The 3 additional proposed properties are directly adjacent to the road, in front of the existing building line and not in keeping with the rural nature of the roadside.

- 3.8 1 letter expresses the following neutral comments:

- Main concern relates to the existing tree, hedge and fenced boundary to Emms Lane being maintained in full. The wooden fence shields the road from the painted facades of the mobile homes and act as a natural barrier between the park and the road and maintain the countryside appearance.

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 It is considered that the main issues in the determination of the application are:

- Principle of the development
- Impact upon the surrounding countryside and neighbour amenity
- Highways

Principle

- 6.2 The National Planning Policy Framework (NPPF) has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development. The NPPF seeks to ensure that the planning system performs an economic, social and environmental role. The Framework requires applications to be determined in accordance with the development plan. Paragraph 50 states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes).

- 6.3 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.

Park homes are a form of low cost market housing and as they are individual units of permanent, residential accommodation they count towards the district's 5-year housing land supply. Since the adoption of the HDPF in November 2015, the Council are able to demonstrate a full 5-year supply of housing land sufficient to meet the needs of the District to 2031.

- 6.4 It is acknowledged that policy 19 of the HDPF (Park Homes and Residential Caravan Sites) supports the development of park homes to meet a 'local district wide housing need'. Whilst there is policy support for this type of housing where it meets a need, it is acknowledged that as the Council is able to demonstrate a strong 5 year housing supply position, there is not a need for further housing at present. Given that as this proposal is located in the small settlement of Brooks Green (unclassified as per the HDPF) and outside of the built-up area boundary, it is considered that the countryside location of the site would not be appropriate for development.

- 6.5 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 moves to be considered in the context of paragraph 55 of the NPPF, and policy 3 and 4 of the Horsham District Planning Framework (HDPF). Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land.
- 6.6 Policy 4 relates to settlement expansion and states that; "*Outside built-up area boundaries, the expansion of settlements will be supported where;*
a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
b.the level of expansion is appropriate to the scale and function of the settlement type.
c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.
d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced."
- 6.7 In respect of policy 3 and 4, the proposed units are outside the built up area boundary, are not allocated for development within the HDPF, and are not identified within an emerging Neighbourhood Development Plan. The Council is able to demonstrate a strong 5 year housing supply position, and consequently there is not a need for further housing at present on sites outside the built up area boundary and not allocated or identified in a Neighbourhood Plan.

Impact upon the surrounding countryside

- 6.8 By way of the removal of the planning condition which previously restricted use of the site to 11 months of the year for holiday purposes only, the nature of use and character of the site has evolved. The site now allows for year-round residential occupation with new style 'park-homes' in favour of the static vans. The site has also undergone various landscaping improvement works which are continuing to be rolled out across the site as it develops. Along with the age restriction, the park is now being re-branded as a retirement site for permanent occupation.
- 6.9 It is considered that the current area of land provides a 'buffer' between the highway boundary of Emms Lane and the mobile home park. Removing this buffer, and allowing the siting of three additional mobile homes to be erected / stationed within 3.5m of the northern site boundary, would inevitably erode some of the rural character which prevails in the area. However, it is also acknowledged that immediately adjacent to the site, to the north, is another mobile home park, where 4 homes are stationed about 4.5m off the highway boundary, presenting their gable-ends to the road in a relatively comparable relationship to the current proposal being considered.
- 6.10 It is considered that the proposal would not result in isolated homes in the countryside, given the specific site context, and which is discouraged by way of the NPPF (para.55). However, Policy 26 of the HDPF seeks to restrict inappropriate development outside of the built-up area boundary and identifies the circumstances when development may be considered as being acceptable, namely: needed to support agriculture or forestry; being associated with mineral extraction or waste disposal; being required for quiet informal recreation; or would enable sustainable development in rural areas.

- 6.11 It is recognised that the development of the application site, which is currently open land, may lead to a comparable relationship between the public highway and the developed nature of the wider site, in a similar manner as the adjacent Brooks Green site. However, by developing this area of land, there would be an increase in the perception of the urbanisation of the rural setting.
In this respect, it is considered that the proposed change and increase in use of this site for residential purposes, would adversely affect the visual amenity and character of the surrounding countryside.

The proposal therefore would not comply with policies Policies 25, 26 and 33 of the HDPF 2015.

Neighbour Amenity

- 6.12 It is recognised that within park homes sites and caravan sites, the relationship between 'dwelling units' is much closer than would otherwise be expected. No adverse harm would occur within the site by way of adverse overlooking, loss of privacy or loss of light, owing to the accepted proximities between 'homes'.

The proposal would not lead to any adverse harm to neighbouring properties adjoining the site, by way of distances of separation involved.

Conclusion

- 6.13 The Council can demonstrate a strong position in regard to the 5-year housing land supply, and can therefore resist inappropriate development of rural areas that have not been allocated as housing land. In this instance, the proposal would lead to additional residential units in a countryside location, which has not been identified as a future housing site, and would therefore be contrary to local and national policies. Furthermore, the proposed location of the development would lead to the erosion of a rural area to the detriment of its character and rural setting.

Accordingly, refusal is recommended for the proposal.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission be refused for the following reasons:

1. The proposed development is located in a countryside location, outside the defined Built Up Area Boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Development Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development that is contrary to the aims and objectives of the NPPF and Policies 1, 2, 3, 4, 15, 25 and 26 of the Horsham District Planning Framework (2015).

2. The provision of housing in this location would diminish the rural and tranquil character of this particular part of the landscape, creating a prominent and uncharacteristically urbanised environment. The development is therefore contrary to Policies 25, 26 and 33 of the Horsham District Planning Framework (2015).

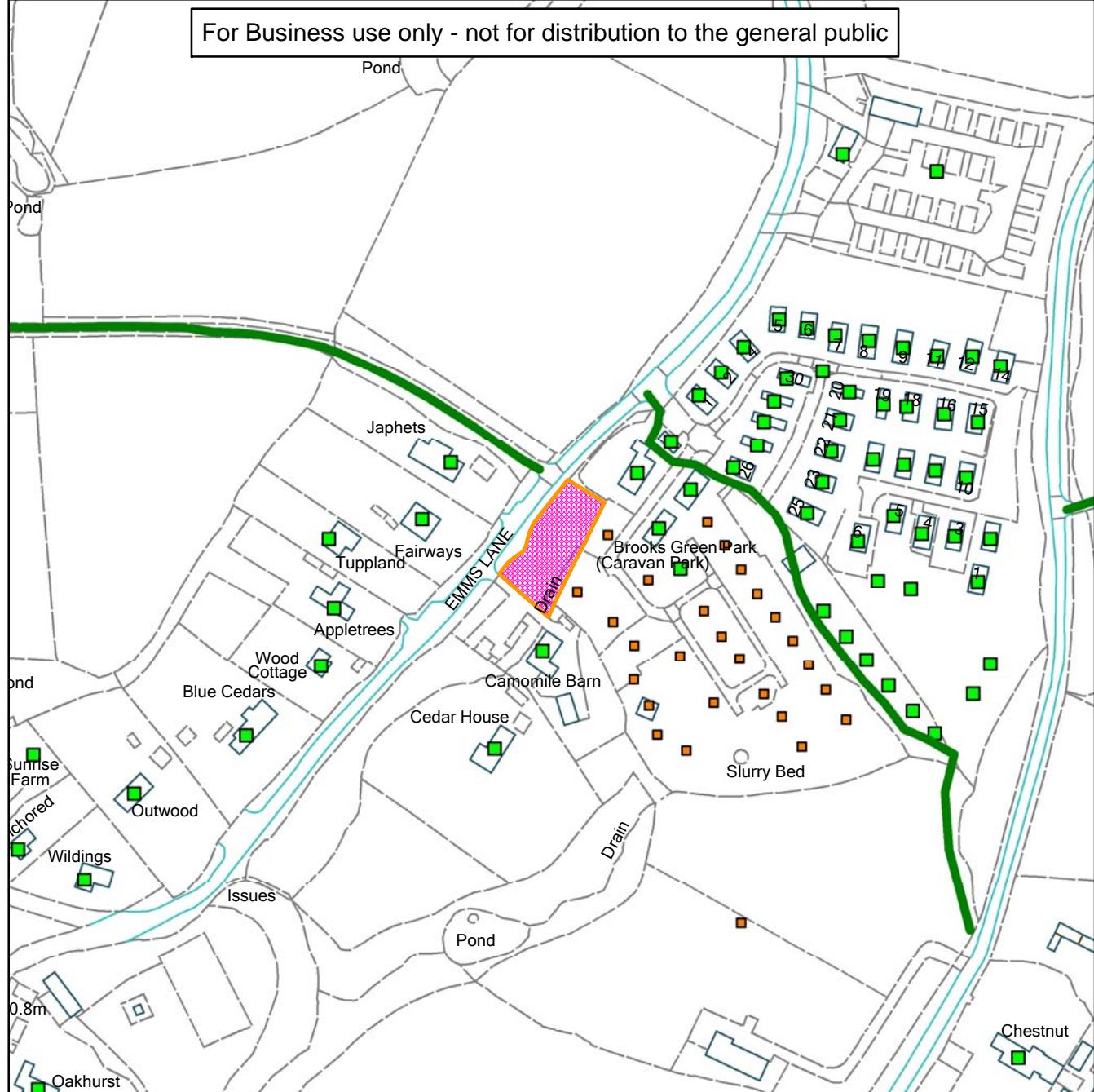
NOTE TO APPLICANT

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 identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Background Papers: DC/15/2663



For Business use only - not for distribution to the general public



Scale: 1:2,282

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 19 April 2016

DEVELOPMENT: Approval of reserved matters following outline application DC/14/1264 for access, appearance, layout, and scale.

SITE: Land To The Rear of Cornerways, Pound Lane, Upper Beeding, West Sussex.

WARD: Upper Beeding

APPLICATION: DC/15/1942

APPLICANT: Mr N Quincey

REASON FOR INCLUSION ON THE AGENDA: More than five letters of representation have been received that are contrary to the Officer recommendation.

RECOMMENDATION: Approve

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 This Reserved Matters application seeks permission for a detached 3/4 bedroom chalet bungalow with an integral double garage and a new vehicular access.

The ground floor comprises of a double garage, open plan living/dining room, kitchen, bathroom, en-suite bedroom and a study/bedroom.

The first floor comprises two further bedrooms and a bathroom.

DESCRIPTION OF THE SITE

1.2 The application site is located partly within and partly outside of the Defined Built up Area Boundary, and is located within Flood Zones 2 and 3. A public footpath runs along the eastern boundary of the site and an SNCI is located to the north west of the site. The application site is existing overgrown land which is located to the north of Cornerways and Marston. The site itself is accessed off a single track road which serves an industrial estate and another property to the north of the site and is also a footpath. Presently the eastern boundary of the site is marked by a close boarded fence with a five bar gate which provides access to the stables located to the north of the site which is outside of the application area

and ownership of the applicants. The southern boundary of the site is marked by post and rail fencing and backs onto the gardens of the neighbouring properties. The western boundary is well screened by mature planting and to the north are open fields and a stable block.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

National Planning Policy Framework:

- NPPF6 - Delivering a wide choice of high quality homes
NPPF7 - Requiring good design
NPPF11 - Conserving and enhancing the natural environment
NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

Horsham District Planning Framework (2015):

- HDPF1 - Sustainable Development
HDPF2 - Strategic Development
HDPF3 - Development Hierarchy
HDPF15 - Housing Provision
HDPF17 - Exceptions Housing Schemes
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF26 - Strategic Policy: Countryside Protection
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF37 - Sustainable Construction
HDPF40 - Sustainable Transport
HDPF41 - Parking

PLANNING HISTORY

DC/14/1264 One Bungalow (Outline Application with Some Reserved Matters)
Application Refused on 11.08.2014

DC/13/0766 Erection of one dwelling with access (Outline) Application Refused on 19.07.2013

DC/14/1264 One Bungalow (Outline Application with Some Reserved Matters) Refused on 11.08.2014 but Allowed on appeal on the 27.01.2015

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 **Public Health And Licensing (Env. Health)** – No objections

OUTSIDE AGENCIES

3.3 **County Council – Highways** - West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. DC/14/1264 to which no objections were raised to the outline application of a 3 bedroom dwelling.

This application now seeks approval for the reserved matters including access, appearance, layout and scale.

It is confirmed that there would be no concerns with this application from a highway safety perspective subject to conditions securing maximum achievable visibility splays, parking and turning and construction plant and materials.

3.4 **Environment Agency** – Confirms the Environment Agency has no objection in principle to the proposal as submitted.

PUBLIC CONSULTATIONS

3.5 **Upper Beeding Parish Council** - The Council objects to the application on the grounds of overdevelopment (given that the Planning Inspector explicitly approved a bungalow, whilst this application seeks to develop a two-storey chalet), and that the artificial raising of the ground level will have an adverse effect on the neighbouring property. It is also noted that the proposed access to the property appears to encroach onto neighbouring land.

3.6 Representations from 5 neighbouring residents have been received objecting to the application proposal. The objections relate to the following:

- Overdevelopment of the site
- Site plan is inaccurate.
- The application ignores the constraints set down by the Inspector.
- Loss of general amenity
- Privacy, light and noise issues.
- Overbearing
- The dwelling is still situated outside of the permitted built up area boundary.
- Drainage issues.
- Highway safety concerns.
- Environmental issues arising from the stables would be an issue for a new dwelling in such close proximity and cannot be avoided.
- Proposal would restrict the use of the stables.
- The logistics of building the proposed dwelling would cause extreme and unacceptable disturbance to the owners of the stables and the horses.
- Lack of local infrastructure.
- No need for any more housing in this area.

3.7 At the time of writing, the public consultation period for the amended plans has not yet expired. Any additional consultation responses received will be presented at the Committee meeting.

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 principal issues are whether the proposal complies with all the relevant LDF policies and the effect of the development on:

- (i) The visual amenities and character of the area
- (ii) The residential amenities of neighbouring properties

Principle

- 6.2 This is an application for approval of reserved matters pursuant to outline planning permission DC/14/1264. As such, the principle of development has already been considered acceptable by the Inspector determining the appeal of DC/14/1264 and the Local Planning Authority can only consider the reserved matters of layout, scale, appearance and landscaping at this stage.

Design and Character

- 6.3 Policies 32 and 33 also requires that new development is of a high standard and layout, having regard to its built surroundings in terms of scale, height, massing, siting, orientation, views, character and space between buildings. In addition, Policy 25 states that the landscape character of the District will be protected against inappropriate development.

- 6.4 While the proposed dwelling would be larger than the indicative bungalow shown within the outline proposal, this was an indicative drawing only, as the scale, siting and appearance were reserved matters. Therefore, these aspects need to be considered within this reserved matters application.

- 6.5 The proposed design and siting of the dwelling has been amended from the proposal originally submitted within this application. The proposed dwelling has a similar visual appearance to the indicative drawings submitted within outline application DC/14/1264. The originally submitted plans within this application showed a ridge height of 7m. The amended scheme now shows the ridge height of 5.7m as opposed to 5.3m shown within the indicative outline plans. The main roof element has half-hips rather than a full hip and the dwelling has been sited further from the boundary with the properties to the south. The eaves height of the proposed dwelling is the same as that shown within the indicative drawings within the outline application. In addition, the attached garage has moved from the southern side of the dwelling to the northern side within this reserved matters application. The floor plan of the dwelling has also been slightly increased from the indicative drawings included within the outline application.

- 6.6 The application has included a plan showing the existing land levels on the site. This shows the land varies from around 2.4m AOD at the western side of the site to 3.5AOD at the

south eastern corner of the application site. Condition 5 of the outline approval seeks to ensure that the finished floor level (FFL) of the dwelling would be no lower than 3.58AOD in accordance with the submitted Flood Risk Assessment in order to mitigate the risk of flooding. Due to the ground levels, the dwelling would have to be built up above the current land level to ensure that the proposal had a FFL of 3.58AOD. The submitted plans state that the FFL would be 3.6AOD and thus would be in accordance with Condition 5 of outline consent DC/14/1264. While this raising up of the dwelling would result in the property having more visibility, this was considered as acceptable by the appeal Inspector in the determination of the outline appeal. As such, it would not be reasonable to refuse the application on the grounds of complying with a condition attached to that outline permission.

- 6.7 While the proposed dwelling has a slightly larger footprint, would have a ridge height 400mm higher and have a half-hipped roof on the southern elevation than that shown with the indicative drawing included within the outline permission, it is not considered that these amendments would have any significantly greater impact on the character and appearance of the application site. It is considered that the proposal's design, massing and bulk would be in keeping with the character of the surrounding area.
- 6.8 Overall, the amended scheme is considered to be satisfactory in design terms and would not have a detrimental impact on the character and appearance of the area, above what was considered to be acceptable by the appeal Inspector. As such, the proposal is in accordance with policies 25, 32 and 33 of the Horsham District Planning Framework (2015).

Residential Amenity

- 6.9 Policy 33 of the HDPF requires new development to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.
- 6.10 The indicative drawings within the appeal proposal showed a single storey dwelling with no accommodation within the roof space. The proposed dwelling within this reserved matters application, with its increased height and size, contains two bedrooms and a bathroom within the roofspace. The proposal contains five rooflights within the rear elevation. Two rooflights serve the bedroom located at the southern end of the building, with two more serving the landing within its centre. The fifth rooflight serves the bedroom at the northern end of the dwelling. This bedroom also includes two windows within the northern gable wall, which look out toward the stables located to the north of the application site.
- 6.11 Due to the siting of the bungalow and its relationship and distance to neighbours to the south, it is considered that there would be an acceptable impact on the amenity of neighbouring properties. Furthermore, the proposal does not contain any windows in the flank elevation that faces Cornerway's and Marston, located to the south of the application site. Therefore, it is considered that the proposed development is acceptable in amenity terms and is policy compliant.
- 6.12 The indicative drawings included within the outline application showed a modest single storey dwelling, it is not considered that this proposal would have a detrimentally greater impact on neighbouring properties or appear visually overbearing than that shown within the outline application.
- 6.13 The increase in height of 400mm, and the corresponding increase in the massing of the flank walls due to the dwelling having a half-hipped roof would not result in an overbearing impact on the properties to the south. This is because the increase in the ridge height and

the gable walls are modest, and the amended siting has moved the dwelling some 1.4m further to the north away from the southern boundary. In addition, the moving of the integral garage from the southern side of the property as shown within the outline application to the northern side of the dwelling has substantially reduced the built form of the dwelling at its closest point to neighbouring properties.

- 6.14 Due to the increased size of the proposed dwelling, it is considered that permitted development rights for extensions and outbuildings should be removed in order to ensure that further extensions and outbuildings do not have a detrimental impact on the residential amenities of neighbouring properties and the character and appearance of the area.
- 6.15 In conclusion therefore, the proposal is acceptable in terms of the amenity of existing neighbouring residents and complies with Policy 33 of the Horsham District Planning Framework (2015).

Other Considerations

- 6.16 Design considerations and the proposal's impact on neighbouring amenity have already been addressed. However, the letters of representation raised further concerns, including:
- Site plan is inaccurate.
 - The application ignores the constraints set down by the Inspector.
 - The dwelling is still situated outside of the permitted built up area boundary.
 - Drainage issues.
 - Highway safety concerns.
 - Environmental issues arising from the stables would be an issue for a new dwelling in such close proximity and cannot be avoided.
 - Proposal would restrict the use of the stables.
 - The logistics of building the proposed dwelling would cause extreme and unacceptable disturbance to the owners of the stables and the horses.
 - Lack of local infrastructure.
 - No need for any more housing in this area.
 - Proposal should be carried out in accordance with the FRA and incorporate floodable voids under the dwelling and a route to safety.
- 6.17 An amended site plan was submitted in order to correct the initial inaccuracy to the originally submitted site location plan. This application is a reserved matters application and the issues of need, infrastructure, highways and the fact the site is located outside the built up area boundary have already been considered at the outline stage and therefore cannot be substantiated as reasons for refusal.
- 6.18 Environmental concerns for the occupiers of the proposed dwelling were considered at the outline stage and it would be unreasonable to refuse this reserved matters application on such grounds, when the appeal Inspector considered that this impact was acceptable. In regard to drainage, it is recommended that a condition is attached to secure details of the proposed drainage for the site.
- 6.19 While there would be some disturbance to neighbouring properties during the construction phase, this would only be for a limited amount of time and in any event is not a material planning consideration.
- 6.20 Representations have also stated that the proposal should be carried out in full accordance with the FRA and incorporate floodable voids under the dwelling and a route to safety. However, within condition 5 of the appeal decision, the planning Inspector only itemised that the finished floor levels shall be set no lower than 3.58 metres above Ordnance

Datum. This proposal shows that the finished floor level would be 3.6 metres and so would be in accordance with Condition 5 of outline consent DC/14/1264. Due to the wording of condition 5, it is not considered that further measures such as floodable voids could be insisted upon as these would go beyond the requirements of this condition. In addition, the Environment Agency has raised no objections to the proposal.

Conclusion

- 6.21 The principle of development has been permitted by outline application DC/13/1265. The details of development put forward in this reserved matters submission are considered to be acceptable and would not have a detrimental impact on the character and appearance of the area or on neighbouring residential amenity. As such, the proposal is in accordance with development plan policies and the principles established at outline stage.

7. RECOMMENDATIONS

- 7.1 Approval of Reserved Matters be granted subject to the following conditions:-

- 1 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C, E and F of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilage of the dwelling hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwelling unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

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

- 2 No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents in accordance with policy 33 of the Horsham District Planning Framework (2015).

- 3 No burning of materials in connection with the development shall take place on the site.

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

- 4 Full details of means of surface water drainage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained.

- 5 The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

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

- 6 No part of the development shall be first occupied unless and until full details of all hard and soft landscaping works, including the grading of the land surrounding the dwelling have been submitted to and approved in writing by the Local Planning Authority. 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: In the interest of visual amenity and in accordance with policy 33 of the Horsham District Planning Framework (2015).

- 7 No work shall be carried out on site unless there is available within the site provision for the storage of materials and equipment associated with the building works; all in accordance with precise details to be approved by the Local Planning Authority in writing before development commences. The approved facilities shall be retained and available for use throughout the period of work required to implement the development hereby permitted unless alternative details are agreed in writing by the Local Planning Authority.

Reason: In the interests of road safety and/or in the interests of amenity and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8. 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 submitted to and approved by the Local Planning Authority.

Reason: To provide cycle storage facilities for the dwellings and promote cycling as a sustainable mode of travel in accordance with policies 40 and 41 of the Horsham District Planning Framework (2015).

9. The dwelling(s) hereby permitted shall not be occupied unless and until provision for the storage of refuse/recycling bins has been made within the site in accordance with details to be submitted to and approved in writing by the local planning authority.

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

NOTE TO APPLICANT

Please be advised that there are conditions on this notice that will require formal discharge. In order to secure the discharge you will need to submit an "Application for approval of details reserved by condition" application form and pay the appropriate fee, guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms

NOTE TO APPLICANT

The conditions applicable to the outline planning permission ref. DC/14/1264 are applicable to this development.

POSITIVE AND PROACTIVE STATEMENT

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

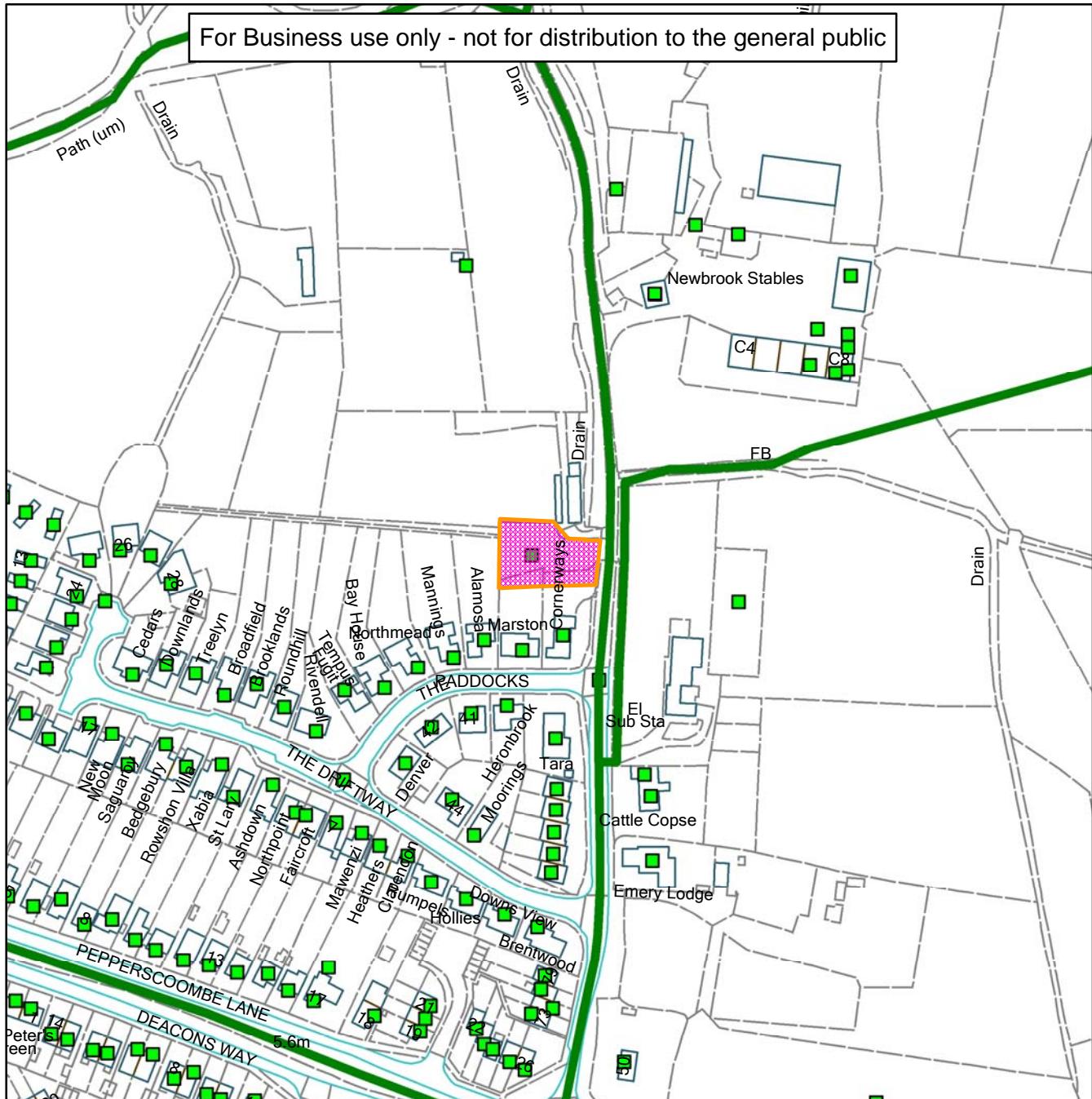
Background Papers: DC/15/1895

This page is intentionally left blank



Land to the Rear of Cornerways

For Business use only - not for distribution to the general public



Scale: 1:2,282

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (North)

BY: Development Manager

DATE: 5 April 2016

DEVELOPMENT: Erection of 2x non-illuminated single sided pole signs

SITE: Land West of Mill Straight Worthing Road Southwater West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/16/0123

APPLICANT: Mr Robert Collett

REASON FOR INCLUSION ON THE AGENDA: More than five representations letters have been received that are contrary to officer recommendation.

RECOMMENDATION: Grant Advertisement Consent

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The applicant seeks advertisement consent for the erection of 2 x single sided pole mounted advertisements to the west of the Mill Straight (or Worthing Road). The two advertisement signs are to be identical in terms of their dimensions and appearance and would be located behind the existing hedgerow to the west of the Mill Straight and approximately 10 metres to the north of the existing field access, to be arranged in a V-shape and to be visible to passers-by along the Mill Straight approaching from both the north and south.
- 1.2 The signs would measure 3000mm in height and would have a width of 2000mm and would be mounted on steel poles that would measure 1100mm above ground level and have a width of 114mm; the poles would also enter into the ground at a depth of 900mm. The lower part of the sign would be dark blue in colour, whilst the remaining part of the sign would be white with gold lettering, which would have a maximum height of 140mm. The signs would be non-illuminated.

DESCRIPTION OF THE SITE

- 1.3 The application site lies to the south west of the Mill Straight/Worthing Road adjacent to the southern and eastern boundary of Southwater. Although the site adjoins the built-up area boundary of Southwater along the Fieldings to the north and to the east by the Worthing

Road, the site itself lies within the Parish of Shipley. Outline planning permission has been granted for the development of the site for up to 193 dwellings together with access.

- 1.4 The site is bounded to the north by residential dwellings located along the Fieldings and by an existing row of mature and semi-mature trees with understorey planting. To the east of the application site, where advertisements are proposed to be sited, is a substantial hawthorn hedgerow running adjacent to the Mill Straight with an avenue of poplar trees that are only broken at the point of the existing field access along this boundary.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning (Control of Advertisements) Regulations 2007.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (NPPF), particularly Section 7 (Requiring Good Design).

RELEVANT COUNCIL POLICY

- 2.3 The relevant planning policies of the Horsham District Planning Framework (HDPF) document (2015) – the following policies are of particular relevance: Policy 14 Shop Fronts and Advertisements; Policy 32 Strategic Policy – The Quality of New Development; Policy 33 Development Principles and Policy 40 Sustainable Transport.

PLANNING HISTORY

DC/14/2582	Residential development of up to 193 No. dwellings (including affordable housing) and associated works (Outline)	PER
------------	--	-----

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 There is no requirement to consult with internal consultees with regards to this application.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Council (WSCC) Highways Department:** (summary)

With regards to non-illuminated signage applications, we currently have a standing agreement with all of our Districts which states that non illuminated signage and flags/ flag poles erected on private land do not require consultation from West Sussex County Council for highway matters.

PUBLIC CONSULTATIONS

3.4 **Southwater Parish Council:** (summary)

No objection.

3.5 **Shipley Parish Council:** (summary)

No objection.

3.6 There were six letters of representation for this advertisement application that objected to the proposal. The main reasons for these objections were as follows:

- the proposed advertisement signage would cause harm to highway safety along the Worthing Road; and
- that the proposed signage is misleading as it does not mention any element of affordable housing.

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 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 the policies of the NPPF indicate otherwise.

6.2 The application needs to be assessed with consideration to a) highway safety and b) the impact upon amenities and the visual environment.

6.3 Section 7 of the National Planning Policy Framework (NPPF) in relation to design confirms that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. It notes that those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of the cumulative impacts.

6.4 Policy 14 of the Horsham District Planning Framework (HDPF) document (2015) is the main policy against which proposals for advertisements are considered. It states that advertisements will be permitted where they respect the character of the buildings or location of which they form a part, which would include the use of appropriate materials,

colours and illumination. In addition, this policy confirms that advertisements should be of appropriate size and siting and should not impair highway safety.

- 6.5 The applicant seeks advertisement consent for the erection of 2 x single sided pole mounted advertisements to the west of the Mill Straight (or Worthing Road) behind the existing hedgerow and is approximately 10 metres to the north of the existing field access. The applicant seeks a temporary time period for the advertisements to be displayed until the 31 May 2018 for marketing purposes, after which time they would be removed.
- 6.6 It is considered that the proposed signs are satisfactory in terms of their scale, which is not excessive when considering the nature and scale of the proposed residential development and the temporary period that the advertisement signage would be in-situ. Both the height and muted colours used for the proposed signage is considered satisfactory and the impact of the signage would be reduced by being located behind an existing mature hedgerow, which is itself set back from the public highway. Consequently, given the temporary nature of the proposed signage, it is not considered to cause undue harm to the visual appearance of the area and is sited in a practicable position, at least 50 metres away from residential dwellings to the east. Therefore, the proposal is considered to comply with policies 14, 32 and 33 of the Horsham District Planning Framework (HDPF) document (2015).
- 6.7 In relation to highway matters, it is confirmed that the West Sussex County Council Highways Department was consulted with regards to the advertisement application and has stated that such non-illuminated signage on private land would not require comments from them with respect to highway safety. It is noted that standing advice has been provided by West Sussex County Council in relation to the highway impacts of advertisements. The proposed signage would not be illuminated and would not be readily confused with other highway signs in the locality given its positioning on private land. Consequently, the proposed advertisement signage is not considered detrimental to highway safety in this respect.
- 6.8 For the reasons outlined above, it is recommended that this application for advertisement consent be approved.

7. RECOMMENDATIONS

- 7.1 That advertisement consent is granted with the following conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

- a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- b) obscure, or hinder, the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- c) hinder the operation of any device used for purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In the interests of the visual amenities of the locality.

2. The advertisement signs hereby permitted shall be removed before the 31 May 2018.

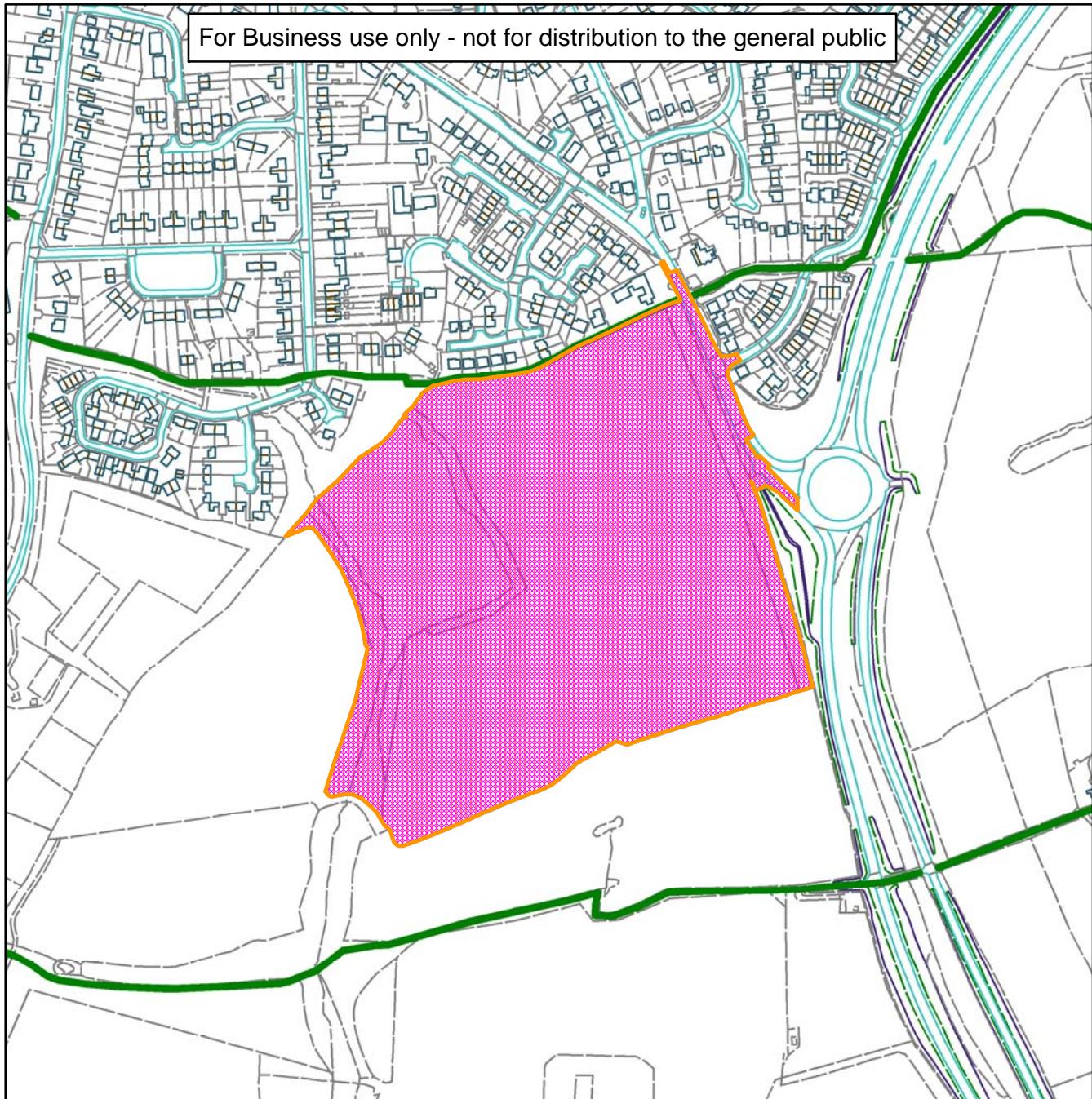
Reason: In the interests of highway safety and in accordance with policy 40 of the Horsham District Planning Framework (HDPF) document (2015).

Background Papers: DC/16/0123

This page is intentionally left blank



For Business use only - not for distribution to the general public



Scale: 1:4,564

Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Horsham District Council
Department	
Comments	
Date	07/04/2016
MSA Number	100023865

This page is intentionally left blank