



Email: committeeservices@horsham.gov.uk
Direct line: 01403 215465

Planning Committee (South)

Tuesday, 21st November, 2023 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

Len Ellis-Brown (Chairman)	
Joanne Knowles (Vice-Chairman)	
Sam Bateman	Claudia Fisher
Mark Baynham	Joan Grech
Emma Beard	Lynn Lambert
Jon Campbell	Alan Manton
Philip Circus	Nicholas Marks
Paul Clarke	John Milne
Mike Croker	Roger Noel
Joy Dennis	Josh Potts
Malcolm Eastwood	John Trollope
Victoria Finnegan	Peter van der Borgh

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
To approve as correct the amended minutes on item PCS/20 of the meeting held on 19 September 2023.	
To approve as correct the minutes of the meeting held on 17 October 2023.	
<i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
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 Head of Development & Building Control and to take such action thereon as may be necessary:

5. **Appeals** 13 - 14

Applications for determination by Committee:

6. **DC/22/1815 Land at Brook Hill, Cowfold** 15 - 52

Ward: Cowfold, Shermanbury and West Grinstead
Applicant: Abingworth Developments Ltd

7. **DC/22/2297 Storrington Squash Club, Greyfriars Lane, Storrington., Pulborough** 53 - 82

Ward: Storrington and Washington
Applicant: Mr Corby

8. **SDNP/21/06423/HOUS 9 Rackham Street, Rackham** 83 - 94

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

9. **Urgent Business**

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

Agenda Annex

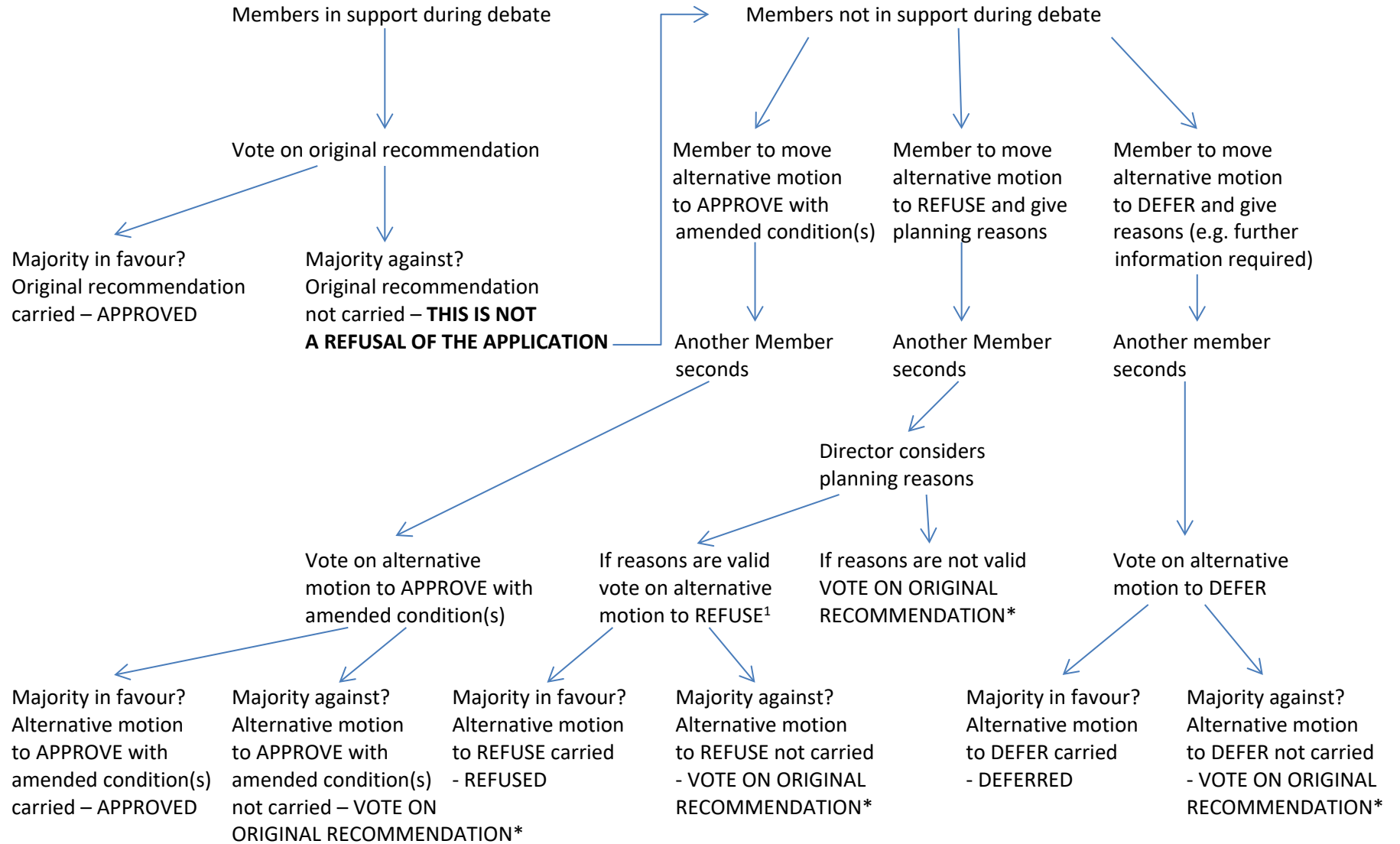
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

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

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

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

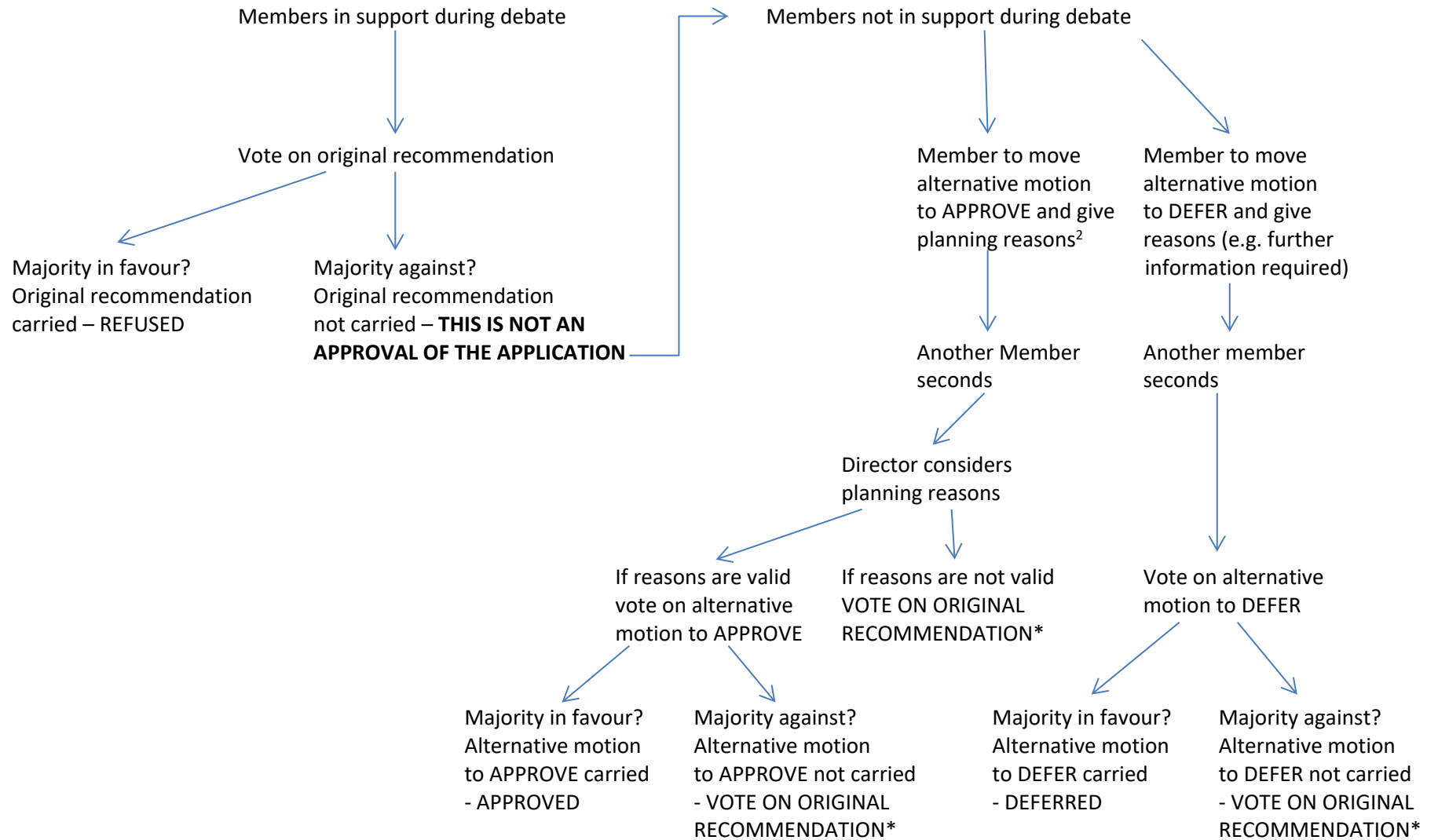
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

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

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

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

Planning Committee (South)
19 SEPTEMBER 2023

Present: Councillors: Len Ellis-Brown (Chairman), Joanne Knowles (Vice-Chairman), Sam Bateman, Mark Baynham, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Victoria Finnegan, Claudia Fisher, Joan Grech, Lynn Lambert, Alan Manton, Nicholas Marks, John Milne and Roger Noel

Apologies: Councillors: Emma Beard, Malcolm Eastwood, Josh Potts and Peter van der Borgh

Absent: Councillors: John Trollope

PCS/17 **MINUTES**

The minutes of the meeting held on 18 July 2023 were approved as a correct record and signed by the Chairman.

PCS/18 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/23/0651 Councillor Sam Bateman declared a personal interest in this item as she was the applicant. She left the room during the item and did not take part in the debate or vote.

PCS/19 **ANNOUNCEMENTS**

There were no announcements.

PCS/20 **APPEALS**

Councillor Circus advised the Committee that the appeal record was incorrect for DC/21/1756 Woodmans Farm. It indicated that the Officer recommendation was to refuse whereas the correct recommendation was to approve.

Councillor Circus also referred to the previous appeal decision and the planning inspector's comments regarding reservations relating to the assessment of highway safety. He expressed his opinion that objections could be made on highways grounds in the absence of Highways support.

PCS/21 **DC/23/0639 PEAR TREE FARM, FURNERS LANE, WOODMANCOTE**

The Head of Development and Building Control reported that this application sought permission for the erection of a 'U' shaped commercial storage building

to accommodate tyres currently stored in the open and within shipping containers at Pear Tree Farm.

The application site is located on the north side of Furner's Lane. Pear Tree Farm is accessed by a single point of gated entry into Furner's Lane.

The site lies outside of any defined settlements boundaries and within the countryside. The built-up area of Henfield lies 0.8km to the west.

Members notes the planning history of the application.

The Parish Council objected to the proposal.

Nine letters of representation had been received on the proposal: five in support and three in objection.

The applicant spoke in support of their application.

Members had concerns regarding the height of the building, the proximity to the neighbouring houses, whether the tyre use of the site met with the appropriate regulations and the increased fire risk associated with the storage of tyres.

It was proposed and seconded that an additional condition and informative be included should the application be granted.

RESOLVED

That planning application DC/23/0639 be approved in accordance with officer's recommendation, excluding the requirement for a section 106 which had been withdrawn by officers since the publication of the committee report and subject to the following additional condition and informative:-

As a pre-commencement condition, no development shall commence until the details of fire safety measures have been submitted and approved in writing by the Local Planning Authority.

The measures shall have been produced in consultation with West Sussex Fire and Rescue Service. The approved measures shall be installed and made operational prior to first use of the building hereby permitted and shall be retained as such thereafter. This is to ensure satisfactory fire safety in accordance with policy 24 of the Horsham District Planning Framework. As an informative, the applicant is advised to ensure that they comply at all times with the necessary regulations governing the storage of tyres on the site.

PCS/22 **DC/23/1324 26 MANOR ROAD, UPPER BEEDING**

The Head of Development and Building Control reported that planning permission is sought for a two-storey side extension and a single storey rear extension to a semi-detached dwelling. An oak framed open porch was also proposed at the front, set on a brick plinth. The existing attached garage and conservatory located to the rear and side would be removed to facilitate the extensions.

The application site is located to east side of Manor Road within the built-up boundary area of Upper Beeding.

The Parish council objected to the application.

Members expressed concerns regarding the size of the proposed extension on the plot and proximity to the neighbouring property.

Officers provided clarification to committee that the proposed design and size within the plot were deemed acceptable and complied with both local and national planning policies. It was therefore recommended for approval.

RESOLVED

This application DC/23/1324 was approved in accordance with officer recommendation.

PCS/23 **DC/23/0651 CEDARS BYRE, PARBROOK, BILLINGSHURST**

The Head of Development and Building Control reported that planning permission was sought for the erection of a new wooden summer house within the rear garden of the property, located close to the northern boundary.

The application site- Cedars Byre is a detached two storey dwelling located within the built-up area of Billingshurst. A Grade II listed building sits to the west.

Since the publication of the committee report the applicant advised that the originally proposed concrete foundation would be replaced with screw pile foundation. This would not impact the nearby Yew tree which has a Tree Preservation Order (TPO).

Members noted the planning history of the application.

The Parish Council raised no objection to the application.

Members were supportive of the application and deemed the design appropriate and in keeping with the local area.

RESOLVED

That application DC/23/0651 be approved in accordance with officer recommendation, with condition 3 to become regulatory to secure the submitted screw pile foundation details.

The meeting closed at 6.38 pm having commenced at 5.30 pm

CHAIRMAN

Planning Committee (South)
17 OCTOBER 2023

Present: Councillors: Len Ellis-Brown (Chairman), Joanne Knowles (Vice-Chairman), Emma Beard, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Victoria Finnegan, Claudia Fisher, Joan Grech, Lynn Lambert, Alan Manton, Nicholas Marks, John Milne, Roger Noel, Josh Potts, John Trollope and Peter van der Borgh

Apologies: Councillors: Sam Bateman, Mark Baynham, Jon Campbell and Malcolm Eastwood

PCS/24 **MINUTES**

A member of the Committee questioned the accuracy of the minutes of the meeting held on 19 September 2023.

The Committee resolved to defer the approval of the minutes to the next meeting on 21 November to allow them to be amended if necessary.

PCS/25 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

PCS/26 **ANNOUNCEMENTS**

The Chairman of the Committee reminded Members that they cannot engage with members of the public during a committee meeting.

PCS/27 **APPEALS**

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

PCS/28 **DC/21/2802 EBBSWORTH COTTAGE, THE STREET, NUTBOURNE, PULBOROUGH**

This application sought retrospective planning permission for the erection of a two-bed annexe building, providing ancillary residential accommodation, located to the east side of the existing dwelling. The proposed annexe would be a single storey construction with two bedrooms and a shower room.

The application site was located within a conservation area, outside of the built-up area boundary in a countryside location.

Pulborough Parish Council raised objection to the application, on the grounds of over development.

Two letters of representation were received from the public, from one address supporting the application.

The applicant's agent spoke in support of the application.

Local ward members spoke in objection to the application, raising concerns around water neutrality and rainwater storage tanks.

Members raised multiple concerns with the application including water neutrality calculation, the stability on the hardstanding foundation that was already in place and the height of the proposed building.

It was therefore proposed and seconded to defer the application so that additional information could be obtained.

RESOLVED

That the application DC/21/2802 be deferred from committee pending further queries relating to water neutrality statement calculations, a review of the slab level, a review of the storage tank capacity and location, the provision of leaded windows and clarification of ridge height compared to the previous building.

PCS/29 **SDNP/21/06423/HOUS 9 RACKHAM STREET, RACKHAM**

This item was withdrawn.

The meeting closed at 6.17 pm having commenced at 5.00 pm

CHAIRMAN

Planning Committee (SOUTH)

Date: 21st November 2023



**Horsham
District
Council**

Report on Appeals: 05/10/2023 – 08/11/2023

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/23/1383	Raidons Nutbourne Lane Nutbourne West Sussex RH20 2HS	09-Oct-23	Prior Approval Required and REFUSED	N/A
EN/23/0129	Rusty Barn Farm Bramble Lane Thakeham Pulborough West Sussex RH20 3DZ	15-Oct-23	Notice served	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/23/0107	Bayley Paddock Mill Lane Partridge Green West Sussex RH13 8JU	Written Representation	11-Oct-23	Application Refused	N/A
DC/22/2250	Cowfold Lodge Cottage Henfield Road Cowfold West Sussex RH13 8DU	Written Representation	01-Nov-23	Application Refused	N/A
DC/22/1981	Thakeham Manor Coolham Road Thakeham Pulborough West Sussex RH20 3EW	Written Representation	06-Nov-23	Application Refused	N/A

3. Appeal Decisions

HDC have received notice from the Planning Inspectorate that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/21/2086	Land West of Ravenscroft Storrington West Sussex RH20 4EH	Public Inquiry	Appeal Allowed	Application Refused	N/A
DC/19/1783	Meadow House Brighton Road Woodmancote Henfield West Sussex BN5 9SR	Written Representation	Appeal Dismissed	Application Refused	N/A



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 21st November 2023

DEVELOPMENT: Erection of 35 dwellings with associated engineering operations and works.

SITE: Land at Brook Hill, Cowfold, RH13 8AH

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/22/1815

APPLICANT: **Name:** Abingworth Developments Ltd **Address:** c/o Agent D+M Planning

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

The proposal is a departure from the Local Plan.

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. If the legal agreement is not completed within four months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Full planning permission is sought for the erection of 35 dwellings, comprising a mix of 1 to 4 bed dwelling types (the greater proportion being 3 bed at 40%), of which 35% (12no units on site) would be for affordable housing. Officers have engagement with the applicant to secure changes to the original proposal, including evidence documents such as updated species survey and a revised Water Neutrality Strategy, and amendment to the plan layout to further safeguard trees on site and increase on-site parking provision. These changes are detailed out in later sections of this report.

- 1.3 These dwellings would be located within the southern section of the site (2.8Ha) with a density of around 12 dwellings per hectare. The north of the site would be put over to an area of public open space (1.8Ha) to include play equipment, with the intention that this would transfer to the Parish or a nominated third party. The first 7no. of the dwellings are served by a spur off the main access road, and the remaining dwellings served by a loop road, within the western part of the site. Arranged either in a perimeter block with back-to-back rear gardens or a cul-de-sac, the development of largely 2-storey detached dwellinghouses exhibits a suburban character with landscape buffers to the edge of the development site. The plan layout has been amended, during the course of the application, so that the mature north-south tree belt is now removed from the curtilages of private gardens. Within the scheme, seven different house types (and some differing building typologies) are proposed, with architectural detailing said to reference local vernacular.
- 1.4 Primary site access would be via a vehicular and pedestrian access from the A281 Brook Hill located to the south of the existing driveway serving The Vicarage, which would be closed. Some hedgerow and two trees removal are required to facilitate this priority junction with a bellmouth width of 5.5 metre and a kerb radius of 6 metres. A 30mph speed restriction would be imposed along the A281 north of the site access, reduced from the current 60 mph, with roundel road marking with coloured surfacing and count down markers. Access to the existing property 'The Vicarage' would be taken directly from the new access road.
- 1.5 Within the scheme itself, a footway is proposed to the south side of the access road and a pedestrian crossing at the site entrance with dropped kerbs and tactile paving. 103no. car parking spaces are proposed (40no. garage spaces, 51no. driveway spaces, and 12no. visitor spaces), with each dwelling provided with an electric vehicle charging point. Pedestrian links from the site to Public Right of Way 1744 (along the west site boundary) are also proposed.
- 1.6 The strategy for drainage of the development proposes use of sustainable drainage techniques (ponds (existing and new), swales, permeable paving, filter drains). At present, surface water from the south of the site flows towards a ditch along the south site boundary. Surface water will be directed to a new attenuation pond on the south boundary which would pump collected water to the existing pond central in the site, for discharge to the wider ditch network that leads to Cowfold Stream to the east. Water attenuation within the site would allow for a 1 in 100-year storm event and accounts for climate change. Foul water will discharge into the existing public sewer.

DESCRIPTION OF THE SITE

- 1.7 The site (around 4.6Ha) is located west of the A281 and north of Thornden in the village of Cowfold. The Built-up Area Boundary of Cowfold runs adjacent to the south site boundary, with the site itself outside the defined settlement boundary. The site boundaries comprise mature hedge and tree screening, with a tree belt running north-south through the middle of the site. The site, comprised of fields, is relatively flat at its southern end but slopes down in a northerly direction. From within the site, long distance views are available to the north, and towards the South Downs, as well views of the church and spire of Grade II* Listed St Hugh's Monastery near Partridge Green. Several tree groupings within the site are positive contributors to landscape character: the cluster around the existing pond, the treeline along the west boundary and the mature north-south tree belt central on the site (a field boundary).
- 1.8 The site is visible from Public Right of Way 1744, which runs adjacent along the west site boundary in a north/south direction. A pond exists within the centre of the site. The nearest dwellings to the site are Thornden to the south; 'The Vicarage' and 'The Old Vicarage' to the south-east, and 'But N Ben' to the east. Some of these dwellings are viewable from the site.
- 1.9 The Cowfold Air Quality Management Area (AQMA) and Cowfold Conservation Area (including Grade I Listed St Peter's Church) are some 170 metres south of the site. Other

heritage assets in proximity to the site include Grade II Barrington House and The Red House, both east of the A281. The Vicarage is not formally listed but is judged to qualify as a non-designated heritage asset.

- 1.10 Existing facilities in Cowfold include a primary school, convenience shop, village hall and recreation ground. The village is served by existing bus services. Cowfold is defined as a Medium Village in the Horsham District Planning Framework (the second category in the Policy 3 hierarchy); a settlement having a moderate level of services and facilities and community networks proportionate to its size, together with some access to public transport.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

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

National Planning Policy Framework (NPPF, 2021)

Horsham District Planning Framework (HDPF, 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

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 41 - Community Facilities, Leisure and Recreation

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Supplementary Planning Guidance - revised county parking standards and transport contributions methodology

Air Quality and Emissions Mitigation Guidance for Sussex (2020)

Sports, Open Space and Recreation Assessment (2014)

Open Space, Sport & Recreation Review (HDC June 2021)

Planning Advice Notes:

Biodiversity and Green Infrastructure Planning Advice Note (HDC October 2022).
Facilitating Appropriate Development document (HDC October 2022).

2.3 RELEVANT NEIGHBOURHOOD PLAN

The Cowfold Neighbourhood Plan (CNP) was subject to Examination in February 2021. The Examiner's Report was published on the 19 April 2021 and recommended that (subject to some minor amendments) that the plan should proceed to Referendum. The Council's Decision Statement was published on 23rd September 2021 and concluded that all recommended amendments are accepted and that the plan can proceed to Referendum. A date for a Referendum has not been announced yet. Despite not being formally 'made', the CNP has been through the relevant public consultation phases and independent Examination (confirming the plans meets the 'basic conditions') and is therefore considered to carry significant weight in decision making.

The application site is included as an allocation for housing in the emerging CNP under draft Policy 11 (CNP01: Brook Hill).

Policy 11: Brook Hill, CNP01 – see Policies Map

i. Development proposals for up to 35 residential units on land at Brook Hill, as shown on the Policies Map, will be supported where:

- a. the housing density reflects the character and setting of the site and its surroundings;
- b. proposals provide safe and suitable access for vehicles, cyclists and pedestrians;
- c. proposals provide traffic calming, as necessary, at the junction of the access with the A281;
- d. proposals protect the landscape character of the ridgeline along the northern boundary of the site;
- e. proposals allow for the retention and enhancement of existing mature trees and hedgerows within the setting of the site and its surroundings.
- f. proposals provide a robust soft landscape buffer to protect the character of the area, particularly on the western and open northern boundary of the housing area;
- g. there is no unacceptable adverse impact on the Bakers Shaw LGS;
- h. the amenity of all existing residential properties bordering the site is protected;
- i. proposals provide public open space, as detailed on the Policies Map, that is to be transferred to the ownership of the Parish Council or other specially created trust;
- j. proposals allow for a high quality, illuminated, all weather, nonvehicular access to the existing PRow to the west of the site.

Other relevant Policies in the emerging CNP are:

- Policy 1: Ground Water and Surface Water Flood Risk
- Policy 2: Green Infrastructure
- Policy 5: Open Space
- Policy 7: Youth Facilities
- Policy 9: Residential Development Principles
- Policy 13: Housing Mix
- Policy 15: Communications
- Policy 16: Car Parking Provision

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

None

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 **HDC Environmental Health:** No Objection subject to conditions and comment

Proposed Private Water Supply

Now satisfied the risk assessing, testing and maintenance of the private water supply can be secured through conditions.

Recommended conditions: proposed private water supply; private water supply management plan; water sampling verification before occupation; risk assessment compliant with private water supplies.

Contaminated Land

Reviewed Phase 1 Desk Study and satisfied with preliminary assessment of the risk to future site users. Agree with report recommendations that limited site investigation and generic quantitative risk assessment (GQRA) should be undertaken to confirm ground conditions and to quantify risks to future site users. Satisfied to request through conditions.

Recommended conditions: ground contamination measures, remediation verification, No importation of soils.

Construction Phase

During site clearance, preparation and construction potential adverse impacts from noise, dust and construction traffic movements should be minimised and controlled by the developer and a construction environmental management (CEMP) plan recommended as condition.

Air Quality

CEMP should draw upon typical mitigation measures for a high-risk site as outlined in Air Quality Assessment report (AQA). Cannot accept air quality mitigation plan detailed in AQA. Part S of Building Regulations requires all new dwellings to have at least one charge point, therefore duplication of Building Regulations.

3.2 **HDC Conservation Officer:** No Objection

Will not directly or indirectly affect Listed Buildings, so content proposal will not lead to harm. The Edwardian Vicarage survives and can be considered a non-designated heritage asset. Pleased the proposal retains a sufficient buffer around the Edwardian vicarage and the access road is free of buildings.

3.3 **HDC Housing:** Support

Policy compliant. Encourage mix of affordable units to meet current need in Cowfold. Urge applicant to clarify and confirm tenure split.

3.4 **HDC Tree Officer:** No Objection

Overall design takes reasonable account of existing tree features. Revised layout plan is benefit to longer term integrity of retained hedgerow tree line. Still remain some pressure to

lop/fell, particularly on the dominant oak. If minded to approve, recommend conditions: Services; Tree Protection; Arboricultural Method Statement; Tree Retention and Planting.

3.5 HDC Drainage Engineer: No Objection

No overall objections to surface water drainage strategy. Recommend suitable drainage Conditions. Require evidence to show agreement in place for ongoing maintenance of SuDS systems.

3.6 Landscape Consultant: Comments

Support principle of development, but recommend further information to ensure suitable size, scale, design, landscaping, and layout and ensure landscape and visual harm is appropriately mitigated and opportunities taken to enhance landscape and visual resources.

Recommendations include restrictive covenants for trees in private curtilages; enhanced planting along east boundary; natural play features in public open space; provision of PROW entrance from north-west corner; use of native planting, consideration of tree spread/shading; retention of mature hedge lines, woodland shaws, and trees on site; minimise urban influences; increase biodiversity value (e.g., grassland with bulbs / flowering lawns).

3.7 Ecology Consultant: No Objection

Dormouse Survey (May 2023) notes European Protected Species Mitigation Licence required, therefore recommend copy of this is secured by condition. No further surveys for bats, GCNs or Reptiles required. Mitigation measures identified should be secured by condition. Recommended conditions: Accordance with Ecological Appraisal Recommendations, Submission of copy of EPS Licence for Hazel Dormouse, CEMP for Biodiversity, Biodiversity Enhancement Strategy, Landscape and Ecological Management Plan (LEMP), Wildlife Sensitive Lighting Design Scheme.

OUTSIDE AGENCIES

3.8 Natural England: No Objection

A test borehole has been drilled and sufficient yield identified. Submitted information shows the borehole is not hydrologically connected to either the Wealden Greensand semi-confined aquifer or any other water dependant sites. If your authority is satisfied the boreholes can be secured in perpetuity, the development will not have an impact on the Arun Valley SPA, SAC and Ramsar site. Concur with Appropriate Assessment conclusions, providing mitigation measures appropriately secured.

3.9 WSCC Highways: No Objection

The LHA does not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts, therefore is not contrary to NPPF. Therefore, no transport grounds to resist this proposal. Conditions: Access to be constructed, Visibility splays to be provided with no obstructions, Vehicle parking and turning, Cycle parking, Construction Management Plan.

Access in line with MfS standards, visibility splays achievable along both sides of A281. Police safety data reveals single incident of 'Slight' injury category in last 5 years, indicating site access operates in safe manner in its present form. Stage 1 Road Safety Audit: No concerns raised except for visibility splays kept free from overgrown vegetation (by condition). Swept path analysis demonstrates large vehicles can enter site, turn, and exit in forward gear. Parking sufficient to prevent overspill parking. Cycle parking provision. Trip Generation not anticipated to cause detrimental impact on operation of local highway network. Site is considered sustainable.

- 3.10 **WSSC Rights of Way:** No Objection
Link to footpath 1744, providing access to Cowfold and wider PROW network welcomed. Will increase footfall along PROW, therefore contribution sought to upgrade 230 metres of FP1744 to 2 metre all-weather surface. Resurfacing within Root Protection Zone so no dig construction required, and specification agreed under S278 Agreement.
- 3.11 **WSSC Local Lead Flood Authority:** Comment
Surface water flood risk very low. Area of proposed development at negligible risk from groundwater flooding. Works affecting flow of an ordinary watercourse will require ordinary watercourse consent. No records of historic surface water flooding within confines of site. Confirm storage calculations account for existing pond and proposed new pond.
- 3.12 **WSSC Fire and Rescue:** No Objection
Condition to show required fire hydrant(s)
- 3.13 **Archaeology Consultant:** No Objection
As site largely undeveloped, any below ground archaeological remains should be relatively undisturbed. Condition: submission of Archaeological Written Scheme of Investigation.
- 3.14 **Environment Agency:** No Objection
Subject to conditions: scheme to secure acceptable means of water supply and to secure foul water disposal, no borehole construction using penetrative methods unless agreed.
- 3.15 **Southern Water:** No Objection
Can facilitate water supply to site. Connection to water supply required.
- 3.16 **Sussex Police:** No Objection
Active frontage and natural overlooking. Parking off street on driveways with garages. Cycle stands recommended. Pedestrian routes be designed to prevent crime. Ground planting no higher than 1 metre. Site should be well lit.
- 3.17 **Cowfold Parish Council:** Comment
Neutral return. Expect requirements of Cowfold Neighbourhood Plan would be met, with reference to paragraph A281 access/egress. Policy 11 includes requirements for traffic calming measures and pedestrian/cycle access, with expectation of high quality, all weather illuminated walkways.

PUBLIC CONSULTATIONS

- 3.18 Representations have been received from a total of 36 separate addresses.

34 no. representations received in objection to the proposal, including a petition of 72 named individuals (but with no addresses or signatures provided), citing the below (summarised):

Principle

- Nothing short of madness. Under siege. Solar farms, Rampion and now housing. Cowfold should stay a village. Not aware of any apparent much needed local new homes. Overdevelopment. Sets precedent. SHELAA SA076 says 'NOT Currently Developable'. Preferable sites were SA609/SA610 and SA611.
- Potters is perfect instead. Neighbourhood plan defunct as made prior to water neutrality and should not be considered. Understand need for housing but first sort out traffic.
- No longer enjoy walking the village. Community space not easily accessible and will be an area of antisocial behaviour as no supervision. Focus should be on improving existing recreation space.

Landscape and Visual and Heritage

- Development creep. Harmful visual impact at edge of village. Reduces openness north around village. Detracts from rural character. Negatively affects wider setting of Conservation Area, Grade II Listed Red House, Barrington Cottage, Brookhill Cottage, and Brookhill. Little space between dwellings.
- Removal of trees, including subject to Preservation Order. Visibility at access would require substantial removal of trees and other vegetation. Architecture not historic to area. All buildings the same. Not countryside or Sussex style housing.

Traffic and Transport

- Will exacerbate already excessive and dangerous amount of traffic in village and local highway network causing horrendous delays. Transport Statement has no detail of assessing site specifically. Access onto A281 is dangerous, will add 70 cars using unsafe sharp turn as no roundabout is proposed, onto a congested racetrack on top of a hill with no visibility.
- Please do not underestimate how dangerous this is. Accident waiting to happen. We have not taken risk of turning north out of our driveway for many years. Will add to length of the rush period queues (southbound). 30 mph limit on Brookhill is rarely obeyed at this point. Moving 30 mph speed limit further north will have little/no impact. A281 junction with A272 is dangerous and congested particularly during peak hours. Not safe to walk into village as footway is 1 metre wide and rarely maintained with trees that do not get cut back due to 'greening' Cowfold.
- Footpath not suitable route during winter. Lack of lighting. Lack of parking in area. Parking in scheme inadequate. Tandem parking not practical. Cycle provision questionable. Thornden used as a rate run and school car park.

Air Quality

- Proposal will exacerbate already high air pollution with European Directive being broken. Contributes to people's poorer health. Will affect stonework of Listed Building. Traffic smell is horrible.

Biodiversity and Conservation

- Presence of wildlife, (deer, foxes, birds, buzzards, brown long eared bats, owls). Disturbance to natural pond. Goes against greening Cowfold. Destruction of habitats, including ancient woodland.

Inadequate village services

- Exacerbates existing overburdened GP surgery (closed to new patients, takes 4 weeks to get an appointment, shares staff with Partridge Green) and school. Limited services and facilities. Why are you building yet more houses in an area that 'cannot handle them'.

Drainage and Water Neutrality

- No flood risk assessment. If large pond on site is drained, flooding will substantially increase. Pond risk to children. Increased risk of flooding from surface water run-off onto Thornden, which has already happened (2019) and is susceptible (nos. 27 and 21 as ditch along boundaries gets waterlogged during heavy rain). Pond is on public land, who is responsible for maintenance?
- Unrealistic and will not be adhered to. Existing vegetation will be removed but not reseeded. Connected to same sewage system. Sewage came out from a manhole. Developer should be liable to damages. Water Neutrality is unresolved in district and should be determined by Natural England. If a power cut for the pumping station, what then?

Amenity

- Reduction in privacy to The Old Vicarage and properties along Thornden. Loss of natural light into gardens. Windows 10 metres from living room.

Procedure

- The Church stated this land is not for sale in Feb 2022 and kept everything secret. Someone from planning should visit and walk it themselves. De-values properties. No visualisations. Drawings generic.

1 no. representation received neither objecting nor supporting, content summarised below:

- School below average intake in recent years. Pubs and cafes would welcome new families. Subject to road safety improvements and footpath upgrade, would not object.

1 no. representation received in Support, content summarised below:

- Will boost the economy and open pedestrian access along Brook Hill

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

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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 ASSESSMENT

Principle

6.1 Policies 2 and 3 of the Horsham District Planning Framework 2015 (HDPF/the Local Plan) seek to achieve a sustainable distribution of development in the district, and maintenance of the district's rural character, and this is partly achieved by focusing new development within defined Built up Area Boundaries (BUABs). The application site is located outside of the BUAB of Cowfold and is currently not allocated for residential development in the Development Plan. Insofar as Local Plan Policies 4 'Settlement Expansion' and 26 'Countryside Protection' set out criteria for consideration of development in such cases, the proposal would not be in conformance to these policies.

6.2 Where a proposal is not in accordance with the locational strategy for housing in the Development Plan, it is necessary to consider if any material considerations would otherwise justify the grant of planning permission. In the case of this development proposal, there are material considerations that your Officers judge as significant in justification to grant permission.

6.3 Firstly, Cowfold Parish Council has allocated the application site in its forthcoming Cowfold Neighbourhood Plan (CNP, 2019-2031); the south of the site for development for up to 35

residential units (draft Policy 11) and the north for community space. The CNP has been through the required rigger of public consultation and independent Examination in early 2021, which recommended that (subject to some minor amendments) the plan proceed to referendum (April 2021). In his Report, the Examiner of the Neighbourhood Plan judged the selection sites were modest and can be sensitively incorporated into the fabric of the village general and respect its heritage assets in particular (para 7.57). The Council's Decision Statement (September 2021) confirmed the plan can proceed to referendum which, unfortunately, has been delayed until the strategic offsetting solution to water neutrality is resolved. Despite not yet being formally 'made', Officers are of the view that, given its advanced stage, significant weight should be afforded to the policies and allocations contained with the CNP (including the allocation of this site) in decision making.

- 6.4 Secondly, the current Local Plan settlement strategy is over five years old and based on dated housing numbers, with the Council currently unable to demonstrable a 5-year supply of deliverable housing sites (5YHLS). The Council has therefore prepared a Facilitating Appropriate Development document (FAD, Oct 2022) for use in assessing proposals, including those outside BUABs. The FAD does not form part of the development plan but instead comprises guidance to be taken into consideration. Its use is however clearly intended to indicate where flexibility in relation to the location of development could be appropriate. In assessing the proposals against the FAD, the application site adjoins the BUAB of Cowfold on its southern edge and is reasonably well located for access to some local facilities. The locale and quantum of development proposed is judged commensurate with the scale and infrastructure provision of the scale and size of the village and its function (as the Examiner agreed in his report on the Neighbourhood Plan). It is considered the proposal therefore meets the criteria listed in the FAD.
- 6.5 Thirdly, the Council is unable to demonstrate a 5YHLS (the supply being 3 years as of Dec 2022). National Planning Policy (NPPF/the framework) dictates that this diminishes the weight afforded to Policies 4 and 26 of the Local Plan in decision making. National Policy also dictates that, at para 11d of the framework, the absence of a 5YHLS engages the 'tilted balance' presumption in favour of sustainable development in the determination of this application, provided the proposal would not add to the existing adverse impact of water abstraction on the wildlife sites in the Arun Valley (i.e., it is water neutral).
- 6.6 Some objectors refer to the site's identification as 'not developable' in the Strategic Housing and Economic Land Availability Assessment (SHELAA) with concerns expressed regarding the ridgeline; the proposal seeks to address this. The SHELAA is a process carried out to find possible land for development. The SHELAA does not preclude future allocation for development, or development coming forward if otherwise acceptable in all other regards. The allocation of sites for future housing development are identified through the Local Plan or Neighbourhood Plans. All planning applications continue to be considered against the appropriate policies and any other material considerations. It is noted that as part of the evidence base for the Local Plan Review, the site was identified with potential to mitigate identified 'unfavourable impacts' (Regulation 18 Site Assessment Report Feb 2020). At that time, the site had been identified by Cowfold Parish Council as part of its Neighbourhood Plan preparation work.
- 6.7 The Neighbourhood Plan Examiner agreed with Horsham District Council that the overall allocation of housing in the CNP was in proportion to the scale and size of the village and its function. This establishes a range from 40-70 new dwellings. Collectively, the two site allocations in the CNP will deliver these new housing numbers with any additional housing being met through windfall developments. The Examiner was satisfied that the approach to site selection was evidence-based and robust and underpinned by a professionally prepared assessment of housing needs. As a result, the applicant's proposal for 35 dwellings on this site is considered proportionate to the evidence base that supported this site's allocation for housing development. The Neighbourhood Plan Examiner in his Report was satisfied that the allocation of the site would constitute sustainable development (para 7.64); it is within

walking distance of the principal community and commercial facilities in the village and in the view of the Examiner, the policy itself includes a series of factors which will result in the sensitive and high-quality development of the site, with the following matters particularly noteworthy:

- that the vehicular access of Brook Hill provides traffic calming measures (criterion c);
- the site respects the ridgeline to the north of the proposed built development (criterion d);
- the package of measures to retain existing planting, to introduce new landscaping and to retain the trees in the proposed Bakers Shaw LGS to the immediate north and west (criteria e/f/g); and
- the provision of associated open space to the immediate north of the development part of the site (criterion i).

6.8 In summary, whilst the future site allocation currently does not form adopted Council policy, the weight afforded to the emerging Cowfold Neighbourhood Plan (and to the draft allocation) carries significant weight given its advanced stage having passed through examination. Further, the absence of a 5YHLS means the conflict with Policies 4 and 26 is diminished and that the tilted balance (NPPF Para 11d) towards a presumption in favour of sustainable development is engaged, provided water neutrality is demonstrated. Additionally, there is compliance with the FAD.

6.9 As such, the principle of development on the site is acceptable, subject to the detailed considerations as set out below to any site-specific constraints, and the detail of the scheme – including how it demonstrates accordance with the criterion of emerging CNP Policy 11.

Housing Mix and Affordable Housing

6.10 HDPF Policy 16 and emerging Cowfold Neighbourhood Plan (Policy 13) require a mix of housing sizes, types and tenures to meet the needs of the district and local communities and of the number of dwellings as proposed, that 35% of the provision be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure. The proposal is for on-site delivery of 12no. affordable housing units split at a ratio of 70:30 in favour of affordable rent, which is policy compliant.

6.11 The Council's Strategic Housing Market Assessment (SHMA, 2019) recommends an open market mix of 1, 2, 3 and 4-bed dwellings, at a target split of 5%, 30%, 40% and 25% respectively. The overall housing mix proposed, set out below, follows the recommended mix as outlined in the SHMA (2019) (1 bed 5.7%; 2 bed 28.5%; 3 bed 40%, 4 bed 25.7%) and is therefore acceptable. Emerging CNP Policy 13 is nonprescriptive on housing mix, reflecting the work carried out on housing needs in Cowfold parish (the Cowfold Housing Needs Report).

6.12 The proposed affordable provision equates to 4 units (33.3%) as intermediate tenure and 8 (66.6%) as affordable rented (12 in total as 35%). The unit breakdown of this is 2 x 1 bed, 4 x 2 bed, and 6 x 3 bed. The Council's Housing Officer has confirmed the affordable mix includes smaller units and broadly accords with the current demand figures on the Council's Housing Register for affordable provision. As of April 2023, the Housing Register for Cowfold comprises 132 households looking for homes in the village. According to the Housing Register, 1-bed and 3-bed homes are the most in demand in Cowfold. Policy 13: Housing Mix. The HDC Housing Officer supports this application.

6.13 As such, the proposed housing mix is judged compliant with HDPF policy 16. A Section 106 legal agreement has been drafted to secure this on-site affordable provision and tenure, and the registered provider who will take on the units, as per the requirements of HDPF Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD.

Landscape Effects

- 6.14 The Council's Landscape Capacity Assessment (2021) identifies the landscape and visual sensitivities of the ridgeline and slopes within the site due to the prominence of the elevated landform and views northwards from them over the High Weald Area of Outstanding Natural Beauty (AONB). Existing woodland copses and field pattern tree belts are judged to have potential to provide some screening for new development, provided the development is located close to the existing settlement edge. The Council's assessment concludes the site has 'Low-Moderate' landscape capacity for small-scale housing, without resulting in unacceptable adverse landscape and visual impacts.
- 6.15 Aligned with this, emerging Policy 11 of the Cowfold Neighbourhood Plan requires a robust landscape buffer be provided to protect the character of the wider area, particularly to the west (wooded area and Public Right of Way), and to the north (open character defined by elevated ridgeline).
- 6.16 The proposed development would occur at the fringe of the village. Built form and land use interventions are evident strung out along the Brook Hill frontage in the vicinity of the site so the edge to the village is less marked at this point. The layout of the proposed scheme with its substantial set back of buildings would not add to this, albeit there would be a degree of sub-urbanising effect from the priority road junction and consequential vegetation removal (although this impact is tempered by opportunity for hedgerow reinstatement in closing up of the existing access).
- 6.17 Change in character of the land within the site (the existing open fields) would be perceivable from filtered views from the adjacent public right of way footpath. Remaining site boundaries are well screened, by trees and hedgerows, reducing intervisibility with the countryside beyond. These were some of the judgements of the applicant's Landscape and Visual Impact Assessment (LVIA) submitted in support of the proposal. The Council's Landscape Consultant does not dispute these nor the overall conclusions of the LVIA. There is agreement that, given the site typology and vegetated buffers, views of the proposal are limited if development is restricted to the lower areas of the site.
- 6.18 The submitted illustrative material is suggestive the public open space at the north end of the site is intended to function as a natural greenspace (as defined in the HDC Open Space, Sport and Recreation Review) with the majority of the land being retained as open pasture, rather than a manicured landscape, with new areas of wildflower grassland and a native species community orchard created towards the south boundary, and the historic field boundaries and hedgerows retained. There would impact on the natural landscape by way of paths, signage, interpretation boards, litter/dog waste bins and play areas, which may be necessary to meet the quality and accessibility standards for this type of open space. However, all this could be located at the entrances to the open space, filtered in the key views by the existing boundary landscaping. The play area is illustrated as a natural feature, against the southwest boundary of the open space, where it would be unlikely to be visually intrusive. As such, in relation to landscape impacts, the public open space could be provided, whilst respecting the natural qualities of the existing landscape.
- 6.19 In summary, the Council's Landscape Consultant does not object to the development subject to appropriate mitigations of negative landscape and visual effects and opportunities secured to enhance the landscape and visual resources. Precise details of several recommendations are subject to future agreement by condition or in the terms of the legal agreement. This includes planting schedule in the development itself and along the east site boundary; natural play features and seating in the public open space; and provision of a public right of way entrance from its north-west corner. It also includes restrictive covenants for those trees currently forming the central tree belt dividing the fields, and which would now be located outside of dwelling plots but still with canopy overhang into private gardens. The applicant has agreed to this as a clause within the legal agreement should planning permission be

forthcoming. Whilst the precise clause is to be finalised, the intention is to require future title holders of the properties to require the consent of a third party (in this case, the Management Company) to the carrying out of certain tree work, including branch removal and canopy cut back. This offers an additional layer of control to appropriate management of future works in safeguarding the amenity value of the trees.

- 6.20 As such, it is considered overall the landscape impact of the proposed development can be mitigated to an acceptable level and there is therefore accordance with emerging CNP Policy 11 and HDPF Policy 25 which seeks to protect landscape against inappropriate development, taking account landscape importance and individual settlement characteristics.

Highways and Access

- 6.21 Policy 11 of the emerging Cowfold Neighbourhood Plan requires development of the site to provide for safe access for pedestrians, cyclists and vehicles; traffic calming where necessary at the junction with the A281; illuminated, all weather, non-vehicular access to PROW 1744.

Construction Phase

- 6.22 West Sussex County Council in its capacity as the Local Highways Authority (LHA) confirms short term highways impacts during the construction phase can be minimised and controlled by the developer through the imposing of a Construction Management Plan. Some of the measures set out in the recommended condition can be addressed under separate legislation and/or are not enforceable so will not be carried forward by HDC officers. This includes the details of traffic construction routeing to and from the site.

Trips

- 6.23 A total of 17 two-way vehicle trips in the AM peak, 15 two-way trips in the PM peak and a total of 152 two-way trips are calculated as generated from the development throughout a typical day. The LHA confirms this level of trip generation is not anticipated to cause a detrimental impact on operation of the local highway network.

Access, Visibility and Turning

- 6.24 The primary site access accords with Manual for Streets standards, with visibility splays of 43 metres achievable along both sides of A281. The LHA consider that due to the unbalanced traffic flows along the A281 a roundabout junction is unlikely to be an appropriate access solution. The access solution that is proposed (a priority junction) has been subject to a Stage 1 Road Safety Audit which raised no concerns except for obstruction to visibility for drivers exiting. As such, the visibility splays must be kept free from overgrown vegetation. This can be controlled by condition. The internal layout provides direct access to all 35 dwellings, and swept path diagrams demonstrate large vehicles, including refuse, can enter the site, turn and exit in forward gear. Police safety data reveals a single incident of 'Slight' injury category caused in the last 5 years, indicating the site access operates in a safe manner in its present form. No objection is raised by the Local Highways Authority regarding safety related to the new site access.
- 6.25 Traffic calming measures at the junction with the A281 (Brook Hill) includes extension of the existing 30mph zone to the north of the site access by 230m, erection of new speed signage, countdown markers on the road surface of the southbound approach to the extended 30mph speed limit, and 'Slow' markings and coloured surface treatment on the road surface. The implementation of these measures would be secured through a s278 highways agreement with WSCC. The measures are considered sufficient to meet the criterion test of emerging CNP Policy 11.

Pedestrian Links and Sustainability

- 6.26 A pedestrian footway is provided along the south side of the new access road, which connects to the existing footpath running alongside the A281 south towards existing services and facilities within Cowfold village (school etc). Bus stops (serving route 17 between Brighton and Horsham) are located approximately 250 - 300 metres of the site. As such, the LHA has confirmed the site is sustainably located in transport terms.
- 6.27 The proposal involves new pedestrian links to Public Right of Way (PROW) 1744 at two separate points, providing access from the development to the village services and facilities of Cowfold and wider countryside pursuits. There is commitment to a third pedestrian link (details to be agreed) from the public open space onto the PROW 1744 secured by condition. The provision of these links accord with the requirement of emerging Policy 11 of the CNP and are welcomed by the PROW Team at WSCC. Design details of the links can be secured by condition to ensure these are designed with all-weather surfacing and illuminated. Additionally, given a likely increase in footfall along this route, the applicant has agreed, as required by WSCC PROW, to the surface of a 230m stretch of PROW 1744 being upgraded to a 2m width.

Parking

- 6.28 A total of 91 allocated parking spaces would serve the 35 dwellings, with an additional 12no spaces for visitor parking (a total of 103 spaces). This is an increased provision compared to the original proposal of 79 spaces, accompanied without detriment to the design merit of the scheme. The latest provision is in excess of the requirements of the WSCC Guidance Parking at New Developments, which seek to prevent parking overspill onto nearby roads and no objection is raised by the LHA.
- 6.28 It is acknowledged 103 spaces is short of emerging CNP Policy 16 which seeks provision above the WSSC minimum (requiring 122 spaces in total). These higher standards are evidence-based to the satisfaction of the Neighbourhood Plan Examiner and meets the basic conditions applied to Neighbourhood Plan examination. However, the WSCC parking guidance is equally evidence-based and last updated 2020. Using the WSCC parking demand calculator, the site lies within Parking Behaviour Zone 1 (devised from expected levels of parking demand in 2033 for different sizes of dwelling in the site location and context) and the recommended parking provision would be 75.1 spaces serving all 35 units.
- 6.29 On balance, your Officers judge the proposed provision sufficient as it exceeds the WSCC standards, and the LHA raises no objection. There is no evidence that a parking provision that meets the County standard is unsafe for the purposes of the NPPF test for 'severe' cumulative impacts (i.e. in respect of resultant parking overspill onto the highway network). This includes having consideration of parking demand generated by people accessing the new public open space by car. Likewise, cycle and EV provision, which would be secured by planning condition, are acceptable.

Summary

- 6.30 The LHA does not consider this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts, therefore it is not contrary to NPPF paragraphs 110 -113. Therefore, there are no transport grounds to resist this proposal. This is subject to recommended conditions, including access to be constructed, visibility splays to be provided with no obstructions, vehicle parking and turning, cycle parking, and construction management details. The applicant is also required to enter into a s278 agreement with WSCC to secure detailed design for the A281 traffic calming measures and required improvement works to PROW 1744. Officers have no reason to disagree with this conclusion and recommend that the proposal therefore accords with Policies 40 and 41 of the HDPF.

Heritage

- 6.31 Recent fieldwork in the wider area has demonstrated potential for unexplored areas to contain significant archaeological deposits and as the site is largely undeveloped since historic mapping began, the Council's Consultant Archaeologist recommends a condition be imposed to secure submission of an Archaeological Written Scheme of Investigation (WSI) to ascertain whether any remaining deposits are likely on site and if so, the method by which they will be investigated.
- 6.32 The site does not contain or lie within the setting of designated heritage assets. This includes Cowfold Conservation Area. Barrington House and The Red House, both Grade II listed, on the east side of the A281, are over 100 metres distant from site. The Council's Conservation Officer identifies no heritage harm to these assets (directly or indirectly) arising the proposed development.
- 6.33 'The Old Vicarage' lies west of the proposed development. This Edwardian building is judged by the Council's Conservation Officer to be a non-designated heritage asset due to its 'middling' architectural and historic interest. National Policy requires decision makers to consider the significance of a non-designated heritage assets and their settings. The proposal has responded to its setting by retaining a respectful space around the curtilage of the vicarage and avoiding new build along the access road, to retain a sense of openness. As such, the Council's Senior Conservation Officer raises no objection to the proposal on heritage grounds.
- 6.34 In summary, subject to condition securing an Archaeological WSI, the proposed development is not considered to result in harm to the historic environment or to any nearby heritage assets and accords with Policy 34 of the HDPF and the requirements of Chapter 16 of the NPPF.

Design and Amenity

- 6.35 Land uses of the proposed scheme are distributed across the site in full accordance with the allocation of the site in Policy 11 of the emerging CNP, as shown the Policies Map; the north is put over to public open space and play equipment whilst housing and supporting infrastructure (road and drainage) is confined to the south.
- 6.36 Public accessibility to the open space to the north end of site is promoted with new pedestrian links to the nearby Public Right of Way, circular walks (mown paths through the meadows), a community orchard, and naturalistic play equipment. Full details of these provisions and the transfer arrangements for the long-term management and maintenance plan of this public open space to the Parish Council or their nominated body would be secured via a s106 agreement (as required by Policy 11 (part i)). This plan should demonstrate the open space would qualify as the natural and semi-natural greenspace as defined and prescribed in the accessibility and quality standards in the HDC Open Space, Sport and Recreation Review (OSR). The plan should, at a minimum, demonstrate integration of landscape, biodiversity and arboriculturally considerations; 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 maintain and manage the site, and a timetable for its implementation.
- 6.37 The extent of developable area at the south end of site has been informed by the constraints and opportunities imposed by existing landscape features (built and natural). The scheme layout is judged a positive responsive to these. Landscape buffers of appropriate nature and size and locations are proposed, including the north-west corner, thereby avoiding unacceptable adverse impact on the prospective Baker's Shaw Local Green Space. Existing mature trees and hedgerows are incorporated sympathetically into the scheme, including the

mature tree belt dividing the two fields. In this regard, the proposal complies with emerging CNP Policy 2 which sets to safeguard existing green infrastructure and supports proposals for new green infrastructure.

- 6.38 In terms of how the proposed scheme integrates with the development pattern of the existing village, based on the southern area of 2.8Ha, the overall development density would be around 12 dwellings per hectare (dph). Existing housing to the south at Thornden is around 9dph. The accentuated loop road in the new development does reflect the street curvature of Thornden. Whilst plot sizes and shapes in the new development would differ compared to the generous gardens of the individualised properties comprising Thornden, the proposed development does reflect the tighter suburban character and layout of the more modern estate housing at the southern end of the village. In part, this is a response to Government dictate to making efficient use of land as instructed by National Policy.
- 6.39 The architectural approach to the new development, including materials and finishes of the house types, is reflective of the existing character of Cowfold and of certain attributes of local vernacular, although further opportunity for refinement has been identified by your Officers. This is not to seek to fundamentally change building types, which are acceptable, but improve upon the current aesthetic on minor matters such as fenestration and door arrangements to add interest to certain public facing elevations of prominent dwelling units, and the applicant has agreed to further negotiation on such detailing and embellishment by condition. Solar panels are shown to rear roof slopes and their inclusion is supported.

Amenity

- 6.40 Across the range of sensitive receptors, adverse impacts from the construction phase of the development (noise, dust etc) can be minimised and controlled by the developer through a condition requiring construction site setup details. Noise and disturbance at operational phase (occupation of the dwellings) arising from coming and goings associated with development would be within tolerance.
- *But-n-Ben; The Vicarage and Old Vicarage*
- 6.41 These dwellinghouses are sufficiently distant from the new development to negate adverse overbearing and overshadowing and although new mutual overlooking would arise from the new cul-de-sac properties onto The Vicarage, given the orientation of this property (flank to rear relationship) and the garden-to-garden distance, the resultant degree of overlooking onto the occupiers of all three properties would not be unacceptable and not untypical of suburban tolerance.
- *Thornden*
- 6.42 Northerly outlook for existing dwellings in Thornden would change resultant of the development but impacts onto the amenities of these neighbours (overbearing and overshadowing) would not be adverse or unacceptable (overlooking and loss of privacy). This applies to those neighbouring properties with the most sensitive relationship to the new development to the new dwellings (Plot 7/No.11 Thornden and Plot 35/Nos. 27 & 29 Thornden), whereby the combined effect of separation distances (around 25 metres), building orientations and boundary treatments, and intervening vegetation screening, are sufficient to negate intrusive intervisibility.
- *Future Occupants*
- 6.43 Each new property benefits from private amenity space and allocated parking. The layout of the proposed dwellings is appropriate with regards to their impact on each other's living conditions, including mutual intervisibility.

- *Public Open Space*

- 6.44 As submitted, the intended function of the children's play equipment and the open space is not explicit in referencing compliance with the standards in the HDC Open Space, Sport and Recreation Review (OSR) (2021). However, the naturalised play equipment is suggestive of Local Area of Play (LAP) with illustrative material of the north of the site is reflective of natural greenspace and semi-natural open space. The development site taken as a whole is large enough to accommodate open spaces of sufficient size for each function in line with the standards, as part of a detailed layout that could be conditioned for agreement as part of the Management and Maintenance Plan for the Public Open Space. This space is large enough to make a sizeable contribution to this type of open space in Cowfold, including rectifying any existing deficiency. This would offset the absence of any formal parks and gardens space within the proposed development, which the OSR standards would otherwise expect (but may not be acceptable from the perspective of landscape impacts).

Trees

- 6.45 No trees on the site or close to its boundaries are subject to Preservation Order. The access road will necessitate loss of some existing hedgerow along the A281 Brook Hill. Several trees will be removed (T20, T22, T25, T50), all Ash and judged susceptible to failure.
- 6.46 The Council's Tree Officer is satisfied the new roads respect the minimum root protection areas (RPA) of existing trees, except for T59 (Oak) as the footway encroaches partially into its RPA. Following amendment to the plan layout, the large Oak (T57) previously identified as under pressure to fell owing to its large canopy and position over three gardens, is now outside of private curtilage. This tree, and those others that form this mature tree belt, has now been allotted suitable and satisfactory space to allow its continued expansion in size, as well as offering respect to its high level of amenity value.
- 6.47 Existing trees along the south boundary are to be retained, and the proposed attenuation pond respects their minimum RPA. Footpath construction above existing ground levels along the west site boundary can avoid undue harm to the western tree belt.
- 6.48 Whilst minor RPA encroachments and future pressures are identified, the Council's Tree Officer raises no overall objection, subject to conditions to ensure trees are protected and retained where necessary.

Summary

- 6.49 With the preceding paragraphs in mind, the proposed development is not considered to result in adverse harm to the amenities of the existing neighbouring and future occupants, in accordance with HDPF Policy 33. The proposal would increase access to open space within the countryside and provide new opportunities for the local community and visitors to experience views of the High Weald AONB. As such, the public open space would represent a significant public benefit, and the proposal accords with emerging CNP Policies 5 and 7 by providing informal open space to enhance new facilities for young people, including children's play areas.
- 6.50 In summary on design matters, subject to conditions to continue negotiations on refinement of architectural detail and control the precise specifications of the materials to be used, the development achieves good design and of high quality to accord with the development principles set out in Policies 32 and 33 of the HDPF, and Policies 9 and 11 of the emerging Cowfold Neighbourhood Plan. It satisfies NPPF requirements at Chapter 12 (well-designed places).

Ecology

Protected and Priority Habitats and Species

- 6.51 A suite of ecology material supports this application, including an Ecological Impact Assessment (April 2021), Preliminary Ecological Appraisal (Updated January 2023), and species surveys for Hazel Dormouse, Great Crested Newts, Reptiles, and Bats.
- 6.52 The Council's Consultant Ecologist is satisfied with the survey work conclusions, supporting the submitted reptile enhancement strategy and (noting the dormouse presence on site (Dormouse Survey May 2023)), recommending copy of the required European Protected Species Mitigation Licence for Hazel Dormouse. The recommendation to maintain and enhance habitats for bats, and to implement a wildlife friendly lighting scheme across the site are also supported. These outcomes can be secured by recommended conditions: Accordance with Ecological Appraisal Recommendations, Submission of copy of EPS Licence for Hazel Dormouse, CEMP for Biodiversity, Biodiversity Enhancement Strategy, Landscape and Ecological Management Plan (LEMP), and Wildlife Sensitive Lighting Design Scheme.
- 6.53 The Ecologist is satisfied the proposals secure reasonable biodiversity enhancement. -. In this regard, the proposal complies with emerging CNP Policy 2 which sets out delivery of a net gain in Biodiversity. To be clear, achieving 10% net gain is not a policy or national requirement currently. The proposal has been assessed by the Council's consultant Ecologist who has raised no objections subject to conditions. The ecologist's suite of recommended conditions includes the submission of a Biodiversity Enhancement Strategy which will require the Applicant to submit details of enhancement measures in accordance with the Council's Biodiversity and Green Infrastructure Planning Advice Note which requires Biodiversity net gain improvements.
- 6.54 Subject to inclusion of the necessary planning conditions to secure biodiversity protection and enhancement measures across the site, the proposal is in accordance with Policy 31 of the HDPF and paragraphs 174 and 180 of the NPPF.

Water Neutrality

- 6.55 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. This supply is sourced from groundwater abstraction in the Arun Valley, including Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site (the 'Arun Valley Sites') at Hardham (near Pulborough). Natural England has advised water abstraction for drinking water supplies is having a negative impact on the Arun Valley Sites and that any new development must not add to this negative impact, and one way to achieve this, is to demonstrate water neutrality.
- 6.56 Decision makers must, as competent authority, ensure compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). This is reflected in national policy (NPPF para. 180).
- 6.57 To demonstrate water neutrality (the use of water in the supply area before the development is the same or lower after the development is in place), the applicant has evidenced a suite of submitted material, including their Water Neutrality Statement (D+M Planning Updated June 2023), accompanied by a Flood Risk Assessment and Water Neutrality Assessment (Price & Myers, September 2022) which contains at Chapter 8 a Water Neutrality Assessment and Appendix E a Borehole Feasibility Study (SWECO, June 2022). Additional evidence pertaining to the proposed treated borehole system was received June this year; letters and email responses 24th March 2023 and 4th Nov 2022; Private Water Supply at Brook Hill Site – Borehole Water Treatment System Conceptual Design, Operation &

Maintenance – Rev A 22/06/23 by Invicta Water Treatment; and SAMPLE ANALYSIS CERTIFICATE by Portsmouth Water Ltd).

- 6.58 This suite of technical evidence reflects the applicant's engagement with your planning and Environmental Health Officers to seek to secure an acceptable strategy, informed by advice from Natural England. The robustness of the evidence presented by applicant has been the subject of scrutiny by your Officers, which resulted in removal of a suggested domestic greywater recycling system to supply water from an onsite pond from the strategy. The applicant has also had to submit details of the water treatment system following drill testing data results for assessment by an independent expert consultant, Membrane Consultancy, under instruction from the Council.

Applicant's Water Neutrality Strategy

- *Fixtures and fittings and water reuse*

- 6.59 The baseline water usage of this greenfield site is nil. Without mitigation, the proposed water consumption for 35 dwellings is calculated at 11,037 litres per day. Water efficient fixtures and fittings in each dwelling would reduce water consumption to 85 litres per person per day, resulting in a reduced consumption of 6,949 litres per day.

- *Borehole*

- 6.60 The residual water demand of 6,949 litres per day would be supplied by water abstracted from a private borehole on-site. This treated borehole, located to the north of the proposed access road, would drill into a Secondary A Aquifer that is hydrologically separate from the Primary Aquifer that serves the Hardham abstraction point. The borehole would have capacity to yield around 60,000 litres (60 cubic metres) per day. This yield would far exceed the residue 6.9 cubic metres per day required to make the development water neutral, and results in a significant surplus.

Council's Appropriate Assessment

- 6.61 The Council, as competent authority under the Habitat Regulations, has assessed the applicant's water neutrality proposal. As required it has completed an HRA Appropriate Assessment (AA), with favourable conclusion. To successfully pass through AA the applicant has been required to provide further precise and definitive findings and conclusions to ensure no reasonable scientific doubt as to the effects of the proposal. Vague, incomplete or ambiguous data will not have been sufficient.
- 6.62 Reduction of water usage through water efficient fixtures and fittings to each dwelling is an acceptable approach to towards achieving water neutrality. Appropriately worded conditions will secure evidence of installation in perpetuity.
- 6.63 Private boreholes can provide a suitable source of water (drinking and non-drinking) to achieve water neutrality. The applicant has engaged with your Officers to provide the significant level of survey work required to support such a proposal. Any measures proposed to achieve water neutrality must be certain and secure to avoid any risk of impact on the designated sites, and the applicant has followed the Council's guidance prepared in consultation with the Environment Agency and Natural England.

- *Groundwater Resources*

- 6.64 It has been evidenced the on-site borehole would be sunk into a Secondary A Aquifer, and therefore not affect the Primary Aquifer serving Hardham, with sufficient evidence that the abstraction of water from the borehole would not be not hydrologically connected (directly or indirectly) to take water from the Arun Valley sites. The on-site borehole would be required

to be drilled to a depth below ground level to reach the Upper Tunbridge Wells Formation which is evidenced to have good water quality.

- *'Headroom' Yield*

6.65 To demonstrate this, the applicant has submitted borehole testing results (drilled August 2022 striking water at 57m depth and abstracted 2.5 cubic metres an hour, for 2 hours) which demonstrates sufficient yield in the Secondary A Aquifer to serve the residue requirements of the development reliably year-by-year, even in the driest months of the year.

6.66 This submitted evidence demonstrates the borehole would yield a much greater volume of water than the residue demands the development requires. This significant surplus volume water increases certainty that the precautionary principle in HRA procedure is addressed and adds to credibility of the water neutrality measures.

- *Groundwater Quality*

6.67 The quality and safety of private water supplies is controlled by the Private Water Supplies (England) Regulations 2016 (as amended) and is regulated by the Council's Environmental Health team. The applicant has undertaken a water quality assessment from the test borehole and the measures to ensure the water quality is acceptable for drinkable consumption has been provided. The applicant's proposal is to install a reverse osmosis (RO) treatment system for the supply since the source water is too saline for drinking water use. Under instruction from the Council, an independent expert consultant, Membrane Consultancy, has assessed the submitted evidence of this proposal, and reported his conclusions to the Council (Membrane Consultancy Associated Ltd 'Review of a Water Source Proposal for Brook Hill Borehole' dated 24.10.23).

6.68 The consultant concludes that RO is a suitable technology for Brook Hill and that the applicant has engaged an experienced RO system supplier and has proposed a credible and potentially effective system. Through planning conditions proposed by the Council's Environmental Health officer details of long-term management, maintenance and monitoring of the private water supply will be required, including responsibility for maintenance, servicing, and cleaning of the infrastructure and steps taken in event of equipment failure to ensure continuity of supply. Having sought the advice of the external consultant, the Council's Environmental Health officer (who ultimately is responsible for regulating this private water supply) is of the view that the risk assessing, testing and maintenance of the private water supply can be secured through conditions and as such raises no objection. The borehole would require the creation of Source Protection Zone, and it can be conditioned that the applicant evidence that all affected landowners have been notified of this.

- *Summary*

6.69 The Council has completed the HRA exercise and its Appropriate Assessment concludes that subject to conditions and obligations to be secured in a legal agreement, the project will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects. Natural England concurs with the findings and conclusions of the Council, subject to all mitigation measures being appropriately secured, and raises no objection on this basis.

6.70 On this basis the development complies with s.70 of the Conservation of Habitats and Species Regulations 2017 as well as with Policy 31 of the HDPF and paragraph 180 of the NPPF. In accordance with paragraph 182 of the NPPF, the presumption in favour of sustainable development at paragraph 11d of the NPPF therefore applies in the overall determination of this proposal. The implications of this are set out in the 'Planning Balance and Conclusion' section of this report.

Other Matters

Drainage and Flood Risk

- 6.71 WSCC in its capacity as Local Lead Flood Authority (LLFA) confirms the site is in an area of low flood risk (Environment Agency Flood Zone 1), is at very low risk from surface water flooding, negligible risk from groundwater flooding, with no records of historic surface water flooding. Southern Water has advised that both a foul water connection and a water supply can be facilitated at the site (subject to an application to formally connect).
- 6.72 Both the Council's Drainage Engineer and LLFA have raised no overall objection to the proposed drainage strategy in the submitted Flood Risk Assessment and Drainage Strategy, subject to further evidence that discharge of surface water to the existing pond is fit for purpose (including water storage calculations accounting for the existing pond and proposed new pond). As such, a condition securing detailed drainage design and such calculations will be imposed in event of approval. The development can therefore be satisfactorily accommodated without increasing flood risk elsewhere, in accordance with Chapter 14 of the NPPF, HDPF Policy 38, and emerging CNP Policy 1 which supports sustainable drainage techniques, subject to planning conditions.

Contamination and Source Protection Zone

- 6.73 A Phase 1 Preliminary Ground Assessment has been submitted. The Council's Environmental Health is satisfied with the recommendations that a further site investigation be undertaken to fully quantify the risks to future site users, to be secured by condition.
- 6.74 The submitted Flood Risk Assessment & Water Neutrality Assessment (Revision 2, Price & Myers, dated 20th September 2022) has provided the Environment Agency with confidence that it will be possible to suitably manage risks posed to groundwater resources by the proposed development (which is particularly sensitive in this location as the site is located within Secondary Aquifer A). The Environment Agency is satisfied with the proposal subject to imposing of conditions to secure acceptable means of water supply and foul water disposal and requiring penetrative methods to the future borehole construction.

Air Quality

- 6.75 The site is located around 130m to the edge of the Cowfold Air Quality Management Area (AQMA). Having regard to the Air Quality and Emissions Mitigation Guidance for Sussex (2021) the development's effects on air quality must be considered. To that end, the applicant has submitted an Air Quality Assessment (AQA) identifying the main source of emissions from the development to be from construction vehicles and dust and traffic during the operational phase. The AQA calculates a damage cost from the development of £3,327.
- 6.76 Mitigation measures set out in the AQA for the construction phase are acceptable to Environmental Health (including dust suppression equipment). In mitigation at operational phase, the AQA proposes EV charging points or alternative measures, including bike purchase vouchers and public transport subsidies to residents. In assessing the acceptability of such, duplication of measures normally required through other regimes should be avoided. Given the Building Regulations Approved Document S already requires onsite EV charging, the use of EV charging points to address air quality is not recommended unless these are offsite to support the EV Charging Network and Delivery Plans for the local area. Similarly, cycle parking and shelters are not supported. Your Officers continue to negotiate on acceptable measures at operational phase, and it is proposed an Air Quality Management Plan be secured by condition to secure precise and costed mitigation.

Minerals Sterilisation

- 6.77 The site is in the Mineral Safeguarding Area for Weald Clay (Brick Clay) and Building Stone (Horsham Stone). The application is supported by a Minerals Resource Assessment. This concludes that given the site proximity to residential housing, mineral extraction is not practicable or environmentally feasible. West Sussex County Council in its capacity as Minerals Authority does not object to the proposal if the overriding need for the development outweighs the importance of safeguarding the minerals.
- 6.78 Owing to the limited site area and relatively low priority of the Weald Clay resource, your Officers are satisfied the overriding need for housing development outweighs the importance of safeguarding the brick clay mineral. Building Stone is less abundant and of importance for historic building repairs and local vernacular styles in new builds. The applicant's Minerals Resource Assessment has not ruled out presence of Building Stone so it would be reasonable to secure written assessment of the extent, volume, and practicability for incidental extraction of Horsham Stone, based on detailed ground investigations; and a methodology for any extraction (An 'Incidental Extraction Plan'). With this secured by condition, your Officers are satisfied there is policy compliance.

Climate Change

- 6.79 HDPF Policies 35, 36 and 37 require development contributes to mitigating the impacts of climate change through measures including improved energy efficiency. This application is accompanied by an Energy Efficiency Feasibility report detailing measures in the design of the site. Predicted energy performance calculations for each dwelling type demonstrate all are predicted with a 'B' rating for energy efficiency. All will have solar panels. As such, the application will suitably accord with local and national policy.

Infrastructure and S106 Legal Agreement

- 6.80 HDPF Policy 37 and emerging CNP Policy 15 expects the provision of high-speed broadband access for new homes, which could be secured by condition. The development would be liable for a payment under HDC's Community Infrastructure Levy Charging Schedule, which would contribute to the improvement of local infrastructure, such as education or healthcare facilities. To ensure all proposed dwellings are within 150 metres of a fire hydrant for the supply of water for firefighting, WSCC Fire and Rescue has requested fire hydrant(s) detail by condition. This would comply with the expectations of HDPF Policy 39.
- 6.81 The various obligations/contributions discussed in the preceding paragraphs are the minimum required to mitigate the development impact on infrastructure under Policy 39 (as supported by the Planning Obligations SPD). A s106 legal agreement is currently being drafted and will include obligation on the owner to provide the provision of 35% affordable housing (12no units) at an agreed tenure split between Shared Ownership units and Affordable Rent units to reflect local need; upgrades to Public Right of Way 1744; and transfer of the public open space to the Parish Council or their nominated body, together with details of its management and maintenance.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
Erection of 35 dwellings with associated engineering operations and works	4,596m ²	0m ²	4,596m ²
		Total Gain	4,596m²
		Total Demolition	0m²

6.83 Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change. Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development. In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Conclusion and Planning Balance

6.84 The Council's housing land supply position stands at 3 years which represents a significant shortfall and means the Council is unable to demonstrate a five-year supply of deliverable housing sites. Therefore, the Local Plan policies which are the most important for determining this application are deemed out of date. In such circumstances, as the development has demonstrated water neutrality, paragraph 11d)(ii) of the Framework indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

6.85 In light of this, the provision of 35 dwellings would make a notable contribution to the district's housing needs. The scheme would provide a housing mix in line with the needs of the area and there is no reason why the scheme could not be deliverable in the short term. As such, the benefits of housing in this case carry very significant weight.

6.86 The provision of affordable housing would be in line with planning policy requirements. Moreover, recent affordable housing delivery has been significantly below the area's need. The proposed children's play area and public open space would also provide wider community and recreational benefits beyond serving just the needs of the development. The emerging Cowfold Neighbourhood Plan prescribes no alternative means by which this public open space will be delivered other than coming forward in association with development of the site. Granting permission now in association with this proposal would bring forward its delivery. Overall, these social benefits carry significant weight in favour.

6.87 Environmental benefits in this case include enhancement and long-term management of the buffer zone adjacent to the Public Right of Way. As a result of these measures, along with other landscaping within the housing portion of the site, there would be biodiversity enhancements. These environmental benefits weigh significantly in favour of the scheme.

6.88 The benefits to the economy during construction and indirectly through an increase in local spending by future residents of the scheme carries moderate weight in favour. The proposal would provide suitable living conditions for future occupiers of the development. This matter attracts limited weight in favour.

6.89 Improvements of the existing Public Right of Way and traffic calming measures on the A281 is proposed. These improvements would address the requirements of the Framework by promoting walking and public transport and would result in moderate benefits. Their weighting reflects the fact these benefits would be secured in advance of adoption of the CNP whereby at which time they would be mere compliance with policy.

6.90 The Highways Authority is satisfied the site would be safely accessed without harm to the operational use of the highway network. Appropriate ecological mitigations for protected and

priority habitats and species are agreed by the Council's Ecologist. No resultant adverse risks are identified related to drainage of the scheme. All these outcomes are afforded neutral weight.

- 6.91 Turning to harms, whilst the development would cause some harm to the area's character and appearance if only, due to its sympathetic layout and design and secured mitigations, by reason of permeant and irreversible change to the countryside. Whilst there is harm arising from non-conformance with current local plan policies relating to the site being located outside the settlement boundary, the development would be reasonably well located for access to the local facilities. This consideration carries some weight, as there is a need to find a suitable location for housing development and the harm with non-conformance carries diminished weight due to the Council's deficient housing land supply position. Importantly, none of these harms are judged by your Officers to be significant and demonstrable as required for decision-taking under para. 11d of the NPPF.
- 6.92 Having regard to material considerations that would justify the grant of planning permission, significant weight must be given to the allocation of this site within the emerging Cowfold Neighbourhood Plan (CNP), which has passed through examination. The proposed development is in full compliance with the draft allocation for housing and the policies of the CNP (except for minimum local parking standards) and the CNP taken as a whole. The proposal also accords with the criterion of the Facilitating Appropriate Development (FAD) advice note which also carries weight in favour of the proposal.
- 6.93 Officers therefore recommend that, subject to the conditions listed below and the completion of a s106 legal agreement, the application should be granted planning approval.

7. RECOMMENDATIONS

- 7.1 To approve full planning permission subject to the conditions listed below and the completion of a Section 106 Legal Agreement.
- 7.2 In the event that the legal agreement is not completed within four months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

Conditions

1. **Approved Plans list**
2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:
 - i. Details of site management contact details and responsibilities;
 - ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - a. location of site compound,
 - b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - c. site offices (including location, height, size and appearance),
 - d. location of site access points for construction vehicles,

- e. location of on-site parking,
 - f. locations and details for the provision of wheel washing facilities and dust suppression facilities
- iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
 - iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

The construction shall thereafter be carried out in accordance with the details and measures approved.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

4. Pre-Commencement Condition:

- i. No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii. The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

5. Pre-Commencement Condition: No development shall commence until a scheme for the incidental extraction of the safeguarded mineral resources underlying the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to:

- i. an assessment of the extent, volume and practicability for incidental extraction, which shall be based on detailed ground investigations; and,
- ii. the methodology for which any identified incidental mineral extraction would be carried out, which shall include a detailed programme/phasing of extraction, the recording and monitoring of any safeguarded resource extracted and details of the proposed destination/use of the mineral.

Reason: To ensure the incidental extraction and recovery of any underlying safeguarded mineral resource, where practicable, in accordance with Policy 24 of the Horsham District Planning Framework and Policy M9 of the West Sussex Joint Minerals Local Plan (JMLP) and the National Planning Policy Framework.

6. Pre-Commencement Condition: No development shall commence until a mitigation scheme, undertaken by a suitably qualified and competent consultant, has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water from the borehole(s) will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall implement the recommendations detailed in the Membrane Consultancy Associated Ltd 'Review of a Water Source Proposal for Brook Hill Borehole' dated 24.10.23 and shall ensure that the components of the proposed treatment system are

compliant with Regulation 31 of The Water Supply (Water Quality) Regulations 2016 (or subsequent superseding equivalent) and Water Regulations Approval Scheme (or subsequent superseding equivalent). The mitigation scheme shall be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

7. Pre-Commencement Condition: No development shall commence until a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the Local Planning Authority. The PWSMP shall include, but not necessarily be limited to, the following information:

- Detail on the sampling and testing regime, undertake in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), with detail on how any failure of any samples will be investigated and managed.
- Confirmation that a Regulation 6 risk assessment (or subsequent superseding equivalent), undertaken by a suitably competent and experienced person in accordance with relevant guidance and statutory requirements, shall be undertaken before the private water supply is brought into use and at least once every five years thereafter with the findings of the risk assessment submitted to the LPA.
- Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification what steps will be taken in the event of equipment failure. This should include any re-activation of the system after it has been out of use due to lack of use.
- Full specifications and details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of each unit
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, maintenance and for making these records available to Local Authority officers when reasonably requested.
- A named person for residents to contact (24/7) in an event of a failure or issue with the private water supply (to be approved in writing by the Local Planning Authority);

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

Any necessary changes to the management plan shall be agreed in writing by the local planning authority and the premises shall operate in accordance with the revised management plan thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

8. Pre-Commencement Condition: No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the

application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9. Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 10. Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
- i. All trees on the site shown for retention on approved Tree Protection Plan drawing 1689-KC-XX-YTREE-TPP01 Rev 0, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
 - ii. 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.
 - iii. 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.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site and to ensure a satisfactory development that is sympathetic to the landscape character of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11. Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12. Pre-Commencement Condition:** Any works which will impact the breeding / resting place of Hazel Dormouse shall not commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

- 13. Pre-Commencement Condition:** No development shall commence until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- Purpose and conservation objectives for the proposed enhancement measures;
 - Detailed designs to achieve stated objectives;
 - Locations of proposed enhancement measures by appropriate maps and plans;
 - Persons responsible for implementing the enhancement measures;
 - Details of initial aftercare and long-term maintenance (where relevant).

The works shall have regard to the Horsham District Council 'Biodiversity and Green Infrastructure' Planning Advice Note (October 2022) -. The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 14. Pre-Commencement Condition:** No works related to external lighting shall commence until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 15. Pre-Commencement Condition:** No development shall commence until a Drainage Strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with the

Environment Agency, Southern Water and Local Lead Flood Authority. The means of disposal shall be informed by the submitted Flood Risk Assessment & Water Neutrality Assessment (Revision 2, Price & Myers, dated 20th September 2022) and secure an acceptable means of water supply and secure foul water disposal and include a maintenance programme of the facilities to be provided.

As part of the details required, a Surface Water Drainage Scheme should be submitted (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) which should demonstrate how surface water run off would be disposed of with storage calculations to account for the existing pond and proposed new pond. The development shall be fully implemented and subsequently maintained in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development, including groundwater abstraction, does not harm the water environment in line with paragraph 174 of the National Planning Policy Framework and Position Statement N5 of the Environment Agency's approach to groundwater protection, to ensure the development is properly drained, and to prevent increased risk of flooding, in accordance with Policies 24 and 38 of the Horsham District Planning Framework (2015).

- 16. Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:
- (a) An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
 - (b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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

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

- 17. Pre-commencement (Slab Level) Condition:** Notwithstanding the plans hereby approved, no development above ground floor slab level of any of the buildings hereby permitted shall take place until revision to the house type designs have been submitted to and approved in writing by the local planning authority and works must not be executed other than in complete accordance with these approved details. The revisions shall include architectural detailing to reflect local distinctiveness in relation to roof ridge, hips, valleys, eaves, verges, bargeboards; chimneys; samples or specifications of external materials and surface finishes including walls, windows, roofs and doors.

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

- 18. Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of

condition 17(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 17(b), unless otherwise agreed in writing by the Local Planning Authority.

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

- 19. Pre-Occupation Condition:** No dwelling shall be occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwelling(s) has been a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 20. Pre-Occupation Condition:** No dwelling shall be occupied until a risk assessment compliant with regulation 6 the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent) undertaken by a suitably competent and experienced person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 21. Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- i. Details of all existing trees and planting to be retained
- ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details.
- iii. Details of all hard surfacing materials and finishes including surface treatments to differentiate street hierarchy and reduce extent of kerbing.
- iv. Detail of re-alignment of plot demarcation of plots 7 and 17 for enhanced landscaping to attenuation pond and mature tree belt
- v. Details of all proposed play equipment
- vi. Details of any street furniture, including benches, bins, signage etc.
- vii. Details of all external lighting
- viii. Details of the design of the attenuation ponds to achieve multi-functional purpose (including gradients, planting, etc)
- ix. Details of the design of the pedestrian links to Public Right Of Way 1744, including proposed all-weather surfacing, and illumination.

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

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

- 22. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

- 23. Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until a 10-year landscape management and maintenance plan for the Public Open Space (as shown on drawing (01)010 Rev D Proposed Site Plan) has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate public open space compliance to natural and semi-natural greenspace standards (as defined in the HDC Open Space, Sport and Recreation Review (OSR) or equivalent amendment or re-enactment of the same) and full integration of landscape, biodiversity and arboricultural considerations, and include:

- i) aims and objectives;
- ii) details and design principles of landscape components including the following; seated viewpoint to the High Weald Area of Outstanding Natural Beauty, a pedestrian link to Public Right of Way 1744 via the northwest corner of the open space, circulation paths, interpretation boards, community orchard; naturalised play equipment
- iii) details of hard and soft landscape proposals and implementation of the landscape components and aftercare management prescriptions;
- iv) details of maintenance operations and their timing;
- v) details of the parties / organisations who will maintain and manage the site, including a plan delineating the area(s) that each is to be responsible for; and
- vi) a timetable for its implementation.

The public open space laid out in accordance with the approved scheme and 25 year Plan shall be implemented as approved.

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

- 24. Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until a Landscape and Ecological Management and Maintenance Plan (LEMMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMMP shall include the following:

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management.
- iv. Appropriate management options for achieving aims and objectives.
- v. Long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility for all communal landscape areas
- vi. Prescriptions for management actions.
- vii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- viii. Details of the body or organisation responsible for implementation of the plan.
- ix. Ongoing monitoring and remedial measures.

The LEMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 and s40 of the NERC Act 2006 (Priority habitats & species).

- 25. Pre-Occupation Condition:** No dwelling unit hereby permitted shall be first occupied until provision for the storage of refuse and recycling related to that dwelling unit has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The refuse facilities shall thereafter be retained as such for their designated use.

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

- 26. Pre-Occupation Condition:** No dwelling unit hereby permitted shall be occupied until covered and secure cycle parking spaces related to that dwelling unit have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles as an alternative travel option to use of the car in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 27. Pre-Occupation Condition:** No dwelling unit or the public open space hereby permitted shall be first occupied and/or used until the car parking spaces (including visitor spaces, and garages where applicable), and turning and access facilities related to that dwelling unit and/or public open space have been constructed and made available for use in accordance with details submitted to and approved by the Local Planning Authority. The car parking spaces, turning and access facilities hereby permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking and turning space for the use in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

- 28. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the access arrangement serving the development, including stopping up of the existing vehicular access to the site, has been implemented in accordance with the details shown on plan drawing 17036-002 REV B Option one proposed priority junction and associated visibility splays in the TRANSPORT STATEMENT 17036HO – Brook Hill, Cowfold 30 SEPTEMBER 2021 by Vision Transport Planning, and shall be thereafter retained as such.

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

- 29. Pre-Occupation Condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto the A281 Brook Hill in accordance with the approved drawings in the TRANSPORT STATEMENT 17036HO – Brook Hill, Cowfold 30 SEPTEMBER 2021 by Vision Transport Planning. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

- 30. Pre-Occupation Condition:** Prior to the first occupation or use of any part of the development hereby permitted, a revised scheme of air quality mitigation measures shall have been submitted to and been approved in writing by the Local Planning Authority. The measures shall be to the value of the damage cost in the submitted AIR QUALITY ASSESSMENT LAND AT BROOK HILL, COWFOLD Final 06 March 2023 by WSP No: 70106077, and have regard to the air quality and emissions mitigation guidance for Sussex (2021) or equivalent as amended. The approved scheme of air quality mitigation shall be implemented in accordance with the approved details.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

- 31. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 32. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until fire hydrant(s) to BS750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 33. Pre-Occupation Condition:** The relevant dwelling unit hereby permitted shall not be occupied unless the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the related dwelling unit.

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

- 34. Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a written verification report shall be submitted which demonstrates only soils suitable for the proposed use have been placed on the site. The verification report shall be submitted and approved, in writing, by the Local Planning Authority.

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

- 35. Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours of the same day Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 36. Regulatory Condition:** Repair and maintenance of the borehole using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed borehole construction does not harm groundwater resources in line with Policy 24 of the Horsham District Planning Framework and paragraph 174 of the National Planning Policy Framework and Position Statement N7 of the Environment Agency's approach to groundwater protection.

- 37. Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Dormouse Survey 2022-2023 (The Ecology Partnership, May 2023), Update Preliminary Ecological Appraisal (The Ecology Partnership, January 2023), Reptile Survey (The Ecology Partnership, January 2023), Bat Activity Surveys Report (The Ecology Partnership, December 2022) and Great Crested Newt eDNA Testing (The Ecology Partnership, July 2022). This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 38. Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no gate, fence, wall or other means of enclosure shall be erected or constructed in front of the forward most part of any proposed building which fronts onto a

highway without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 39. Regulatory Condition:** The garages hereby permitted shall be made available for the parking of vehicles and not for other purposes other than incidental to the use of the related dwelling.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 40. Regulatory condition:** Prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 41. Regulatory condition:** No dwelling unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the borehole system. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under condition 8 until such time as the system is fully operational. The occupiers of each dwelling shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

This page is intentionally left blank

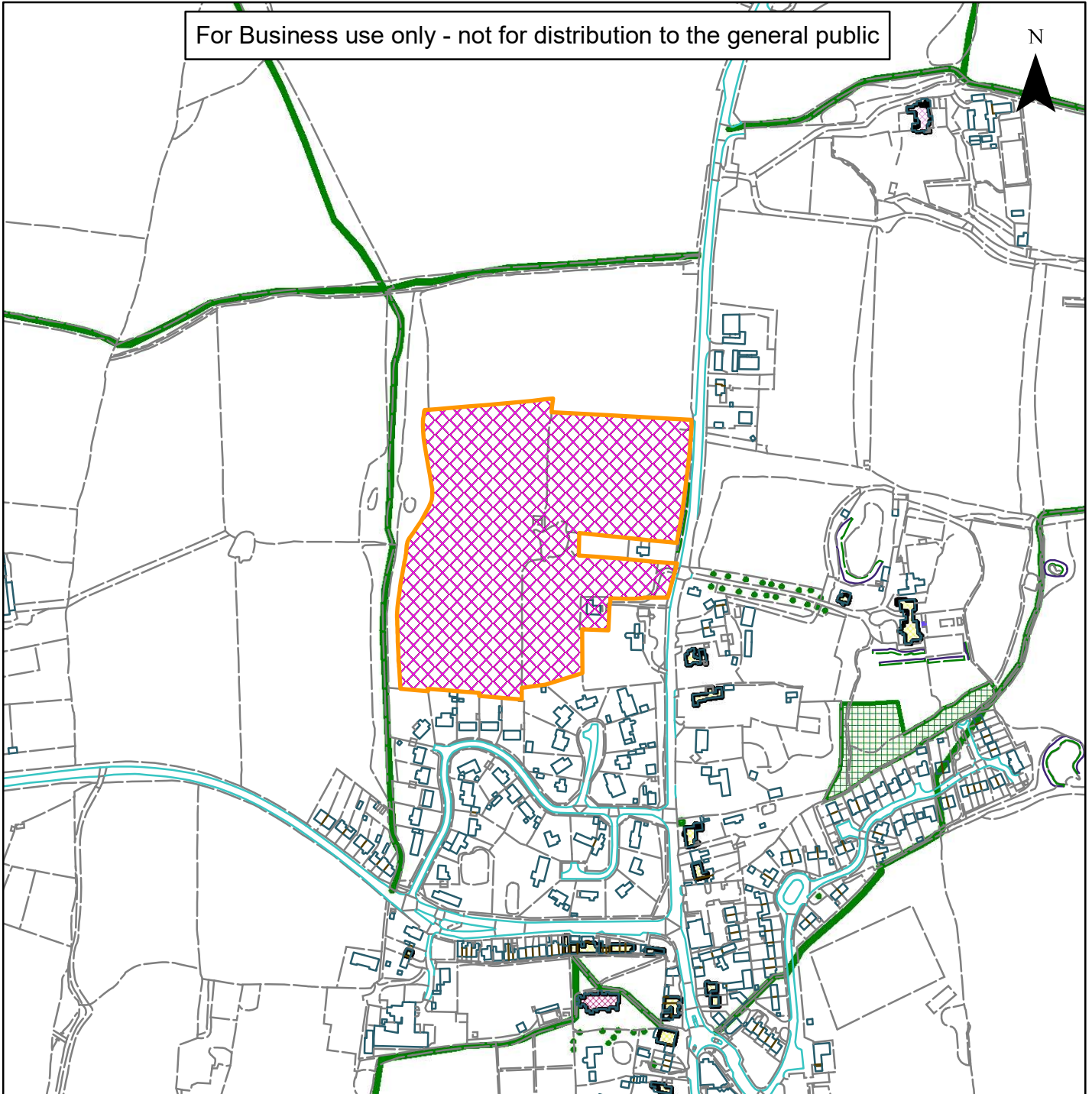
06) DC/22/1815

Land at Brook Hill, Cowfold, RH13 8AH



Horsham District Council

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



Scale: 1:5,000

Reproduced by permission of Ordnance Survey map on behalf of HMSO. © Crown copyright and database rights (2019). Ordnance Survey Licence.100023865

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	09/11/2023
ISA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development and Building Control

DATE: 21st November 2023

DEVELOPMENT: Demolition of existing Squash Club and construction of a residential building containing 8no flats, including the provision of 14no parking spaces, private outdoor amenity space and landscaping

SITE: Storrington Squash Club Greyfriars Lane Storrington Pulborough West Sussex RH20 4HE

WARD: Storrington and Washington

APPLICATION: DC/22/2297

APPLICANT: **Name:** Mr Corby **Address:** Storrington Squash Club Greyfriars Lane Storrington Pulborough West Sussex RH20 4HE

REASON FOR INCLUSION ON THE AGENDA: By request of former Councillor Ray Dawe

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for the demolition of the existing Storrington squash club building and the erection of a three-storey building to form 8 flats with associated parking. The proposed site plan comprises the area of the existing squash club and its designated parking area to the south. It excludes the parking area to the southern side which is within the red line but is to remain designated to Storrington Lawn Tennis Club, where re-surfacing works under DC/20/2143 have been approved but not yet implemented (permission expires 17/02/2024).
- 1.2 The plans, as amended, show that the proposed new building would be set some 2m off the rear / northern boundary (with the Storrington Community Centre and Museum and dwelling known as Old School Cottage), around 3.2m off the eastern boundary (with the dwelling known as Horsecroft), and some 5.5m off the western boundary (with the Storrington Lawn Tennis Club courts).

- 1.3 The accommodation would be as follows:
- Ground floor:
 - 2 x 2-bed flats with privately defined garden areas
 - 1 x 1-bed flat with privately defined garden
 - First floor
 - 3 x 2-bed flats each with inset balcony
 - Second floor
 - 1 x 2-bed flat within the roof-space, with south-facing inset balcony
 - 1 x 3-bed flat within the roof-space, with south-facing inset balcony
- 1.4 The elevational details show full-height windows to all 4 sides, with the drawings noting obscured panels to some windows, and with roof-lights to the 2nd floor units. There are two first-floor north-facing windows facing onto Old School Cottage which have been inset at an angle to direct outlook away to the north-west. External materials include a range of brick colours to define each of the vertical 'blocks' to the north elevation, along with a protruding brick detail, and vertical timber cladding to the walls, with the roofs using both concrete interlocking tiles and a metal standing seam. The coloured elevations appear to show grey-framed glazing and glazed balcony balustrades.
- 1.5 The development would include 14 x parking spaces, one of which would be designated as a disabled space, along with space for 10x cycles and an enclosure for bins. The site includes new landscaping elements and 5 new trees to the southern boundary with the adjacent tennis club car park. On account of the layout of the site, 6 of the proposed car parking spaces would be part inset into an undercroft of the building along its southern side. The proposed car park layout aligns itself with the approved layout of the adjacent tennis club car park (DC/20/2143).

DESCRIPTION OF THE SITE

- 1.6 The application site comprises the Storrington Squash Club, which has now closed down, but was formerly a privately-owned club with 3 courts and a bar / lounge for members. In addition there was also a gym at the site, open to non-members and members. The Storrington Lawn Tennis Club, comprising 8no courts and a pavilion / clubhouse, is located adjacent to the western side of the application site. The site lies within the defined built up area boundary (BUAB) of Storrington, which is classified as a 'Small Towns and Larger Villages' in the settlement hierarchy. The existing building is essentially a two-storey building with low-pitch roof, with a blank elevation facing north. Ground levels at the site slope from south to the north and also from the eastern side to the west.
- 1.7 Adjoining the site along the northern boundary is the Old School community hall, used by The Dance Hut to run dance classes throughout the week for ages from 2+ up to adult, and the Storrington and District Museum Society. There is also a residential property within the Old School known as Old School Cottage and a small building used by a physiotherapist which lies alongside the common northern boundary. To the north-west are two detached properties (Little Glebe and Cobb Gate) which are both bungalows with shallow rear gardens. Two further residential properties (Ivy Cottage and Smugglers Hut) adjoin the site's vehicular access track and to the southern side of the tennis club car park. Horsecroft (and its annexe) lies to the eastern side of the site, and commands a large corner plot along Greyfriars Lane and School Lane with boundaries defined largely by established vegetation.
- 1.8 The site immediately abuts the Storrington Conservation Area (CA) along its northern and eastern sides, with part of the access track also falling within the CA boundary. The site also lies within an Archaeological Notification Area. The nearby St Mary's Church to the east is Grade 2* listed, with the adjacent property at Horsecroft grade 2 listed. St Josephs Abbey on the opposite side of the site access track is also grade 2 listed. The Old School building immediately north of the site is a locally listed building.

- 1.9 There is a row of Lime trees located alongside the site's western boundary which are subject to a Tree Preservation Order (TPO/0344), confirmed in 1979. Two of these (T4 and T5) were felled under DC/16/0616, with a duty to replant replacements. The remaining trees lie outside of the application boundary, and it does not appear that the replacement trees have been planted, and there is no available documentation which addresses this.
- 1.10 The site lies some 255m south of the Storrington Air Quality Management Area.
- 1.11 *Background:*
There is a significant and material planning background to the application site:

DC/21/2127 – Application withdrawn prior to any formal determination – Oct 2022. The proposal sought full planning consent for the demolition of the existing squash club building and a re-development of the site to provide a three-storey block comprising a total of 8 flats, supported by 14 parking spaces, bin and cycle stores. The contemporary design included ground floor gardens and balconies. It appears that the proposal lacked the required certainty to establish a water neutral position.

DC/20/2143 – Permission granted for works to the car park that is under the ownership of the Storrington Lawn Tennis Club, comprising a retained provision of 13 spaces in marked out bays, with a key card entry barrier and soft landscaping – Feb 2021, extant until Feb 2024.

DC/18/0584 – Outline permission granted (submitted with all matters reserved except for access and layout), for the demolition of the existing squash club building and its re-development to provide 8 flats (6 x 2-bed and 2 x 1-bed) with 14 parking spaces. Although there were no details submitted at the time of the outline application, it was suggested the building would be three-storeys with a combination of flint, facing bricks and render to complement the local vernacular. This outline consent expired in October 2021. Post application discussions with officers in relation to design led to application DC/21/2127.

DC/15/1992 - Outline permission was refused (submitted with all matters reserved except for access and layout), for the demolition of the existing building and re-development to provide 9 flats with 10 parking spaces. Indicative elevations suggested a low-rise single block with a 2nd floor inset to create terrace space. The proposal was recommended to the committee for approval, but was overturned by Members following concern over the provision of insufficient parking for residents and their visitors, in May 2017.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.2 National Planning Policy Framework

2.3 Horsham District Planning Framework (HDPF 2015)

- Policy 1 – Strategic Policy: Sustainable Development
- Policy 2 – Strategic Policy: Strategic Development
- Policy 3 – Strategic Policy: Development Hierarchy
- Policy 16 – Strategic Policy: Meeting Local Housing Needs
- 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 38 – Strategic Policy: Flooding
Policy 40 – Sustainable Transport
Policy 41 – Parking
Policy 42 – Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 3 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

2.4 Storrington, Sullington & Washington Neighbourhood Plan (2019)

Policy 1 – A Spatial Plan for the Parishes
Policy 14 – Design
Policy 15 – Green Infrastructure and Biodiversity

2.5 Parish Design Statement:

Storrington & Sullington Parish Design Statement – July 2010

2.6 West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

2.7 Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)
Storrington Conservation Area Appraisal and Management Plan (Jan 2018)

2.8 Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

2.9 The recent and relevant planning history relating to the site is as follows:

DC/21/2127	Demolition of existing Storrington Squash Club and construction of a residential building containing 8 No flats together with 14 No. parking spaces, private outdoor amenity space and landscaping.	Withdrawn Application on 05.10.2022
DC/20/2143	Upgrading and re-surfacing of the existing car park, including parking bay delineation, installation of an entrance barrier, and hard and soft landscaping.	Application Permitted on 17.02.2021
DC/18/0584	Outline application for the demolition of an existing squash club facility and erection of a three storey building comprising 8 flats (6 x two bedroom and 2 x one bedroom) with 14 associated car parking and landscaping. All matters reserved except for access and layout (amended proposal).	Application Permitted on 18.10.2018
DC/15/1992	Outline application for the demolition of existing squash club facility and erection of 9 flats with associated car parking.	Application Refused on 31.05.2017
DC/11/2081	Two storey eastern extension to squash club	Application Refused on 13.12.2011

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 HDC Landscape Architect: No Objection

From a landscape of view, and purely considering the two viewpoints provided from Matts Wood, I assess the proposals to have a slight adverse effect on the landscape setting of the conservation area and users of Matts Wood as the new building will change the composition of the view and relationship with the church tower. There are no planting opportunities within the site to soften the proposals and therefore this has to be achieved through building design and materials. Having said that, these are very localised effects which might be outweighed by other benefits of the proposal.

Views from the South Downs National Park towards the conservation area and settlement should have also been assessed and considered. Without such information, my opinion is that the modest height and size of the current squash club building, combined with the surrounding landscape framework, is currently barely noticeable in view. This relationship is likely to change and the building to become more prominent in view, albeit appreciated in the context of the settlement and therefore this is likely to be slight adverse effect also. The proposed materials are likely to blend in sympathetically with the existing urban character, with a minor concern with the dark slate roof that might stand out at day one until it has time to weather.

3.3 HDC Conservation: No Objection

The design employs traditional architectural forms in a building that will advertise its early twenty first century construction. The building will be a conspicuous addition within this part of the village but I am satisfied it will provide the anticipated amount of accommodation already permitted and will reinforce the architectural character of this part of the conservation area. I am satisfied there will be an impact to the setting of the adjacent listed buildings and within the setting of the conservation area but this will not be harmful.

3.4 HDC Environmental Health: Comment

Concern that no Contamination Report has been submitted as commercial buildings may be subject to contamination risks associated with their use, construction and storage of

machinery / equipment / fuels or contaminants. No details to demonstrate that the existing use of the adjacent community centre and associated activities will not be unduly limited or restricted to ensure the amenity of the occupiers of the proposed dwellings.

3.5 **HDC Housing:** No objection

3.6 **HDC Economic Development:** No comments to make

3.7 **HDC Arboricultural Officer:** Objection following additional AIA and details being received [Summary of 1st and 2nd consultations]

- The Eastern boundary of the site is overhung by the crowns of trees within the village Conservation Area. Some pruning works could be undertaken to alleviate any potential conflicts for both the demolition/construction phases and future relationship to habitable build and associated amenity space. Tree protection measures for these trees and the mature beech on the corner of the access road/car parking area can be readily easily implemented to ensure no foreseeable harm to their key rooting areas and branch spreads.
- The Western boundary has a row of three TPO lime trees, adjacent to the Tennis club land holding. The trees appear of fair form and condition for species and size. Some ivy growth obscures more detailed assessment. The trees form a very significant landscape feature of good public amenity value. They are visible from a number of surrounding roads and public areas. They are a constraint on the sites re-development.
- The trees are situated on a bank at a higher level to both the ground floor of the existing building and the car parking area to the north. As a result their minimum recommended Root Protection Area (RPA) must be assessed taking account of the constraints of available soil volume that have influenced root growth.
- From my observations on site, it would not be appropriate to cut into the bank to the west of the existing building footprint due to the size and position of the trees on the bank above and foreseeable harm to tree health and structural stability that this may incur. A design solution that takes account of both the minimum recommended RPA of the trees and provides a harmonious future habitable relationship may require a fairly significant re-think.
- The revised build footprint proposed may potentially limit direct impacts on the adjacent protected lime trees to foundation overdig. The relationship of build fenestration and viable amenity space remains unsustainable.

OUTSIDE AGENCIES

3.8 **WSCC Highways:** No Objection subject to conditions [Summary]

- The site was subject of a previous similar planning application DC/21/2127 for which no objection was raised from highway safety or capacity perspective.
- Greyfriars Lane near to site access has no dedicated footways but has cars parked at certain sections. Visibility splays of approx. 39m is achievable to the north and approx. 50m to the south. Given the character of the road and the low-speed nature of vehicles these splays are acceptable.
- Swept path Drawing No. 10737_1173 submitted with the application demonstrate that a fire tender can enter and exist in forward gear only IF there are no parked vehicles along Greyfriars Lane. Drawing No: 10737_1170 also shows that a fire tender can turn within and leave the site in forward gear. It is understood that refuse vehicles already access the site, the LHA would raise no concerns to this
- As a worst-case scenario, if all residents utilise private vehicles, it is estimated that a total of 32 trips are generated throughout the day. Given the site's previous use as a squash club, it is not expected the future development trips have a material impact on operation of the local highway network.

- The Local Highway Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network

3.9 **WSCC Fire and Rescue:** No Objection following additional details being received which demonstrate that suitable access can be achieved along the lane with the vegetation having been cut back, and with secondary access and turning available to a 2nd attending fire vehicle if necessary, being possible via the museum car park (Old School Community Hall)

3.10 **Ecology Consultant:** No Objection
Habitats Regulations Appropriate Assessment undertaken in relation to the proximity of the site to the Mens SAC and Ebernoe Common SAC and the potential impact to bats, with mitigation to be secured by condition.

3.11 **Southern Water:** Comment
There are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways. Condition recommended.

3.12 **Archaeology:** No Objection

3.13 **Natural England:** No Objections subject to delivery, management and maintenance of identified water neutrality measures

PUBLIC CONSULTATIONS

3.14 To date, letters of representation are noted from 8 residential and neighbouring properties with 7 of these having been received within the consultation period. The following objections are noted:

Residential Amenity:

- Overshadowing of adjacent listed building and St Marys church
- Loss of privacy (bedroom and Living Room to Cobb Gate) - Building now 1.5m closer (10m overall) to Cobb Gate allowing better views into garden once lime trees lose their leaves (west-facing balcony). Lime trees subject to TPOs
- Overlooking (within 10-30m of windows of Little Glebe)
- Two properties north-west of site not recognised in submitted reports (Little Glebe and Cobb Gate)
- Most balconies and windows at the front face bedroom window and kitchen (Ivy Cottage)
- Additional noise and light pollution of 14 cars coming and going will not enhance the area

Ecology / Biodiversity:

- Figures of existing water use (at the squash club) being cited in WNS are called into question
- Water neutrality issues - RWH uneconomical on site
- Concern over WN with off-site measures at another site (riding school) – being maintained in perpetuity
- Assume HDC will give 'special permission' to remove trees at the back of the club, which currently provide some privacy to the flat above the museum and the two NW bungalows (Cobb Gate and Little Glebe)
- Loss of bat habitat which currently live in the Squash Club – how can this not affect their habitat

Highways:

- Limited site entrance
- Narrowness of access in/out onto Greyfriars Lane with restricted vision – access was never intended for commercial or trade deliveries
- Rights of way over existing access lane and beyond make parking and turning for 14 extra cars unworkable
- Greyfriars Lane has been undermined on both sides by excessive use – further use, however small would endanger local residents, pedestrians and lead to speeding vehicles

Street-scene:

- HDC had issues with ridge height of Ivy Cottage bungalow, so how can this monstrous building be considered? It keeps growing in every design and overlooks numerous building
- Height out of keeping with surrounding Grade 2 listed building
- Conflict with Street-scene
- Proposed development far too large for size of plot and access available

Other comments:

- Existing building could be converted into a couple of cottages
- In favour of a development, but one that appears more appropriate
- Smaller development would not affect people as much

3.15 In addition, the following concerns and comments are noted from the Hooper Downer Educational Foundation, who run and maintain the adjacent Old School property:

- Number of rooms that are used by members of the local community, a small building used by Storrington Physiotherapy Clinic and also a three bedroomed cottage which is currently rented out (residential)
- Whilst we have no objection to the plan, we have request that the privacy of the Old School and its users is respected, with particular concern to the tenants in the cottage and also users of the main hall. The main hall is used frequently for ballet and modern jazz classes for young children and adults.
- Wish to ensure that privacy is retained (of Old School Cottage, and hall / dance classes) so that new residents cannot view lessons taking place

3.16 **Storrington & Sullington Parish Council:** Objection

- Overbearing and out of keeping with the Conservation Area
- Site was assessed as not suitable for development under the Neighbourhood Plan
- Proposal not acceptable adjacent to Horsecroft and the Church
- Fire Brigade still consider access is inadequate
- Sceptical about proposed water neutrality offsetting measures

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

4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community,

in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

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

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

6. PLANNING ASSESSMENTS

Principle of Development:

- 6.1 The principle of a residential development taking place on this site, resulting in the loss of the former squash club, has already been established by way of the outline consent DC/18/0584, which accepted the principle of a 3-storey block of 8 flats, accessed via the same shared track as per the existing tennis club and squash club. However, the outline consent considered access and layout only, and so did not include detailed considerations in relation to scale, appearance and landscape matters or the resultant impact of these matters on residential amenity. Furthermore, no Reserved Matters have been formally considered to date.
- 6.2 The loss of the 'leisure facility' by way of the private members squash club, was noted during the course of DC/18/0584 to have suffered declining membership and increasing need for repairs and a level of investment that the low membership could not sustain. Its loss, particularly given that it comprises a private facility and not a publicly-owned facility, was therefore considered to have been reasonably justified, noting the presence of other squash courts and facilities in the area. There is no reason to consider that these conclusions do not continue to apply.
- 6.3 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas, with any infilling and redevelopment required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement. Policy 1 of the Storrington, Sullington and Washington Neighbourhood Plan (SSWNP) supports proposals within the built up area boundary of Storrington subject to compliance with other provisions of the development plan. The application site is within the defined built-up area of Storrington, which is recognised as being a settlement with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. Accordingly the principle of development is supported by Policy 3 of the HDPF and Policy 1 of the SSWNP.
- 6.4 Furthermore, and as set out above, the redevelopment of the squash club for residential use has already been considered acceptable in outline. Officers note that the previously approved Outline consent was subject to considerations under the same local plan policies however the SSWNP had not at that time been formally adopted, and was still at draft stage, thus carrying no material weight in the considerations. Furthermore, the outline permission pre-dated the Natural England Position Statement in relation to Water Neutrality issued in September 2021.
- 6.5 Nevertheless, the principle of redeveloping this site is supported by the now adopted SSWNP, subject to all other material considerations including water neutrality.

Design and Appearance:

- 6.6 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.

- 6.7 Policy 14 of the SSWNP seeks to ensure that the scale, density, massing, height, landscape design, layout and materials of all development reflects the architectural and historic character and scale of surrounding buildings and landscapes.
- 6.8 The application site adjoins the Storrington Conservation Area along the north and eastern boundaries, and there are three listed buildings within 100m of the site: Horsecroft to the east, St Mary's Church to the northeast, and St Josephs Abbey to the southeast beyond Horsecroft. The Old School building directly adjacent to the north is a local listed building. The two bungalows to the north-west of the site (Cobb Gate and Little Glebe), along with the tennis club and the existing squash club, are unremarkable late 20th Century buildings. It has previously been noted as part of the assessment carried out in relation to DC/18/0584 that the existing building is of no architectural interest and therefore, there would be no objection to its demolition. Officers have no reason to disagree with this assessment.
- 6.9 When the Outline application for the redevelopment of the site was considered under DC/18/0584, an indication of a replacement three-storey block was provided, showing a *'recessed lightweight top-storey which would reduce the resulting bulk, massing and visual impact of the height'*, with brick elevations considered to assimilate into the wider context, and available public views from Church Street. Although the Council's Heritage Officer expressed concern at the indicative elevations submitted under DC/18/0584, considering that a flat roofed block would not be suitable for the site, it was noted that relevant details would come forward under a future Reserved Matters applications, thereby allowing for an alternative final design. The applicant's were therefore advised (under DC/18/0584) to seek the views of the planning department, prior to submission of the future reserved matters applications, to ensure an appropriate scheme would be forthcoming.
- 6.10 Officers understand that discussions then took place between parties to inform a future Reserved Matters application. This included the undertaking of an assessment of the adjacent historic buildings and the architectural forms which could be employed to reinforce the character of this part of the conservation area in order to inform a more appropriate design solution for the site. The resulting design prepared and submitted under planning application (DC/21/2127) was considered by the Council's Heritage Officer to have been informed by the contextual assessment of the site, the conservation area, and the wider views of the site from surrounding important landscape fringes, thus achieving a form of development that would not lead to a harmful impact to the setting of the adjacent listed buildings or the setting of the conservation area.
- 6.11 The Council's Heritage Officer considers that the current design (which is broadly the same as DC/21/2127) employs traditional architectural forms, such as the gable-ends and brick elevations, but in a way that firmly establishes itself as a building originating in the early part the 21st Century. Therefore, the design and massing of the proposal is considered to be sympathetic to the wider character of the area and the localised context.
- 6.12 Amendments to the proposed siting of the new development retain the building line along the existing western wall so that no further encroachment into the root protection areas of the protected Lime Trees would take place. A similar relationship along the northern boundary would remain as per the existing building. To the eastern side, the proposed building achieves a separation distance of some 3.2m at the closest point to the boundary with Horsecroft, and furthermore has a flank wall some 4m less than the depth of the current building on site.
- 6.13 Whilst the development would therefore be set reasonably close to the east, north and west boundaries, it would be more or less consistent with the siting and massing of the existing squash club building. Matters arising in relation to neighbouring amenities will be

considered later in the report. The proposed siting and design allows for the required parking spaces, cycle storage, bin provisions, as well as for enhanced landscaping.

- 6.14 Therefore, it is considered that the design and layout of the proposed development is considered acceptable in isolation to any other matters that will be considered separately within this report, and in accordance with Local and Neighbourhood planning policies, particularly Policies 32 and 33 of the HDPF and Policy 14 of the SSWNP.

Heritage Impacts:

- 6.15 HDPF policy 34 requires that development will be required to retain and improve the setting of heritage assets, amongst other criteria, whilst the NPPF recognises that heritage assets are an irreplaceable resource and should be conserved in a manner that is appropriate to their significance (para 194).
- 6.16 The current design rationale takes account of the built form of the historic buildings surrounding the site and identifies architectural forms that reinforce the character of this part of the conservation area. The Council's Heritage Officer considers that the development would relate more positively to the context of the site than the previously intended design (under DC/18/0584), using traditional architectural forms in a building that would advertise its early twenty first century construction.
- 6.17 Accordingly, the Council's Heritage Officer is satisfied that, whilst there would be an impact to the setting of the adjacent listed buildings and within the setting of the conservation area, this impact would not be harmful. Therefore, no objections are raised in relation to heritage matters and conditions are advised to secure suitable detailing and materials.
- 6.18 The Council's Archaeological Advisor is satisfied with the desk-based assessment that has been submitted with the application, given the location of the site within the Storrington Historic Core Archaeological Notification Area, and advises that a condition to secure a programme in accordance with a Written Scheme of Investigation is applied.
- 6.19 As such there is considered to be no conflict with policies 32, 33 or 34 of the HDPF. Likewise the proposal would accord with the expectations of Policy 14 of the SSWNP, and the requirements of Chapter 16 of the NPPF.

Trees and Landscaping:

- 6.20 Policy 25 of the HDPF seeks to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation. Policy 25 directs development towards the protection, conservation and enhancement of landscape and townscape character, whilst Policy 31 seeks specifically to protect Green Infrastructure and Trees. Policy 33 further reinforces these by way of a presumption in favour of retention of existing important landscape and natural features.
- 6.21 The Council's Landscape Architect has reviewed the scheme, noting the inevitable visibility of the site from elevated public positions within of the South Downs National Park. The Landscape Officer notes that the submitted 'Landscape and Visual Impact Assessment' does not assess or draw any conclusions on the effects of the proposed development within the landscape character and visual amenity of the area and has not been carried out in full accordance with GLVIA3. Instead, the report focusses solely in showing viewpoints which have been agreed with the Conservation Officer in discussions that formed part of the follow-up discussions on DC/18/0584.
- 6.22 In terms of landscape impact, and purely considering the two viewpoints provided from Matts Wood, Council's Landscape Officer considers that the proposal would result in a

slight adverse effect on the landscape setting of the conservation area and users of Matts Wood, particularly as the new building would change the composition of the view and relationship with the church tower. There is concern that there would be no additional planting opportunities within the site to soften the proposals, and therefore, this has to be achieved through building design and materials. However, it is also noted that these are very localised effects which might be outweighed by other benefits of the proposal.

- 6.23 Views from the South Downs National Park towards the conservation area and settlement would ideally also have been assessed and considered. Without such information, the Council's Landscape Officer's opinion is that the modest height and size of the current squash club building (around 9.2m), combined with the surrounding landscape framework, is currently barely noticeable in the available views. This relationship is likely to change, with the proposed higher building becoming more prominent in available views (around 11m), leading to a slight adverse effect also. However, this resulting impact is likely to be tempered as the development would be seen within the context of the wider settlement background. The Council's Landscape Officer therefore concludes that the combination of the proposed materials, design form and development background, is likely to result in the proposed development blending sympathetically into the existing urbanised character. Whilst there is minor concern with the use of the dark slate roofing when viewed from the elevated viewpoints, as this material may be more prominent until it has weathered over time, it is also noted that the use of slate roofing is recommended in the Parish Design Statement as a traditional local building material. Officers agree with this assessment, noting that the roof design would also be broken up into a series of smaller volumes, thus serving to diminish its overall bulk.
- 6.24 In assessing the likely impact on the setting of the South Downs National Park, as required by P176 of the NPPF (2023), the proposal has been designed, and is located such, officers consider that there would be no adverse impacts on the setting of the National Park.
- 6.25 Concern was initially raised by the Council's Arboricultural Officer in relation to the line of 3 TPO Lime trees located along the western site boundary (which are located on the Tennis Club land), with the initial footprint of the development reducing the distance between these trees and the building line and its new foundations. This was considered to lead to a potential threat to the long-term health and viability of the Lime Trees, both by way of incursion into the root protection areas (PRAs), and a likely impact on the trees longevity as a result, and reduced amenity values both within the private courtyard gardens and the flats by way of overshadowing from the canopy. The revised plans now move the building back to the line of the existing western building line of the squash club building, thereby ensuring that no further encroachment into the root protection area of the protected Lime Trees would occur.
- 6.26 Having reviewed the amendments, the Council's Arboricultural Officer agrees that the shifted building line may limit the direct impacts on the adjacent protected Lime trees in limiting the required excavations for foundations, as the proposal would retain the foundations along the west side and set the required new building foundations within the footprint of the existing building. However, Officers acknowledge that there remains a concern from the Arboricultural Officer that the Lime trees would lead to overshadowing of the west-facing windows and balcony of the proposed development, as well as within the ground floor gardens / patios. Additional arboricultural concern is the apparent need to create an eventual level threshold between the proposed development and the available garden areas to the western side where the trees sit on the embankment, requiring excavations with the RPAs. In order to demonstrate that no undue excavations would occur, a detailed plan has been submitted showing the relative position of the anticipated internal floor levels and the slightly raised decks. Officers consider these details to adequately address the concerns, with more finessed details relating to final floor levels, external areas and landscaping subject to planning conditions.

- 6.27 Officers have been to site during different times of the year when the Lime Trees are in full leaf and during leaf-fall. In relation to the Ground Floor Flat 1, this is sited where it would not be unduly overshadowed by the trees. Ground Floor Flat 2 also benefits from north-facing windows to the open-plan living, dining and kitchen, with the three windows providing more than sufficient access to natural light. Furthermore, the canopy has been lifted in the past so that there is light reaching the ground floor area to the western side of the building. A similar situation would occur with the First Floor Flat 6, which also has an open plan kitchen, living and dining room located in the NW corner of the building, provided with both west-facing and north-facing windows.
- 6.28 The east-facing Ground Floor Flat 3 would also be subject to potential overshadowing of the boundary vegetation, with this vegetation overhanging the common boundary and being located on the land at Horsecroft. This vegetation at the eastern side is within the Conservation Area, where it is noted that some pruning work would be required to facilitate the demolition and construction phases, and that appropriate tree protection measures and fences could be implemented to ensure no foreseeable harms occurs to the sensitive rooting areas and branch spreads.
- 6.29 In conclusion on matters of trees and landscape, officers are satisfied that the massing and design of the proposed development could be accommodated within the site with only a very minor impact on any mid and long-range views from publicly accessible locations, such as the elevated National Park, as the development would be viewed against a patchwork background of the village of Storrington. The setting of the National Park would not therefore be harmed.
- 6.30 Furthermore, Officers are now also satisfied that the revised design has taken a considered and appropriate approach in relation to the proximity of the Lime trees along the western side.
- 6.31 As a result, the proposal accords with the requirements of HDPF policy 25, 31 and 33, as well as policy 15 of the Storrington, Sullington & Washington NP, and para 176 of the NPPF (2023).

Affordable Housing and Housing Mix:

- 6.32 Policy 16 of the HDPF requires, on sites of between 5 and 14 dwellings, 20% of dwellings to be affordable, or where on-site provision is not achievable a financial contribution equivalent to the cost of providing the units on site. Officers note the consultation response form the Council's Housing Officer setting out the local need for affordable units and a query on the potential affordable housing provider for the site.
- 6.33 The requirements of Policy 16 have been superseded by the new National Planning Policy Framework (NPPF), published in 2023 Paragraph 64 of the new NPPF states that affordable housing provision is applicable for major development. Major development is classed as development for 10 or more houses or sites with an area of 0.5 hectares or more. Paragraph 64 reflects the Government guidance in the PPG and states that affordable housing contributions should not be sought for development of 10 units or less.
- 6.34 The guidance in the current NPPF and PPG is considered to carry significant weight and outweighs the requirements of Policy 16 of the HDPF adopted in 2015. As such, the current proposal for 8 units is not required to provide any affordable housing.

Amenity Impacts:

Existing Residential Amenity:

- 6.35 As part of the considerations under DC/18/0584, it was noted that the development layout would allow for approximately 6 metres (at the widest point) to the shared boundary with Horsecroft to the east, with the neighbouring building in excess of 25 metres from the proposed development. This separation was considered sufficient to prevent any harmful

loss of light or outlook to this building. It was also noted that Horsecroft benefits from a generous curtilage and that it was likely that a development subject to appropriate reserved matters (of scale, appearance and landscaping), could be achieved without leading to any significant harm.

- 6.36 As part of the current design proposal, the impact of ground-floor windows and doors can be adequately mitigated by way of boundary fencing. First-floor windows to the eastern side have been revised so that the windows face directly eastwards over the front part of the adjacent property Horsecroft and its annexe (The Bowery), thus avoiding the previously channelled view towards the rear private amenity space, which is considered to be most private. The front garden to this property is currently well overlooked from the elevated church and from Church Lane, whilst the low boundary wall along Greyfriars Lane allows views into the eastern side of Horsecroft's gardens.
- 6.37 Whilst there would be some potential increase in overlooking by way of the south-eastern balconies closest to the boundary with Horsecroft, the direction of view would be away from the areas considered to be the most private garden areas around the dwelling. The inset design of the balconies would restrict sideways views towards Horsecroft and would further limit the available outlook from the habitable room within.
- 6.38 The revised design also takes account of concerns that had been raised in relation to the full-length first and second floor windows set in the north-facing elevation, serving bedrooms of the proposed development. At first-floor, these have been angled to avoid a direct outlook towards the residential property within the Old School. Also at first-floor, a secondary window to bedroom 1 of Flat 7 is annotated as being obscure-glazed. This would prevent direct outlook from habitable rooms over the Old School.
- 6.39 An officer site visit was conducted to the Old School building, where ground floor rooms are used by a dance school, and where concerns were raised in relation to a possibility that prospective occupants may look down into the dance school, often attended by children. Whilst the ground floor rooms are likely to be screened by boundary fences and vegetation, there may be elevated views available from first and second floors. However, on balance, and noting the angles of potential view involved, officers consider that such oblique views would be limited in nature, also noting that the closest rear-facing window is stated on plans to be obscure glazed.
- 6.40 Turning to the first-floor west-facing windows, the revised proposal seeks to address the concern that was expressed in relation to the balcony / living room opening facing towards Cobb Gate. The distance of separation between the proposed new balcony and the boundary to Cobb Gate is now calculated at some 10m, with the overall offset between habitable windows according with the 21m distance that is advised in the Council's design guidance (for facing habitable windows at first-floor). The potential for a direct and therefore harmful outlook from the first floor west-facing window to Flat 6 is considered to be diminished on account of the projecting flank wall to the balcony and the orientation of both the development site and the property at Cobb Gate. Whilst there is currently boundary vegetation in the front of the protected Lime Trees, officers do not consider these to represent a permanent feature to be relied upon, despite being afforded a high degree of protection under a TPO and being located outside of the application site. There would be a degree of vegetation during the summer months when the trees are in leaf, providing an additional level of screening during periods when the balcony may be used, this would be diminished during leaf-fall / winter. However, as described above, the increased distance of separation and orientation of the buildings would satisfy the standard minimum distances required to ensure adequate privacy levels between residential properties.
- 6.41 There is less concern over the placement of the other two east-facing windows as these are in similar locations to the existing windows in the club house, and would therefore be at an increased distance and angle from the nearest property to the west, Cobb Gate.

- 6.42 Concern has also been raised in relation to the potential outlook and overlooking resulting from the new south-facing windows and balconies of the development. However, the separating 32m distance between the proposed development and Ivy Cottage is considered to be sufficient to mitigate the level of direct harm to the residential amenities therein. A similar assessment has been made in relation to the residential amenities at Little Glebe.
- 6.43 Whilst the outline application DC/18/0584 considered a three-storey block on the site, there were no detailed considerations given at the time to the siting of and potential overlooking from windows, as this would have been addressed as part of any subsequent reserved matters application. The outline application considered that the 3 metres separation to boundaries could be mitigated by way of the illustrative design, with the top floor set back from lower levels of the building, and improvements to the screening and landscaping at the boundary, to prevent any significant harm to the residential element of the adjacent building. Officers consider that the current comprehensive re-design of the proposed development for this site has taken opportunities to mitigate the close relationship with the site boundaries and neighbouring properties, with design details incorporated to address the overlooking concerns raised during the application process.
- 6.44 The introduction of 8 residential units into an established mixed use area would not be expected to generate harmful levels of noise or disturbance for occupants / users of adjoining properties.
- 6.45 As set out above, it is considered that the proposed development has now been amended to address the concerns in relation to overlooking, private amenities and retained privacy of neighbouring occupants, and would therefore now accord with Policy 33 of the HDPF.

Proposed Residential Amenities:

- 6.46 The likely quality of the residential amenities experienced by prospective occupants within this development was previously considered to be diminished in Flats 1 and 2 on account of their primary outlook from the living rooms being subject to overshadowing from the Lime trees along the western side and having a restricted area of use available, leading to a future pressure to prune or fell the trees.
- 6.48 Likewise, the first-floor Flat 5 would also largely rely on the west-facing opening / balcony for the main source of daylight, which would again be restricted when in leaf on account of the proximity and size of the Lime tree, leading to likely future pressure to prune or fell the trees.
- 6.47 Having re-visited the site during a bright summer day, officers noted the available light to the area around the site and on the western elevation with the Lime Trees in full leaf. Considering the increased distance along the western side of the building achieved by way of the amended siting of the building, there would be sufficient amenity value available within the ground-floor flats, with Flats 1 and 2 noted to be dual-aspect and Flat 3 being a triple-aspect unit. The increased distance would also lead to a greater potential for sunlight and daylight to reach Flat 6, also a dual aspect unit.
- 6.48 The revisions would therefore enable a satisfactory level of amenity values to be achieved to the proposed units within the site, as required under Policy 33 of the HDPF.

Neighbouring Community Uses:

- 6.49 Paragraph 187 of the NPPF requires consideration of proposals to ensure that new development can be suitably integrated with existing development, businesses and community facilities, with these existing facilities not being subject to unreasonable restrictions following any grant of permission for the proposed development (agent of change principle). In this instance, it is necessary to consider whether any mitigations are

required at the application site so as not to lead to any adverse implications on the way that the facilities at the adjacent site can continue to function, which in this instance, is the community facility to the north of the site, where various dance classes take place and where a nursery school operates from, and the tennis club to the west.

6.50 Having considered the relationship between the proposed development and its windows, and the location of the hall within the Old School to the north, officers are satisfied that no adverse and harmful level of overlooking would occur to users of the community building.

6.51 No detrimental impacts are expected to occur by way of the proposed development on the amenities of the tennis club and its members.

Highways Impacts:

6.52 The Local Highways Authority (LHA) notes that the site is accessed off Greyfriars Lane, via a narrow access serving squash club and tennis club for many years. Greyfriars Lane to the north divides at Church Street and School Lane, and some 600m to the south leads to a dead-end. The LHA find that Greyfriars Lane is subject to 60mph speed limit, but the speed reduces to 30mph within 50m to the north of the site access. Greyfriars Lane near to site access has no dedicated footways but has cars parked at certain sections. Visibility splays of approx. 39m is achievable to the north and approx. 50m to the south. Given the character of the road and the low-speed nature of vehicles these splays are acceptable.

6.53 The access road is single-width and does not allow two opposing vehicles to pass. Given the presence of adjoining properties, boundary vegetation and fencelines, no improvements are possible to this access beyond maintenance of boundary vegetation which is subject to consent of the relevant landowner. The access road is well-established and has served the squash club, Storrington Tennis Club and residential accesses to Ivy Cottage and Smugglers Hut, for an extended period of time. Under the previously consented outline application (DC/18/0584) it was established that proposed re-development would result in fewer trips than the existing use of the site (as a squash club) and a less intensive use of the access road.

6.54 The LHA have reviewed the Swept Path Drawing No. 10737_1173, which demonstrates that a fire tender can enter and exist in forward gear only if there are no parked vehicles along Greyfriars Lane. Drawing No: 10737_1170 also shows that a fire tender can turn within and leave the site in forward gear. It is understood that refuse vehicles already access the site, and therefore, the LHA raise no concerns to this. It is noted that there are double yellow lines on Greyfriars Lane opposite the site entrance therefore there is no indication the swept paths are not be achievable.

6.55 In accordance with WSCC's Guidance on Parking at New Developments (September 2020), the development is provided with 14 nos. car parking spaces, although no provision is made for the required 2 nos. visitor car parking spaces. The WSCC Parking Guidance considers that visitor parking can be met within a site where unallocated parking is provided, as the demand would fluctuate throughout the day / week. In accordance with WSCC's Cycle Parking Standards safe and covered cycle parking provision for 12 nos. bicycles is made within the development, with design details of the shelter to be secured by way of condition. The approved works to form a more cohesive and organised layout for the adjacent tennis club (as per DC/20/2143) includes the provision of a card-reader access barrier, thus precluding unauthorised overspill parking within the adjacent tennis club car park area should this be implemented. By way of comparison, the outline scheme refused under DC/15/1992 included 10 parking spaces for 9 units (indicatively shown as 8x2-bed and 1x1-bed).

6.56 It is noted that the site lies within some 300m of a number of local amenities, including bus stops along the High Street which provide some connectivity with nearby villages and towns. As a worst-case scenario, if all residents utilise private vehicles, the LHA estimates

that a total of 32 trips would be generated throughout the day. Given the site's previous use as a squash club, it is not expected the future development trips have a material impact on operation of the local highway network.

- 6.57 Therefore, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 -113. Therefore, there are no transport grounds to resist this proposal.
- 6.58 A number of conditions are advised in the event of a recommendation for approval, including a construction layout condition to cover a number of aspects during construction, along with post-development conditions to ensure the provision of vehicular turning, parking, cycle parking, bin storage and EV charging provisions. It is considered that this approach would minimise any disruption and protect neighbouring amenity and uses, and ensure that the site can appropriately accommodate the anticipated parking provisions.
- 6.59 The highway impacts of the development are therefore considered acceptable, subject to conditions, and in this respect the proposal accords with policies 40 and 41 of the HDPF, and policy 17 of the SSWNP.

Ecology:

- 6.60 Policies 25 and 31 of the HDPF seek to protect the natural environment and landscape character of the district. Protected habitats and species will be protected against inappropriate development, and opportunities to enhance green infrastructure and biodiversity will be encouraged.
- 6.61 In support of this application the applicants have provided a Bat Survey Report (May 2022), which identifies a number of bat roosts were found within the building, with mitigations being proposed in the form of a temporary short-term roost during demolition (to take place in autumn / spring), with suitable material being used for roofing and ridge tiles to create new bat habitat, along with minimal external lighting, and landscaping around the site. Therefore, a European Protected Species Mitigation Licence would be required prior to commencement of any works, including the demolition of the existing building.
- 6.62 The Council's Ecological Consultant has reviewed the submitted surveys and reports and is satisfied that there is sufficient ecological information available to provide certainty on the likely impacts on protected and priority species, which sets out appropriate mitigations to make the development acceptable. Whilst there is no specific reference within the application documents to Biodiversity Net Gain, condition 11 seeks to secure wider biodiversity enhancements within the site.
- 6.63 Subject to the advised conditions being applied, the proposal is considered to meet the requirements of HDPF policies 25 and 31, and SSWNP policy 15 in respect of its likely effects upon local biodiversity and protected species, as well as enabling the Council to comply with its duties under s40 of the NERC Act 2006.

Water Neutrality

- 6.64 The application site falls within the Sussex North Water Supply Zone where mains-water is supplied by way of groundwater abstraction within the Arun Valley. The Local Planning Authority received a 'Position Statement' from Natural England in September 2021, advising that the effects of existing groundwater abstraction cannot be objectively demonstrated to be compatible with the conservation objectives of a number of habitat sites. The habitat sites named within the Natural England position statement include the Arun Valley SAC, SPA and Ramsar sites.

- 6.65 Within its Position Statement of September 2021, Natural England advise that decisions on planning applications should await the development of a water-neutrality strategy on a strategic basis. In the current absence of a strategic solution to achieving water-neutrality, Natural England advise that individual plans and projects, where it is critical that these proceed, must demonstrate net-neutrality in respect of the use of mains-water such as to avoid contribution to the known adverse effect upon the integrity of Arun Valley habitat sites by reason of water-use.
- 6.66 As with the previously assessed application under DC/21/2127, the proposed development would involve the construction of a block of new residential flats in the site, noting that the previous use of the site as a squash club ceased some years prior to the submission of the current application, and thus presents as a NIL use in terms of water demand. The development would therefore give rise to a net-increase in the use of mains water by reason of an increased level of occupancy/population relative to the current condition of the application site and the typical demand for water associated with a domestic occupancy.
- 6.67 In support of the proposed development the applicant has provided a Water Neutrality Statement (Aquality, Nov 2022), noting that the provision of accommodation within the site would yield an occupancy of 15.07 persons using the adopted Census occupancy levels of Horsham District Council.
- 6.68 The proposal would utilise on-site water efficiency measures to reduce the water use in the first instance to achieve a lower-than-average water use of 83.52 l/p/d, or 1,259 l/p/d for the cumulative site use. The roof area provides an appropriate source for rainwater harvesting, which would then be re-used within the site for non-potable uses (WC and washing machines). The calculations arrive at a potential yield of some 446 litres per day against a cumulative daily demand of some 382.68 litres per day (based only on WC and washing machine use), which, if accompanied by a tank with a capacity of over 13,393 litres, would provide sufficient storage to offset the 35+ day drought tolerance. The WNS looks to provide a 14,805 litre below-ground tank.
- 6.69 Despite the proposed water saving measures and efficiency measures proposed on site, the development would still lead to an increased demand for water over and above the existing Nil baseline figure of some 876.32 litres per day. In order to address this, the applicants have forwarded an off-site offsetting scheme, based at a Coolham Manor Farm, whereby rainwater harvesting off the barn roof (labelled 'riding school' on plan) on the site would be used to collect and distribute to the livestock at the farm (currently 15 x pigs, 20 x cattle, 100 x sheep). The water would be collected and stored in a tank before being piped to the required troughs with the tank sized to accommodate the required drought-tolerance of some 35,000 litres. Officers have visited the off-setting site and confirm that the barn roof is of the stated size to enable the forecast yield to be achieved. Furthermore, livestock was also present on the site and has been on site for many years, owned by a local farmer. The drinking troughs within the fields were all mains fed, with pipework evident leading from the main house.
- 6.70 The offsetting measures are calculated as yielding some 963 litres per day. The on-site drinking needs of the livestock is stated as being some 1,248 litres per day, based on the following calculations:
- Beef Cattle (each @ 35 litres per day)
 - Southdown Sheep (@ 3.75 litres per day)
 - Large White Pigs (@ 11.5 litres per day)
- These figures accord with the averages for livestock consumption which the Council's Agricultural Advisor has provided for reference.
- 6.71 The proposed off-site water saving measures would therefore off-set the remaining water demand arising from the proposed development, with some headroom. These measures

would need to be secured at the farm site by way of a s106 agreement, ensuring they are in place prior to any occupation of the proposed residential units. To date, agreement has been secured as the two sites are within the same ownership, but a formal s106 agreement would be secured in the event of planning approval being secured.

6.72 Concern has been raised on whether these off-site measures can be secured in perpetuity. However, officers are satisfied that an appropriate s106 agreement would ensure the landowners would be legally tied into committing to providing the required water saving measures prior to the first occupation of any consented development on the application site.

6.73 It is considered, therefore, that the proposed mitigations provide sufficient certainty to demonstrate that the proposal would avoid adverse effects upon the integrity of the Arun Valley SPA, SAC and Ramsar sites, either by way of direct impact upon sites associated with an independent abstraction source and/or by reason of the efficacy of proposed mitigations in eliminating increased demand for the use of mains-water. The consultation response of Natural England concurs with the conclusions of the Authority's appropriate assessment in these regards.

6.74 It is considered that the development is now able to demonstrate that it would maintain the integrity of the affected habitat sites pursuant to requirements to the Habitats Regulations, HDPF policy 31 and NPPF paragraphs 179 and 180.

Climate change:

6.75 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development is to adopt a 'fabric first' approach using the following provisions to build resilience to climate change and reduce carbon emissions:

- Increased U-Values
- Achieving good air tightness
- Maximising solar gain
- Solar shading to prevent high-angle sun
- High levels of natural ventilation
- Air Source Heat Pumps to provide heating and hot water

6.76 No EV charge points or passive ducting is shown on the submitted plans, so a condition is advised to secure these details. Subject to suitable conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Other Matters:

Contaminated Land:

6.77 It is considered that appropriate conditions can be secured in the event of approval to address the potential for the existing building to be subject to contaminated material, ground or hard-standings.

Fire Access:

- 6.78 Officers have taken note of the Fire and Access Officer's consultation response, which raises concern at the restricted width of the access in accommodating emergency vehicle. Reference is had to the Approved Document b (AD-B) Volume 1 B5 section 13, which advised a minimum width of 3.1m between gate posts and 3.7m between kerbs along access lanes is required for a fire tender to service the site. Officers have measured the access track which is restricted along its length by vegetation and fences ranging from widths of 2.9m to 3.6m, but in one area has a width between kerbs on the ground of only 3.2m.
- 6.79 In order to address this concern, and in discussion with the Fire and rescue Officer, on-site works have been carried out to reduce the vegetation along the access lane to afford some increased width, along with discussions with adjacent land-owners to the north to secure an emergency fire access route for fire access in the event that this is required under the relevant Building Regulations.
- 6.80 Accordingly, given that the site now offers the potential for two access points for an attending fire appliance, the proposal accords with the requirements set out under NPPF para 112(d) and HDPF policy 40 in ensuring there is safe access for emergency vehicles.

Conclusions:

- 6.81 Officers acknowledge the location of the site within a Built Up Area Boundary (BUAB), and on a site that has previously been developed with a former use established as being no longer viable, and where the principle of the proposed development has previously been considered to be acceptable. As such, the current proposal would result in a net gain of 8 residential dwellings in a sustainable location, close to the village amenities of Storrington and within walking distance thereof. Onsite parking could be provided within the application site, using an access that has established use associated with existing sports clubs and residential properties.
- 6.82 It is also evident that the application has been informed by discussions with Council officers to achieve a design and massing that respects the sensitivities of the adjacent historic setting of buildings and conservation area. Subject to the approval of materials and other detailing, the proposed development is considered to have taken account of the architectural forms found in the locality, and would achieve a visually distinct architectural solution for the site, creating elevations and roof-lines which would have interest and movement, without harm to nearby heritage assets.
- 6.83 Whilst there are noted deviations from the accepted methodology applied in assessing the likely landscape harm arising from the proposed development, in particular with regard to the views available from SDNP and public open space of Matts Wood, officers are satisfied that the harm would only amount to a slightly adverse visual impact, taking account of the patchwork background against which the development would be viewed. No harm would arise to the setting of the SDNP.
- 6.84 Following discussions and revisions, the current proposal has taken account of neighbouring sensitives in relation to overlooking of residential properties, seeking to address concerns of overlooking and loss of privacy (at Horsecroft, Cobb Gate and Old School Cottage), satisfying the requirements of HDPF policies 32 and 33.
- 6.85 Whilst the site's constraints and the scale of development presents a series of challenges in relation to the site's boundaries, adjacent properties and a number of mature and visually dominant trees which are subject to a TPO, officers consider that the amended design and siting has sought to address these in accordance with HDPF policy 25, 31 and 33, and SSWNP policy 15.

- 6.86 Although the vehicular access to the site has been established for many years, the requirement for new residential development to be served by fire and emergency vehicles remains a material requirement in local and national planning policy. Having now proposed a suitable and implementable solution at the site, officers consider that the proposal is capable of achieving the required safe access as per para 112 of the NPPF and Policy 40 of the HDPF.
- 6.87 Water Neutrality has been sought to be addressed by way of on-site efficiency measures, on-site rainwater harvesting and further off-site measures, with further information having been provided to address concerns raised by Natural England on the off-site measures. Subject to securing these off-site measures by way of a s106 legal agreement, officers and Natural England consider that there would now be the required certainty over the ability to demonstrate that these off-site measures would be deliverable in perpetuity.
- 6.88 The proposed development is therefore recommended for approval subject to a s106 legal agreement and appropriate conditions.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
Residential	747		747
		Total Gain	747
		Total Demolition	0

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

7. RECOMMENDATIONS

7.1 To approve planning permission, subject to the conditions set out below and a legal agreement to secure the off-site water neutrality measures:

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

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

3. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:
 - i. Details of site management contact details and responsibilities;
 - ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:

- a. location of site compound,
 - b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - c. site offices (including location, height, size and appearance),
 - d. location of site access points for construction vehicles,
 - e. location of on-site parking,
 - f. locations and details for the provision of wheel washing facilities and dust suppression facilities
- iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
 - iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

The construction shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of adjoining occupants and users of the access road during construction and in accordance with Policy 33, 40 and 41 of the Horsham District Planning Framework (2015).

4. Pre-Commencement Condition:

- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

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

Reason: As this matter is fundamental to ensure that the development is properly drained and complies with the current Building Regulations as well as Policy 38 of the Horsham District Planning Framework (2015).

- 6. Pre-Commencement Condition:** No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing number [LAR2308-DRA-0102 P05], and as set out within the Arboricultural Report [LAR2308-ARB-REP-0120], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with 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.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No relevant development which will impact bat roosts, shall in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 33 of the Horsham District Planning Framework and Policies 14 and 15 of Storrington and Sullington and Washington Neighbourhood Plan (2019).

9. **Pre-commencement (slab level) Condition:** No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.

- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

10. **Pre-Commencement (Slab) Condition:** No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:

a) Drawings to a scale not smaller than 1:5 fully describing:

i) new windows and external doors.

These drawings must show:

- materials
- decorative/protective finish
- cross section of frame, transom, mullions, glazing bars, etc
- formation of openings including reveals, heads, sills, arches, etc
- method of opening
- method of glazing

ii) Roof details including sections through:

- roof ridge
- valleys
- eaves
- verges
- flat roof perimeters
- parapets
- roof mounted services and hardware such as, but not restricted to, air conditioning, solar panels and digital and telecommunication equipment.

b) Samples or specifications of all external materials and surface finishes.

c) A sample panel of projecting brickwork, not less than 0.8 sq m, constructed on site. Before any further brickwork is undertaken, the panel must be inspected and approved in writing by the local planning authority. All brickwork must be executed in accordance with the sample panel, which shall remain on site until the works are complete and the condition discharged.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it

possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

11. **Pre-Commencement (Slab) Condition:** No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

12. **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained
 - Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - Details of all hard surfacing materials and finishes
 - Details of all boundary treatments, retaining walls, patios and decked areas
 - Details and locations of rainwater harvesting tanks subject to the water neutrality statement

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

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

13. **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (AQWN-HHCW-WN-1101-22-0003-R2, by Aquality, received 28/09/23). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

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

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

15. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, refuse and recycling details shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

16. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan [20020-PL-05 Rev C] and shall be thereafter retained as such.

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

17. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

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

18. **Pre-Occupation Condition:** Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

19. **Regulatory Condition:** The development shall be carried out in accordance with the details contained in the Bat Survey Report (Verdant Ecology, May 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

20. **Regulatory Condition:** The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

21. **Regulatory Condition:** No plumbing, pipes, soil stacks, flues, vents, ductwork or the like, shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

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

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

23. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

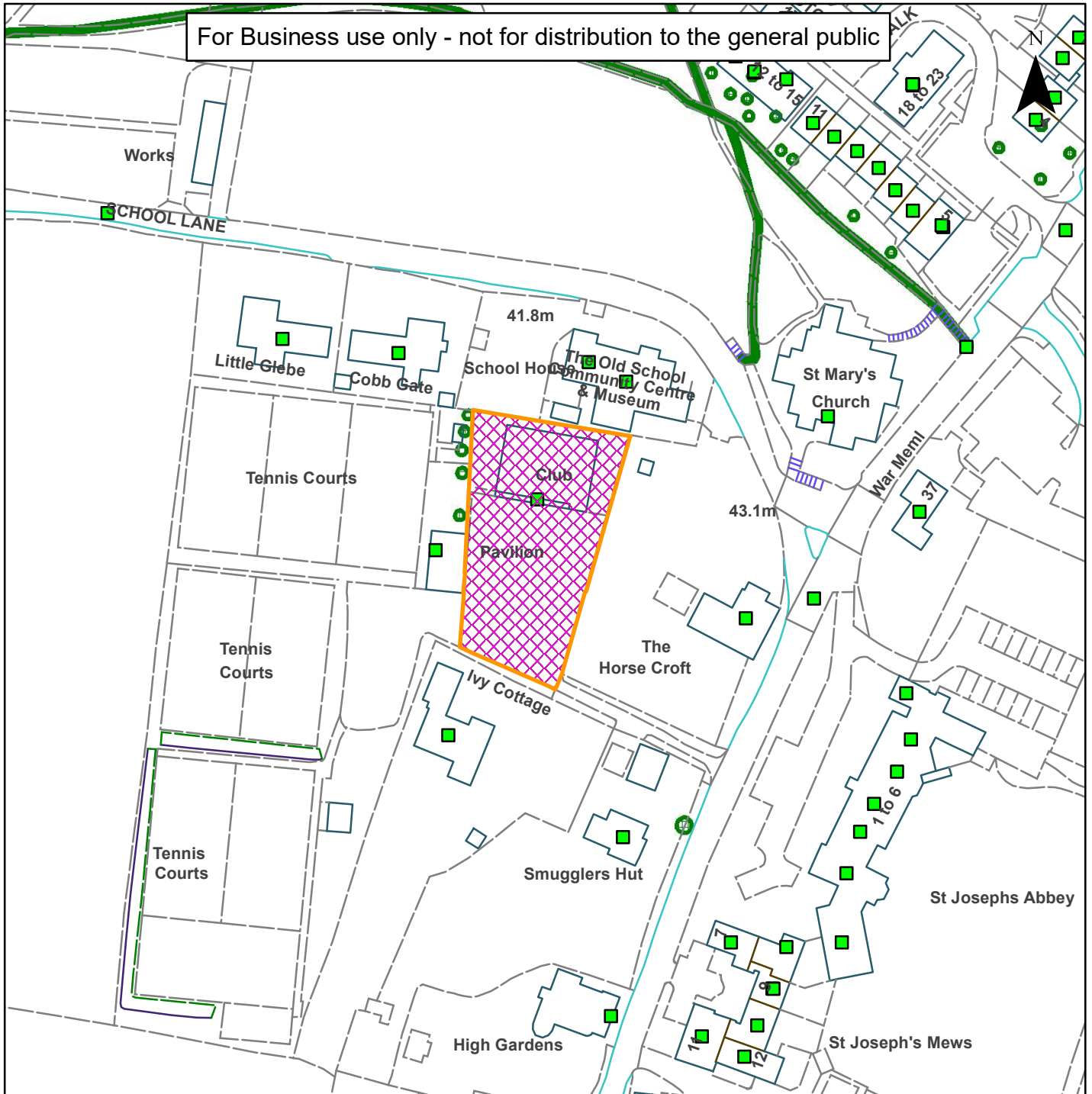
Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

This page is intentionally left blank



Greyfriars Lane, Storrington, Pulborough, West Sussex, RH20 4HE

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



Scale: 1:1,250

Reproduced by permission of Ordnance Survey map on behalf of HMSO. © Crown copyright and database rights (2019). Ordnance Survey Licence.100023865

Organisation	Horsham District Council
Department	
Comments	Not Set
Date	09/11/2023
ISA Number	100023865

This page is intentionally left blank

Report to	Planning Committee
Date	20 June 2023
By	Director of Planning
Application Number	SDNP/21/06423/HOUS
Applicant	c/o Whaleback Planning & Design Mr and Mrs Morey
Application	Erection of part single and part two storey extension, reinstatement of front porch and construction of a detached carport and store.
Address	9 Rackham Street Rackham RH20 2EX

Recommendation: That the application be **Approved** subject to the conditions set out in **paragraph 10.1** of this report.

Executive Summary

The main issues for consideration in respect of the application are:

- The principle of development
- The impact of the proposed development on landscape character
- The impact of the proposed development on the amenities of neighbouring occupiers

The application is placed before the Planning Committee due to the number of letters of representation received.

1. Site Description

- 1.1 The application site is located on the western side of Rackham Street. The site comprises a detached dwelling situated on a generous plot within a rural location.
- 1.2 The application site is located in the countryside. The site does not fall within a Conservation Area and is not a Listed Building.

2. Relevant Planning History

SDNP/14/04858/HOUS	Proposed two storey side extension with balcony	Application Permitted on 07.11.2014
PR/05/03	Single and 2-storey extensions and porch	Application Permitted on 22.07.2003

3. Proposal

- 3.1 The proposal seeks planning permission for the erection of part single and part two storey extension, reinstatement of a front porch and construction of a detached carport and store. Amended plans to alter the scheme have been received following the initial consultation and feedback, changes have been made to the single storey timber clad element, to be replaced with a more traditional extension, sporting a pitch roof as opposed to a flat roof extension.

4. Consultations

- 4.1 Parish Council Consultee
- 4.2 Parham Parish Council raised no objection to this application.

5. Representations

- 5.1 There was 7 no. registered objection received during the neighbour consultation process. The following concerns were raised:
 - Out of character
 - Oversized in street scene
 - Large expanse of glass
 - Carport located out of alignment with existing dwelling
 - Already existing garage on site new car port unnecessary
 - No planning permission for the conversion garage store area to habitation / office area
 - Strong possibility of light pollution
 - Dominate and overbearing to the surrounding
 - Carport overbearing to road
 - Flat roofed extensions are alien
 - Balconies intrusive to neighbouring properties
 - Traditional clay tiles unable to be laid on low pitched roof
 - Carport located on prominent position
 - Existing garage rarely used
 - Timber cladding and glass are inappropriate to the rural setting

- Change the character and appearance of the local settlement
- Fail to preserve original character
- Does not conserve and enhance the natural landscape
- No justification for carport
- Size and material not in keeping with the characteristic of the hamlet
- Balconies would be visible on the public footpath
- Carport detract from the street view
- Result in doubling the size of existing dwelling
- Scale and bulk not preserve overall character
- Exceed 30% allowance set out in policy SD31
- Visually distracting and unsatisfactory building which does not sit well in the surrounding
- Design's incongruous, lacks symmetry and the geometry of the gable ends, flat balconies and hotchpotch of fenestration sizes and styles creates a muddled appearance
- Inappropriate use of materials
- Timber cladding appears unattractive and exacerbates the cluttered and confused impression created by the variation in ridge lines and window types
- Adverse effect on local landscape
- Incongruous bulky design and the materials proposed

5.2 A re-consultation on amended plans was sent out on the 4th of September 2023, the re-consultation received 6 letters of objection and the following comments were made:

- Insignificant changes made as such objection still stands
- Development still exceeds 30% allowance
- Overdevelopment of the site
- Scale and massing will result in bulky building
- Design and proposed materials will be prominent addition
- Adversely affect views of neighbouring properties
- Dark skies
- The buildings will appear incongruous in the village
- Building will be highly visible
- Development will affect residential amenity of neighbouring properties

5.3 There was 1 no. support received during the neighbour consultation process. The following comments were made:

- Suggested changes have no negative impact on the surrounding area
- Will be a massive improvement to the current house
- Would improve local housing for young people

6. **Planning Policy**

6.1 Relevant Sections of National Planning Policy Framework:

- NPPF02 - Achieving sustainable development
- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

6.2 Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (A full list of relevant policies can be found in Appendix 1)

- SD5: Design
- SD31: Extensions to Existing Dwellings and Provisions of Annexes and Outbuildings

Planning Assessment

Principle of development

- 6.3 Policy SD1 of the Submission South Downs Local Plan (2019) provides a presumption in favour of sustainable development. The Local Planning Authority will consider the cumulative impacts of development, and refuse permission where development adversely influences the landscape, natural beauty, biodiversity and cultural heritage of the National Park. Exceptions are identified, however, where development results in demonstrable benefit that significantly outweighs relevant harm, and there is substantial compliance with other policies of the emerging local plan.
- 7.2 It is considered that the existing policy basis would provide no restriction on the principle of residential extension within a countryside location, subject to other material considerations relating to design, scale and appearance, landscape character, relationship with neighbouring occupiers and parking provision.

Scale, Design and Appearance:

- 7.3 Policy SD5 of the Submission South Downs Local Plan (2019), stipulates that development will only be permitted that respects the local landscape character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area.
- 7.4 Policy SD31 of the Submission South Downs Local Plan (2019) states that householder extensions, and the provision of annexes and outbuildings will be permitted where:
- The proposal does not increase the floorspace of the existing dwelling by more than approximately¹ 30% unless there are exceptional circumstances;
 - The proposal respects the established character of the local area; and
 - The proposal is not overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of a loss of light and/or privacy
- 7.5 The application relates to a detached dwelling with 3 bedrooms which would be considered a small to medium dwelling. The application relates to extensions to the main dwelling which would result in the creation of an additional bedroom. The proposal would represent an increase in floorspace of approximately 32% in comparison to the dwelling as currently existing on the site.
- 7.6 The dwelling as currently existing has though been previously extended under application ref: PR/05/03. The above policy applies to the cumulative increase in a dwelling since 2002 and therefore the floorspace created PR/05/03 must also be taken into account. The combined total of all post-2002 extensions (i.e. taking into account PR/05/03 and the extensions proposed by this current application) would represent an increase in the floorspace of the original dwelling of approximately 90%. This level of increase would be contrary to the above policy.
- 7.7 The Planning Act states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The application site previously benefited from an extant planning permission for a two-storey side extension granted under application ref: SDNP/14/04858/HOUS. This permission was granted prior to the adoption of the current South Downs Local Plan, at a time when the development plan did not include the above policy. There is a building control application Ref SBC/17/2347, which confirms that works were commenced on this permission, with footings for the extension undertaken on *the 9th/10th November 2017 (the planning permission would otherwise have lapsed on 14th November 2017)*. This means that the previous permission can still be implemented given works have commenced, and this is a material consideration in the assessment of this application.
- 7.8 This extant permission represents a more than theoretical fallback position for the applicant were this current application to be refused, and the permission represents a material consideration in the determination of this application. The extant permission represents an increase in the

floorspace of the dwelling (as existing in 2002) of approximately 88%, i.e. 2% smaller than the current proposal.

- 7.9 On the basis that the site benefits from an extant planning permission of a comparable scale to that now proposed, it is considered that refusal of the current application would not be warranted, as this would likely result in implementation of the extant permission, and therefore the same outcome. It is considered that the difference in scale between the extant permission and current proposal is negligible, and there are no reasons why it would be preferable for the extant permission to be implemented in place of the current proposal. For the above reasons it is considered the material considerations identified would outweigh the policy conflict set out above.
- 7.10 Policy SD5 of the SDLP (2019) aims to maintain a landscape led approach to design, through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of an area. Development *inter alia*, will be required to complement landscape character, contribute to local distinctiveness and incorporate architectural design appropriate to its setting in terms of height, massing, density, roof form and relevant detailing.
- 7.11 The proposed extensions would re-configure the main dwelling and enlarge the existing formation to create a full height two storey dwelling. The hipped roof of the proposed side extension against the gable face of the main roof would create a unified relationship with the host dwelling. The use of the mono-pitch roof on the first-floor side extensions whilst modern to the original dwelling does not display a disjointed addition as to warrant a refusal. Similarly, the mono-pitched roof above the proposed single storey side extension would integrate the existing dwelling and would maintain the traditional look from the front of the property overlooking the public realm. The modern addition will be contained to the rear allowing for subtle changes to the overall aesthetics out of the wider public view.
- 7.12 The use of timber cladding against the brick and stone façade combined with the expanse of glazing whilst divergent to the original structure does not appear incongruous and detrimental to the character of the main dwelling. It is not considered that the proposal would result in an adverse visual impact created by the size, design or introduction of new external materials.
- 7.13 It is acknowledged that the application site already benefits from an existing detached garage with the provision to accommodate 2 no. vehicles. Whilst the carport would be situated on a prominent location adjacent to the street scene, it is considered that the overall size of the development plot it is not unusual nor out of character for the erection of an additional carport. The proposed carport would not appear a dominant feature detrimental to character of the street scene.

Amenity

- 7.14 Policy SD31 of the SDLP (2019) requires proposals to not be overbearing or of a form which would be detrimental to the amenity of nearby residents by virtue of loss of light and/or privacy.
- 7.15 The proposed two storey side extensions would include balconies on the north and south elevations. It is considered that these balconies would have not have an impact to the northern and southern neighbouring properties as the neighbouring properties are set at a decent distance and are projected forward to their individual plots as such there is no loss of privacy envisaged.

Dark Skies

- 7.16 Policy SD8 of the SDLP (2019) provides that development will be permitted that conserves and enhances the intrinsic quality of dark night skies and the integrity of the Dark Sky Core. Development must demonstrate that all opportunities to reduce light pollution have been taken, including the avoidance of unnecessary lighting and appropriate mitigation where unavoidable.
- 7.17 The application site is located within Dark Skies Zone E0 where large areas of the skies can be classified as intrinsically dark.
- 7.18 The proposal would include additional glazing at ground floor level and introduce a series of

fenestrations at first floor level. In reviewing these additions it is not considered that the proposed side extension would create any more significant additional light spillage that already exists within the property and as such would not be in contrary to policy SD8 of the SDLP (2019).

Water Neutrality

- 7.19 There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the holiday unit necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity and Ecosystem Services;

- 7.20 Policy SD9 of the SDLP provides that development will be permitted which conserves and enhances biodiversity and geodiversity with particular regard to ecological networks and areas with high potential for habitat restoration and/or creation. Policy SD10 relates to International Sites, stating that development on greenfield sites (within specified conservation area distances) will require an appraisal as to its impact on protected species.
- 7.21 The proposal would not result in the loss of any linked habitat, being contained within the established residential curtilage. It is considered that the nature and siting of the proposal is such that there would be no adverse impact on protected species or habitat.
- 7.22 Policy SD2 of the SDLP provides that development will be permitted that secures an overall positive impact on the ability of natural environment to contribute goods and services. Development should incorporate high quality design and deliver opportunities to sustainably manage the use of resources, mitigate/increase resilience to the impacts of climate change, improve public health and improve habitats and biodiversity.
- 7.23 The submission sets out that the proposal would include the installation of bat and bird boxes, planting of native pollinator friendly planting and use of rainwater harvesting (for outdoor use). These measures are considered proportionate to the scale of the development and are sufficient to ensure compliance with the above policy.

8 Conclusion

- 8.1 The presence of a realistic fallback permission for an extension of a comparable size to that proposed by this current application represents a material consideration in the determination of this current application, and is considered to outweigh the policy conflict identified in respect of SD31. The proposed extensions are considered to be of an acceptable scale, form, design and appearance that would be appropriate to the host dwelling and the character of its wider built surroundings. The proposal would not be considered to result in any adverse impact on the local landscape character, or the amenities of neighbouring occupiers. Sufficient off-street parking would be provided to satisfy the calculated parking demand for the application property, with no wider impact on highway operation anticipated. The proposal is, therefore, considered compliant with the relevant policies of the current local development plan, emerging local development plan and emerging neighbourhood plan and is recommended for approval, subject to the conditions listed below.

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

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

3. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

4. The carport hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 9 Rackham Street, Rackham (as identified on the approved plans), and shall not be used for any other purpose(s) without the prior express consent of the Local Planning Authority.

Reason: The use for any other purpose may result in a more intensive occupation necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, and in the interest of neighbouring amenity.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Shazia Penne
Tel: 01403 215258
email: Shazia.penne@horsham.gov.uk

Appendices Appendix I - Information concerning consideration of applications before committee

SDNPA Consultees

Background Documents

Appendix I – Information concerning consideration of applications before committee

Officers can confirm that the following have been taken into consideration when assessing the application:-

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

If there is a conflict between these two purposes, greater weight shall be given to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in a National Park, whereby conservation takes precedence. There is also a duty upon the National Park Authority to foster

the economic and social wellbeing of the local community in pursuit of these purposes.

National Planning Policy Framework and the Vision & Circular 2010

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It was first published in 2012. Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010.

The Circular and NPPF confirm that National Parks have the highest status of protection in relation to landscape and scenic beauty. The NPPF states at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and that the conservation and enhancement of wildlife and cultural heritage are important considerations which should also be given great weight in National Parks. The scale and extent of development within the Parks should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Major Development

Paragraph 177 of the NPPF confirms that when considering applications for development within the National Parks, permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

For the purposes of Paragraph 177 whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

For the purposes of this application, assessment as to whether the development is defined as major for the purposes of Para 177 is undertaken in the Assessment Section of the main report.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

A screening opinion has concluded that for reasons of scale, use, character and design and environmental considerations associated with the site, the proposals are not EIA development within the meaning of the relevant 2017 legislation. Therefore, an EIA is not required.

The Conservation of Habitats and Species Regulations 2017

Following a screening of the proposals, it is considered that a likely significant effect upon a European designated site, either alone or in combination with other proposals, would not occur given the scale, use, and location of what is proposed. Consequently, an Appropriate Assessment under a Habitats Regulation Assessment is not required.

Relationship of the Development Plan to the NPPF and Circular 2010

The development plan policies listed within the reports have been assessed for their compliance with the NPPF and are considered to be compliant with it.

The South Downs National Park Partnership Management Plan 2019-2025

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. Relevant Policies are listed in each report.

South Downs Local Plan

The South Downs Local Plan (SDLP) was adopted by the Authority in July 2019. All development plan policies are taken into account in determining planning applications, along with other material considerations.

The Planning and Compulsory Purchase Act 2004 S38 (6) confirms that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

All policies of the South Downs Local Plan which are of relevance to this application

- Policy SD1 - Sustainable Development
- Policy SD2 - Ecosystem Services
- Policy SD4 - Landscape Character
- Policy SD5 - Design
- Policy SD8 - Dark Night Skies
- Policy SD9 – International Sites
- Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

Human Rights Implications

These planning applications have been considered in light of statute and case law and any interference with an individual’s human rights is considered to be proportionate to the aims sought to be realised.

Equality Act 2010

Due regard has been taken within this application of the South Downs National Park Authority’s equality duty as contained within the Equality Act 2010.

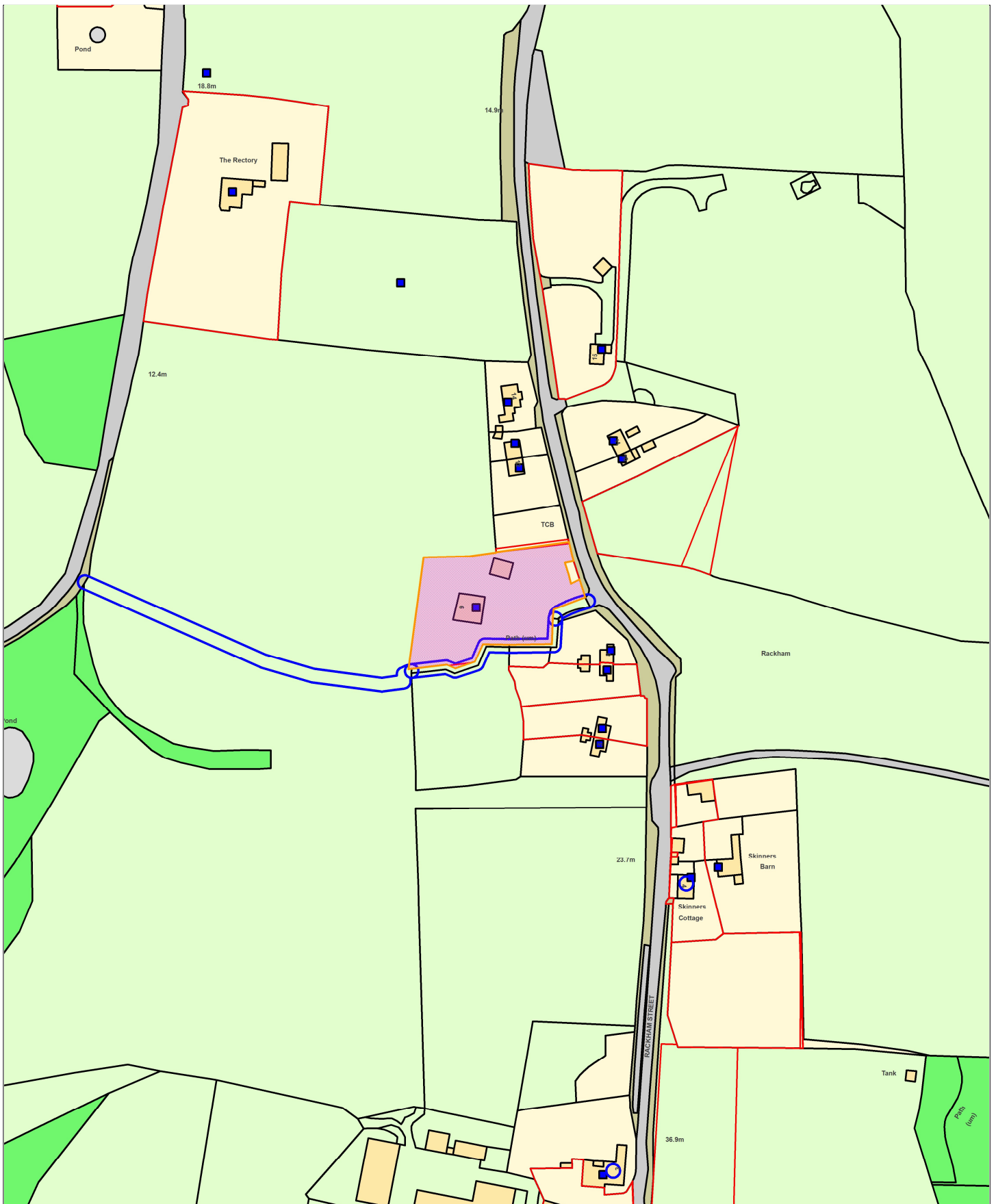
Crime and Disorder Implication

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

Community Infrastructure Levy

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

This page is intentionally left blank



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on Behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. LA 100022021

08) SDNP/21/06423/HOUS
9 Rackham Street, Rackham, RH20 2EX 1:2267
Page 93

This page is intentionally left blank