

Development Management (North) Committee
4 OCTOBER 2016

Present: Councillors: Liz Kitchen (Chairman), John Bailey, Andrew Baldwin, Toni Bradnum, Alan Britten, Karen Burgess, Peter Burgess, Roy Cornell, Christine Costin, Leonard Crosbie, Jonathan Dancer, Matthew French, Tony Hogben, Adrian Lee, Christian Mitchell, Josh Murphy, Godfrey Newman, Brian O'Connell, David Skipp, Claire Vickers and Tricia Youtan

Apologies: Councillors: John Chidlow, Connor Relleen, Stuart Ritchie and Simon Torn

Also Present:

DMN/43 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor Karen Burgess be appointed Vice-Chairman of the Committee for the rest of the Council year.

DMN/44 **MINUTES**

The minutes of the meeting of the Committee held on 6th September were approved as a correct record and will be signed by the chairman at a future meeting.

DMN/45 **DECLARATIONS OF MEMBERS' INTERESTS**

Member	Item	Nature of Interest
Councillor Roy Cornell	DC/16/1944	Personal and Prejudicial – he is the Cabinet Member for Waste, Recycling and Cleansing

DMN/46 **ANNOUNCEMENTS**

There were no announcements.

DMN/47 **APPEALS**

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

DMN/48 **DC/16/1073 - LAND NORTH OF OLD GUILDFORD ROAD, BROADBRIDGE HEATH (WARD: BROADBRIDGE HEATH)**

The Development Manager reported that this reserved matters application for the residential element of outline planning permission DC/13/2408 sought permission for 165 dwellings, including 66 affordable units, and access. The application included: parking; landscaping; open spaces within the scheme and around the edge of the development; allotments; and attenuation basins. Permission DC/13/2408 also included a 60-bedroom care home, which would be determined through a separate reserved matters application.

The proposed housing mix comprised: 13 1-bedroom flats; three 2-bedroom flats; four 2-bedroom bungalows; 26 2-bedroom houses; 11 3-bedroom bungalows; 58 3-bedroom houses, 37 4-bedroom houses; and 13 5-bedroom houses. There would be two blocks of flats and the dwellings would be of traditional design.

The application site was outside but adjacent to the built-up area of Broadbridge Heath and comprised two fields, through which ran a public footpath beside a line of hedgerow and trees. The footpath continued along the northern boundary. A listed building, Swan Ken, was 70 metres from the north-west corner, and another listed building, Mulberry Place, lay 165 metres to the east.

It was noted by the Committee that condition 7 had been amended to read: No development shall take place until details of screen walls and/or fences including those protecting the landscape buffers have been 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.

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. It was noted that the scheme had been amended to address concerns that had been raised by the Arboricultural Officer. Since publication of the report concerns regarding parking layout, that had been raised by the Highways Authority, had been addressed.

Broadbridge Heath Parish Council objected to the application. The neighbouring Warnham Parish Council had raised no objection. Whilst fourteen letters of objection had been received during three consultation periods, it was noted that amendments made to the scheme had overcome a number of concerns raised by objectors. One member of the public spoke in objection to the application and 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 design and character of the streetscene and its impact on the character of the surrounding area; trees and landscaping; highways; the amenity of existing and future occupiers; heritage assets; open space; affordable housing provision; ecology; and drainage.

RESOLVED

- (i) That a legal agreement, in the form of a Deed of Variation, be entered into to amend the legal agreement attached to DC/13/2408. That the completion of the legal agreement be delegated to the Development Manager.
- (ii) That Subject to amendments to the parking layout, the conditions set out in the officer report (with amended condition 7) and completion of (i), planning application DC/16/1073 be approved.

DMN/49 **S106/16/0009 - LAND WEST OF WORTHING ROAD, SOUTHWATER**
(WARD: SOUTHWATER) APPLICANT: MRS OLIVIA FORSYTH

The Development Manager reported that this application sought permission to modify the legal agreement attached to DC/14/0590, which had granted outline permission for 540 dwellings and 54 retirement flats with parking and landscaping.

There were a number of modifications proposed, as set out in the report, including: removal of the requirement to carry out improvement works to Pollards Hill; amendment to the definition of 'Application' to include all reserved matters; a reduction in the number of affordable housing units with age-occupancy restrictions; amendments to the trigger points for supplying specifications for a number of facilities including the sports area and pavilion, pitches, skate park, play areas and some parking areas; and amendments to trigger points for delivery of bus shelters.

The application site was located outside but adjacent to the built-up area boundary of Southwater to the west of Worthing Road.

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 raised no objection to the application. No further letters of representation had been received.

Members considered the officer's planning assessment and the impact that the proposed amendments would have on the approved scheme.

RESOLVED

That a legal agreement, in the form of a Deed of Variation, be entered into to amend legal agreement S106/16/0009 attached to DC/14/0590.

The amendments to include:

- Removal of requirement to carry out A24 Pollards Hill Junction Improvement Works
- Inclusion of clauses to allow the provisions of the Legal Agreement to apply to subsequent S73 applications for the variation of conditions, at the discretion of the Council
- Amendment to 'Plan 2' showing the A24 Hop Oast Junction Improvement Works
- Amendment to the trigger points for approval of Specifications for the Sports Area, Sports Club Car Park, Sports Pavilion, Cricket Pitch, Football Pitch, Tennis Courts, Multi-Use Games Area (MUGA), Skateboard/BMX park, NEAP, First LEAP, Church Car Park and Bus Shelters
- Amendment to the trigger points for delivery of the Bus Shelters.

DMN/50 **S106/16/0007 - MARTIN GRANT HOMES DEVELOPMENT SITE, RUSPER ROAD, IFIELD (WARD: RUSPER & COLGATE) APPLICANT: MATTHEW SPILSBURY**

The Development Manager reported that this application sought permission to modify the legal agreement attached to DC/13/0368, which had granted permission for 36 dwellings and access. The modification would reduce the level of affordable housing to 25% (nine shared-ownership units) and remove the requirement for a commuted sum of £180,000 towards off-site provision of affordable housing. The legal agreement currently required nine 2-bedroom affordable rented flats and two 3-bedroom shared ownership houses.

A viability assessment had been undertaken to support the proposed reduction in affordable housing provision.

The application site was located in Ifield, south of Rusper Road on the boundary of Horsham and Crawley. Ifield Golf & Country Club lay to the west, and there was residential development directly to the south of the site. The site had been cleared but development of the site had not commenced.

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

The response from the Council's Housing Manager, and the review of the applicant's viability assessment, as contained within the report, were considered by the Committee.

The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was whether the reduction in affordable housing provision was acceptable, taking into account the reasons why the development had stalled and the viability rationale supporting the proposed variation.

RESOLVED

That a legal agreement, in the form of a Deed of Variation, be entered into to amend the legal agreement attached to DC/13/0368 with regard to affordable housing provision, to allow for:

- Reduction of the provision of on-site affordable housing to 25% of the total units, which equates to 9x 2-bed flats of Shared Ownership tenure.
- Removal of the requirement to provide a financial contribution of £180,000 (index linked) towards off-site affordable housing.
- Insertions of a review mechanism to require a financial contribution towards affordable housing should the scheme accrue additional value above that set out in the viability report.

DMN/51 **DC/16/1944 - HOP OAST DEPOT, WORTHING ROAD, HORSHAM (WARD: SOUTHWATER) APPLICANT: HORSHAM DISTRICT COUNCIL**

(Councillor Roy Cornell declared a personal and prejudicial interest in this application as he was the Cabinet Member for Waste, Recycling and Cleansing. He withdrew from the meeting and took no part in the determination of the application.)

The Development Manager reported that planning permission had been granted by the DMC (North) on 10 May 2016 for a replacement workshop building and adjoining single-storey office.

This application sought a minor material amendment to this permission to revise the finished floor level. The proposed drainage design had increased the height of the floor levels in relation to the nearby datum point. Due to the change in the finished floor level, the main access would be altered to include a ramp and stairs.

The application site was located at the interception of the A24 and B2227 Hop Oast Roundabout. There were no residential properties within the immediate vicinity of the application site.

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 objected to the application.

Members considered the officer's planning assessment and the impact that the proposed amendments would have on the approved scheme.

RESOLVED

That Planning application DC/16/1944 be granted subject to the conditions as set out within the officer's report.

DMN/52 **DC/16/1213 - HOME FARM COTTAGE, DENNE PARK, HORSHAM (WARD: SOUTHWATER) APPLICANT: MRS DIANA MCKNIGHT**

The Development Manager reported that this application sought outline permission for the construction of a detached two storey 3-bedroom dwelling to the south of Home Farm Cottage. The applicant had indicated a maximum height of 6.2 metres, with solar panels on its flat roof. There would be a three bay car port to the east. The building would be sustainably designed to 'Passive House Plus' standards.

The application site was located outside the built-up area to the east of Worthing Road and was accessed from private track shared by Horsham Gold and Fitness Club. There was a public footpath east of the site and the Park & Ride facility was on the opposite side of Worthing Road.

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

The Parish Council had not commented on the proposal. There had been no letters of representation received. The two Local Members for Southwater objected to the proposal on the basis that it was contrary to housing and countryside policies. The applicant and the applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were the principle of development and its impact on the character and appearance of the surrounding area.

RESOLVED

That planning application DC/16/1213 be refused for the following reasons:

- 01 The proposed development would be located outside of a built-up area boundary on a site not allocated for development within the Horsham District Planning Framework, or in an adopted Neighbourhood Development Plan. The proposed development would therefore be inconsistent with the overarching strategy for development set out within the Horsham District Planning Framework. The proposed development is therefore contrary to Policies 1, 2, 3 and 4 of the Horsham District Planning Framework (2015) and to the National Planning Policy Framework (2012).
- 01 The site lies within a rural location outside the limits of any existing settlement and does not constitute a use considered essential to such a countryside location. The proposal would result in the consolidation of sporadic development within the countryside which would be detrimental to the visual amenities of the surrounding area and would therefore conflict with Paragraph 55 of the National Planning Policy Framework, and with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework 2015.

DMN/53 **DC/16/1531 - HORSHAM DISTRICT COUNCIL CHANGING ROOMS, BENNETTS FIELD, BRIGHTON ROAD, HORSHAM (WARD: HORSHAM PARK) APPLICANT: HORSHAM DISTRICT COUNCIL**

The Development Manager reported that this application sought consent for the refurbishment of the existing changing rooms to create two hipped roofs, with solar panels, with alterations to existing door openings throughout the building.

The application site consisted of a detached single storey flat-roofed building to the south of Bennett's field, a recreation ground within the built-up area of Horsham.

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

RESOLVED

That planning application DC/16/1531 be granted subject to the conditions as listed within the officer's report.

DMN/54 **DC/09/2101 - LAND SOUTH OF BROADBRIDGE HEATH, OLD WICKHURST LANE, BROADBRIDGE HEATH (WARD: BROADBRIDGE**

HEATH) APPLICANT: COUNTRYSIDE PROPERTIES

The Head of Community & Culture reported that this application sought permission to vary the legal agreement attached to planning permission DC/09/2101 for the erection of 963 dwellings and community facilities on land south of Broadbridge Heath, Old Wickhurst Lane.

The variation would amend a number of clauses in the legal agreement in order to speed up delivery of the sports pitches and outdoor sports facilities to the south of Broadbridge Heath Leisure Centre. There had been changes to the outline plans, and in order to facilitate the delivery of the outdoor facilities these changes had to be reflected in the legal agreement.

The variation would also enable the delivery of an appropriate pavilion, larger and more costly than originally intended, in time for the 2017/18 football season. In order to do this the two MUGA pitches would be provided by the Council rather than Countryside Properties.

Members were verbally advised:

- That an amendment had been proposed to the officers report in respect of amendments also sought to the original S106 Agreement in respect of Public Art provision.
- The original Agreement required details of public art to be provided at each reserved matters application ie for each phase of the development, however this was not done and Countryside have submitted details now.
- If details had been submitted at reserved matters stage it would have gone out to public consultation. There are no more reserved matters applications to be made and in order that the Council can deal with the public art submission the wording of the agreement needs to be modified. The agreement still requires that the public art specification includes details of consultations with the District Council, local community groups and individuals and other parties.

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

The response from the Head of Community & Culture, as contained within the report, was considered by the Committee.

The Parish Council, which had been party to conversations regarding the rationale for the variation, raised no objection to the application.

Members considered the officer's planning assessment which indicated that the key issue for consideration in determining the proposal was the impact of the proposed variation on the delivery of the sports pitches and outdoor sports facilities. Members were advised that the proposal would ensure best value and the long term sustainability of the new sports ground.

RESOLVED

That a legal agreement, in the form of a Deed of Variation, be entered into to amend the legal agreement attached to DC/09/2101 with regard to the delivery of the pavilion, sports pitches and outdoor sports facilities along with further amendments to introduce a new trigger point for the provision of public art.

The meeting closed at 7.25 pm having commenced at 6.00 pm

CHAIRMAN