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Planning Committee (North)

Tuesday, 7th February, 2017 at 6.00 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:

Liz Kitchen (Chairman)	
Karen Burgess (Vice-Chairman)	
John Bailey	Tony Hogben
Andrew Baldwin	Adrian Lee
Toni Bradnum	Christian Mitchell
Alan Britten	Josh Murphy
Peter Burgess	Godfrey Newman
John Chidlow	Brian O'Connell
Roy Cornell	Connor Relleen
Christine Costin	Stuart Ritchie
Leonard Crosbie	David Skipp
Jonathan Dancer	Simon Torn
Matthew French	Claire Vickers
Billy Greening	Tricia Youtan

You are summoned to the meeting to transact the following business

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 8
To approve as correct the minutes of the meeting held on 10/01/17.	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
To consider the following reports of the Development Manager and to take such action thereon as may be necessary:	
5. Appeals	9 - 10
Applications for determination by Committee:	
6. DC/16/2506 - Piries Place, Horsham (Ward: Denne) Applicant: Reef	11 - 36

Estates/Arcus-PCD

- | | | |
|-----|---|---------|
| 7. | DC/16/2700 - Land South of Broadbridge Heath Leisure Centre, Wickhurst Lane, Broadbridge Heath (Ward: Broadbridge Heath) Applicant: Ms Anna Chew | 37 - 48 |
| 8. | DC/16/2272 - Broadbridge Heath Sports Centre, Wickhurst Lane, Broadbridge Heath (Ward: Broadbridge Heath) Applicant: Horsham District Council | 49 - 60 |
| 9. | DC/16/2173 - Barn at Maple Hill, Newells Lane, Lower Beeding (Ward: Nuthurst) Applicant: Mr Tony Shumacher | 61 - 68 |
| 10. | DC/16/2668 - Farnbrakes, Church Street, Rudgwick (Ward: Rudgwick) Applicant: Cranfold Developments Ltd. | 69 - 78 |
| 11. | DC/16/2938 - Horsham Park, North Street, Horsham (Ward: Horsham Park) Applicant: Mrs Anna Chapman | 79 - 86 |
| 12. | DC/16/2062 - Millers Mead, Nuthurst Street, Nuthurst (Ward: Nuthurst) Applicant: Mr Tingey | 87 - 94 |
| 13. | 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

Planning Committee (North)
10 JANUARY 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Andrew Baldwin, Toni Bradnum, Alan Britten, Peter Burgess, John Chidlow, Christine Costin, Leonard Crosbie, Matthew French, Billy Greening, Adrian Lee, Christian Mitchell, Godfrey Newman, Stuart Ritchie, David Skipp, Simon Torn, Claire Vickers and Tricia Youtan

Apologies: Councillors: Roy Cornell, Jonathan Dancer, Tony Hogben, Josh Murphy, Brian O'Connell and Connor Relleen

PCN/74 **MINUTES**

The minutes of the meeting of the Committee held on 6th December 2016 were approved as a correct record and signed by the Chairman.

PCN/75 **DECLARATIONS OF MEMBERS' INTERESTS**

DISC/16/0324; DISC/16/0318; DC/16/2370: Councillor Stuart Ritchie declared a personal interest in these applications because he knew one of the objectors.

DISC/16/0324; DISC/16/0318; DC/16/2370: Councillor Liz Kitchen declared a personal interest in these applications because she knew one of the objectors.

DC/16/1011: Councillor Toni Bradnum declared a personal interest in this application because she knew the applicant and took no part in the deliberation of this item.

PCN/76 **ANNOUNCEMENTS**

There were no announcements.

PCN/77 **APPEALS**

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

PCN/78 **DC/16/1961 - LAND AT STATION YARD, CHRISTS HOSPITAL, HORSHAM (WARD: SOUTHWATER) APPLICANT: MS S POULTER**

The Development Manager reported that this application sought to agree the reserved matters for outline permission DC/13/1412 for 40 dwellings on land accessed from King Edwards Close and an extension to the station carpark. Reserved matters included appearance, landscaping, layout and scale. Minor

amendments to the approved new road into the site and housing mix were also sought.

The application also sought agreement of a number of pre-commencement conditions, some of which applied to the full permission that had also been granted under permission DC/13/1412, for seven affordable rent units. The application also sought permission to vary the legal agreement attached to DC/13/1412 with regard to the tenure split on the fifteen affordable housing units.

The application site was located within Christ's Hospital, with the railway line running along its long north-western boundary and Station Road to the south-east. The old goods yard building, which was to be converted into seven affordable units, was at the north of the site. There was low-medium density residential development to the south. Christ's Hospital Station was to the north and the site bordered the main station car park.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council raised no objection to the application. Four letters of objection, and one of comment, had been received. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: layout scale and appearance; landscaping; affordable housing and housing mix; infrastructure contributions; impact on amenity; highways and parking; and the acceptability of details submitted to satisfy conditions attached to permission DC/13/1412.

Members discussed the amended housing mix, which had reduced the number of 2-bedroom units, and the amended tenure split, and recognised that these amendments were policy compliant. It was noted that a number of trees that had been removed had been outside the application site.

RESOLVED

- (i) That a legal agreement, in the form of a Deed of Variation, be entered into to amend the legal agreement attached to DC/13/1412 to secure the change to affordable housing tenure.
- (ii) That on completion of (i) above, planning application DC/16/1961 be determined by the Development Manager. The view of the Committee was that the application should be granted subject to conditions as reported.

(WARD: ITCHINGFIELD, SLINFOLD & WARNHAM) APPLICANT: DUNCAN JAGGER AND PIPPA BUGBY

The Development Manager reported that this application sought approval of details reserved by Condition 18 under permission DC/15/1888 for the erection of a 4-bedroom chalet bungalow and detached garage with accommodation above, which had been granted permission by the Committee in August 2016. This condition controlled materials to be used in construction of the garage.

The application site was located on the west of Bashurst Hill, along which were large detached dwellings in generous plots, in a countryside location. It comprised a square-shaped residential plot, on which a two storey property had recently been constructed following the demolition of a bungalow.

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

The Parish Council had not commented on the application, and no representations had been received from members of the public.

Members considered the officer's planning assessment regarding the materials used for the construction of the garage, which included an oak frame, grey engineering bricks to the plinth, timber cladding and a slate roof.

RESOLVED

That application DISC/16/0324 be approved.

PCN/80 **DISC/16/0318 - DEMOLISHED TWIGS, BASHURST HILL, ITCHINGFIELD (WARD: ITCHINGFIELD, SLINFOLD & WARNHAM) APPLICANT: DUNCAN JAGGER AND PIPPA BUGBY**

The Development Manager reported that this application sought to approve details reserved by Condition 16 under permission DC/15/1888 for the erection of a 4-bedroom chalet bungalow and detached garage with accommodation above, which had been granted permission by the Committee in August 2016. This condition referred to landscaping details for the site.

The application site was located on the west of Bashurst Hill, along which were large detached dwellings in generous plots, in a countryside location. It comprised a square-shaped residential plot, on which a two storey property had recently been constructed following the demolition of a bungalow.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The landscaping scheme had been amended by the applicant to include additional planting within the site to address concerns raised by neighbours.

The Parish Council had objected to the amended application. Ten letters of objection, from seven households, had been received. Since preparation of the report, and consultation on the amended proposal, seven further letters of objection had been received. Three members of the public spoke in objection to the application.

Members considered the officer's planning assessment regarding the proposed landscaping scheme, including bamboo and leylandii along some boundaries and the planting of additional trees. Members expressed concern that the proposal did not fulfil the requirements of the condition, in particular with regard to the planting of mature trees, and concluded that the amenity of nearby residents was not protected.

RESOLVED

That application DISC/16/0318 be refused for the following reason:

The landscaping scheme submitted by the applicant does not meet the requirements as set out in Condition 16 attached to DC/15/1888 with regard to the planting of mature trees around the boundaries of the site and therefore fails to protect the privacy of the occupiers of the neighbouring property in accordance with Policy 33 of the Horsham District Planning Framework (2015).

PCN/81 **DC/16/2370 - DEMOLISHED TWIGS, BASHURST HILL, ITCHINGFIELD
(WARD: ITCHINGFIELD, SLINFOLD & WARNHAM) APPLICANT: DUNCAN
JAGGER AND PIPPA BUGBY**

The Development Manager reported that this application sought to remove Condition 14 under permission DC/15/1888 for the erection of a 4-bedroom chalet bungalow and detached garage with accommodation above, which had been granted permission by the Committee in August 2016. This condition required two windows facing Willow Cottage to be obscure glazed.

The application site was located on the west of Bashurst Hill, along which were large detached dwellings in generous plots, in a countryside location. It comprised a square-shaped residential plot, on which a two storey property had recently been constructed following the demolition of a bungalow.

Details of relevant government and council policies and relevant planning history, as contained within the report, were noted by the Committee. The Council's Environmental Health Officer had not commented on the proposal.

The Parish Council had objected to the application. Eleven letters of objection, from nine households, had been received. Three members of the public spoke in objection to the application.

Members considered the officer's planning assessment regarding the proposed use of clear glazing and discussed the impact of the windows on the amenity of the neighbouring property.

RESOLVED

That planning application DC/16/2370 be refused for the following reason:

The fitting of obscure glazed glass in the triangular windows within the south west elevation is required to prevent the perception of overlooking to the neighbouring property, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

PCN/82 **DC/16/1011 - 15 ST LEONARDS ROAD, HORSHAM (WARD: FOREST)**
APPLICANT: MR & MRS WATSON

The Development Manager reported that this application sought permission for the conversion of a ground floor shop and ancillary area into two 2-bedroom flats. The proposal had been for three flats, but had been amended in response to consultation responses. There would be alterations to doors and windows in the front and rear elevation, and alterations and insertion of new windows and doors in the west elevation. A car port would be demolished.

The application site was located approximately one mile from Horsham town centre in St Leonards Road, a mainly residential road with buildings of varying age and character. A Tesco Express outlet was west of the site. There were two storey semi-detached dwellings either side of the development property, which was detached with a residential flat on the first floor. The site backed onto land owned by the Council.

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

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee.

The Neighbourhood Council had raised concerns regarding the original application for three units, and had not commented on the amended plan. Nine letters of objection had been received. Since preparation of the report a further five letters from the two adjacent properties had been received objecting to the proposal and requesting that the two windows in the east elevation be kept closed. Two members of the public spoke in objection to the application and the applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; the loss of a retail unit; the character of the dwelling and the visual amenity of the street scene; the amenity of adjoining occupiers; the

quality of the residential environment for future occupiers; and parking and traffic.

The Local Member had objected to the principle of the change of use, but acknowledged that the property had been adequately marketed for A1 business use and the premises was no longer viable as a retail outlet. It was noted that the Highway Authority considered there to be sufficient parking provision in the vicinity.

In response to concerns regarding the impact of the windows on the amenity of neighbouring properties, officers agreed that Condition 3 could be reworded with a view to ensuring that the privacy and amenity of neighbours was secured.

RESOLVED

That planning application DC/16/1011 be determined by the Development Manager to allow for Condition 3 to be reworded, to require details of the glazing and any means of opening for the windows to the eastern elevation to be submitted to the Local Planning Authority for approval. The view of the Committee was that the application should be granted.

The meeting closed at 7.44 pm having commenced at 6.00 pm

CHAIRMAN

Development Management Committee (North)

Date: 7th February 2017



**Horsham
District
Council**

Report by the Head of Planning & Environmental Services: APPEALS
Report run from 21/12/2016 to 25/1/2017

1. Appeals Lodged

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

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/15/2857	Millfield Farm Buildings Horsham Road Rusper Horsham West Sussex RH12 4PR	4/1	Refuse	Refuse
DC/16/2317	61 Oakhill Road Horsham West Sussex RH13 5LE	10/1	Refuse	
EN/15/0232	1 Lucas Road Warnham Horsham West Sussex RH12 3RG	11/1	Enforcement Notice	
DC/16/2017	1 Bensons Farm Cottages Winland Road Faygate Horsham West Sussex RH12 4SS	16/1	Refuse	
DC/15/1888	Demolished Twigs Bashurst Hill Itchingfield West Sussex	18/1	Refuse	Refuse
DC/16/2191	Littlehaven Cottage Rusper Road Horsham West Sussex RH12 5QW	18/1	Refuse	
DC/16/2200	Gate Lodge Stane Street Slinfold Horsham West Sussex RH13 0RE	24/1	Refuse	Refuse

2. Live Appeals

I have received notice from the Department of Communities and Local Government that the following appeals are now in progress:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/16/1194	Bon Marche 45 West Street Horsham West Sussex RH12 1PP	Fast Track	23 rd December 2016	Refuse	
DC/16/1746	Amberley Chesworth Close Horsham West Sussex RH13 5AL	Fast Track	12 th January 2017	Refuse	
DC/16/2039	North Gates The Mount Ifield Crawley West Sussex RH11 0LF	Fast Track	4 th January 2017	Refuse	
DC/16/2317	61 Oakhill Road Horsham West Sussex RH13 5LE	Fast Track	23 rd January 2017	Refuse	
DC/15/1944	Landfall Farm Emms Lane Barns Green Horsham West Sussex RH13 0QG	Written Reps	23 rd December 2016	Split Decision	
DC/16/1320	Winterton Court Horsham West Sussex	Written Reps	23 rd December 2016	Permit	Refuse

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/16/0681	15 & 17 The Crescent Horsham West Sussex RH12 1NA	Written Reps	DISMISS	Refuse	



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, A5, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way

SITE: Piries Place Horsham West Sussex

WARD: Denne

APPLICATION: DC/16/2506

APPLICANT: REEF ESTATES/ARCUS-PCD

REASON FOR INCLUSION ON THE AGENDA: Horsham Denne Neighbourhood Council have requested that the application be considered by Committee, as they wish to address Members at the meeting

RECOMMENDATION: To delegate authority to the Development Manager to grant planning permission subject to the completion of a S106 agreement, and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the partial redevelopment of Piries Place to provide a new five storey 92-bedroom hotel, a 237 seat three-screen cinema, refurbished office units, and a mix of retail, restaurant and drinking establishments. The application also proposes to refurbish and extend the public realm from the Carfax to the west through the site to Park Place to the east, and to widen Copnall Way to provide new loading/unloading bays and a shared cycle lane/footway.

1.3 The plans detail that the easternmost buildings are to be demolished to make way for the new hotel building, with the former Waitrose building adjacent to be extended and upgraded to form the three screen cinema including a new façade to Copnall Way and first floor terrace. The buildings to the west and south side are to be refurbished to include a small front extension to the south building (units 4-7) with terrace above, and new shopfronts.

1.4 The application proposes a mix of A1 (retail), A2 (professional services), A3 (restaurants) & A4 (drinking establishments) uses at ground and part-first floor levels around the square including terraces and outside seating. Existing B1 office floorspace is to be retained at first floor level. The existing canopies that project into the square are to be removed. The Piries Donkey statue is to be retained in the square alongside a new tree centrepiece.

1.5 The proposed mix of units and uses comprise:

95sqm (2 units)	Either A1 or A2 (refurbished)
1,655sqm (6 units)	Either A1 or A3 (new and refurbished)
200sqm (1 unit)	Either A1, A2 or A3 (refurbished)
1,000sqm (2 units)	Either A3 or A4 (refurbished)
1,100sqm (1 unit)	D2 cinema (new build extension)
3,400sqm (1 unit)	C1 Hotel (including restaurant at ground floor)
350sqm (3 first floor units)	B1 offices (refurbished)
500sqm (1 first floor unit)	Either A3, A4 or B1 (refurbished)

1.6 The application proposes that deliveries for the hotel, commercial units and cinema within the northern buildings be made from a new layby on Copnall Way, requiring amendments to the kerb layout and the routing of the cycle lane contraflow. Servicing for the remaining units will be via a loading area on the shared surface linking Park Place to Copnall Way. It is intended that delivery/service vehicles etc access this area one way via Park Place, exiting onto the Copnall Way/Park Way junction, with bollard restrictions to prevent other vehicular access. Cycle parking for 30 bicycles is to be provided opposite Piries Place car park.

DESCRIPTION OF THE SITE

1.7 The application site comprises Piries Place, a modern open triangular shaped square of retail and other commercial uses set immediately east of the Carfax in Horsham Town Centre. The site includes all the existing buildings that face into the square, including the former Waitrose building abutting Copnall Way. The site also extends to include the access alleyways/twittens linking Piries Place to the Carfax, and the pedestrianised public realm abutting the multi-storey car park to the east up to Park Place.

1.8 Unit 9 within the westernmost buildings (B52s) and the two alleyways/twittens connecting Piries Place to the Carfax sit within the Horsham Conservation Area. The northernmost alleyway is set between a run of four Grade II listed buildings whilst the southern alleyway sits adjacent to a further run of Grade II listed buildings to its south side. No listed buildings sit within the application site, however four of the aforementioned listed buildings do directly abut the site boundary beside the alleyways. The western half of the site closest to the Carfax sits within a Site of Archaeological Importance.

1.9 The buildings facing into Piries Place all form primary retail frontage within the Horsham Town Centre Primary Shopping Area as identified in the Horsham District Planning Framework.

1.10 Piries Place was in the main constructed circa 1990 and comprises a mix of two storey red brick and render retail units with pitched roofs and glazed canopies that project over much of the open square. The largest building on the site comprises the former Waitrose store to the north side which has a rear elevation fronting Copnall Way and service bays to the east side facing the multi-storey car park. Surrounding development is again largely two storey in scale, bar the 4-5 storey Royal Sun Alliance office building (St Marks Court) set opposite Copnall Way to the north.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 2, 4, 7, 10 and 12.
2.3 Planning Practice Guidance (March 2014).

RELEVANT COUNCIL POLICY

- 2.4 The following policies in the HDPF are considered to be relevant:

Policy 1: Strategic Policy: Sustainable Development
Policy 2: Strategic Policy: Strategic Development
Policy 3: Strategic Policy: Development Hierarchy
Policy 5: Strategic Policy: Horsham Town
Policy 7: Strategic Policy: Economic Growth
Policy 9: Employment Development
Policy 11: Tourism and Cultural Facilities
Policy 12: Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13: Town Centre Uses
Policy 14: Shopfronts and Advertisements
Policy 24: Strategic Policy: Environmental 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 39: Strategic Policy: Infrastructure Provision
Policy 40: Sustainable Transport
Policy 41: Parking
Policy 42: Strategic Policy: Inclusive Communities

- 2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)
- Horsham Town Plan (2012)

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The site is within the Horsham Blueprint Neighbourhood Plan Area, which was designated a Neighbourhood Plan Area on the 5th June 2015. To date, no further stages of the neighbourhood plan formation and adoption process have commenced.

PLANNING HISTORY

DC/13/2304	Change of use from Offices (Class B1) to a health and weight loss centre (Class D2) at Suite D, 13 Piries Place	PER
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3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 **HDC - Strategic Planning (Summarised):** Comment.

The overall principle of the proposed development is considered acceptable given its location within the Horsham Town Centre.

Given that the proposal, as it stands, may not provide any retail floorspace as part of the redevelopment, the proposal would not strictly meet **Policy 13 (1 & 2)**. It is noted that the applicant may be able to demonstrate that the proposal would contribute towards the vitality and viability of the town centre and that they would meet **Policy 13 (3)**. However, a significant retail 'offer' would still be required as part of such a redevelopment scheme, particularly as it would offer residents a reason to enter into Piries Place during the morning period and would lessen the conflict with **Policy 13** of the HDPF.

The Horsham Town Retail & Leisure Study (2016) at page 25 (summary) does highlight that both Piries Place and Bishopric both suffer environmentally, and have a poor retail mix and low footfall. This document recommends that the redevelopment and/or investment in these areas – 'leading to a stronger retail/town centre mix' – would strengthen east/west connectivity in-line with the north/south axes, which is performing well as the 'core anchor'.

Piries Place is considered to form part of the 'Quarter' within the Horsham Town SPD and the proposal is therefore subject to **Site Specific Guidance 2**. The aim of this specific guidance is to create a more prominent key location for the eastern side of the town centre and confirms that opportunities to create further active frontages in this area for independent niche and boutique retail, market based activities, high quality restaurants and a night time economy offer should be seized. It is noted that the proposal would provide a new high-end cinema complex, a hotel and restaurant/bar opportunities in this location and would largely meet the objectives of this SPD; however, as discussed above, it is considered that a sizable retail element should still be retained as part of this 'offer', and indeed further information relating to what units would be provided as 'retail' should be sought.

The requirement for the provision of retail floorspace (both comparison and convenience goods) has recently been evidenced within the Horsham Town Retail & Leisure Study (2016). Although the redevelopment of Piries Place is supported in principle, it is suggested that the current proposals do not support the wider town centre needs, particularly in relation to retail.

3.2 **HDC – Technical Services (Drainage):** No objection subject to condition.

3.3 **HDC – Refuse Collections Supervisor (summarised):** No Objection

3.4 **HDC – Environmental Health (summarised):** No Objection.

Environmental Health officers do not see any fundamental reason why odour or noise from the installation of kitchen extract-ventilation systems in the proposed units could not be adequately controlled through conditions. Similarly noise and vibration from any externally located chiller/freezer compressor- and/or HVAC-plant can be suitably controlled by condition.

Environmental Health officers recommend that hours of operation for the A3 and A4 premises on the site be limited by condition to 08:00am to 23:00pm Sunday to Thursday inclusive, and 08:00am to 00:00am Fridays and Saturdays. Further conditions are recommended restricting construction activities, requiring a Construction Environment Management Plan, and contaminated land assessment.

3.5 **HDC – Design and Conservation (summarised)**: Comment.

The application site is located adjacent to the Horsham Conservation Area, and is situated behind several grade II listed buildings.

Piries Place has fallen into a rather tired and shabby condition with redundant street furniture and empty shops detracting from the public realm and the once vibrant space is currently lacking any 'sense of place'.

The views from Carfax looking towards the direction of Piries Place include the grade II listed War Memorial, the Bandstand and nos. 25, 26, 26a, 27 Carfax. The proposed development which would retain the existing façade to the former Waitrose building, would extend south-east with the bulkier hotel sited furthest away from the Carfax; however, whilst there would be some distance between the hotel and the listed buildings, there would be an emerging view of the hotel above the listed buildings which are modest in scale and of local vernacular style and character.

The Horsham Town Design Statement SPD 2008 explains that "the central Carfax is an attractive feature of today's Horsham and gives a heart to the town" (pg 5) further stating that "despite the considerable mix of styles of design and many alterations it still retains, for the most part, a uniformity of scale" (pg 7). The low key buildings fronting the eastern side to the Carfax do set the tone of the space they shape; Carfax is a vibrant space and the scale and form of the listed buildings positively contribute to ones understanding of the evolution of the market town with the skyline set by the local vernacular buildings allowing one to appreciate the historic building form and scale along this stretch of the street.

For the above reason, the presence of the proposed development within significant views from the Carfax would harm the setting of the heritage assets. The submitted Heritage Assessment sets out that the "...effect of the proposed development to the significance of this part of the conservation area would be best characterised as slight adverse, in that the change may cause some momentary and limited distraction in specific circumstances, however this would not result in any meaningful harm or loss of significance to the overall significance of the area" (para 3.17, pg 12). It is agreed that the harm would be less than substantial, however, any level of harm to the significance of heritage assets must be given considerable weight in accordance with s66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 which sets out that LPAs "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Paragraph 134 of the Framework sets out that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." The proposed development would potentially offer tangible public benefits such as the regeneration of a significant area of the town core which is currently in a state of neglect.

Whilst it is considered that the proposed development, and in particular, the proposed hotel building would cause harm to the setting of the Horsham Conservation Area and the setting of the listed buildings (namely nos. 25, 26, 26a, 27 Carfax, the War Memorial and the Bandstand), the public benefits of the development would offset the harm in introducing sustainable and vibrant uses to Piries Place. Further, while the scale and massing of the hotel –required for the scheme to be economically viable- is far from ideal, the introduction of a hotel would introduce activity to the place and a level of passive surveillance.

Overall, the proposed design of the development which has been the subject of much pre-application discussion between the LPA and the agents, is considered to be high quality. The scheme has clearly been carefully considered to produce an innovative and inspired

response to problematic constraints such as the treatment of the space required to house the cinema screens and associated services and the requirements for the number of hotel rooms required for the overall development to be economically viable.

Given the constraints of the proposed uses, the current proposal is considered to respond well to the site; the scheme would promote a vibrant and sustainable use for Piries Place which would give it a 'sense of place'. The success of the scheme would of course weigh heavily on the use of high quality materials and craftsmanship.

3.6 **HDC- Community Safety:** No Objection

3.7 **HDC- Town Centre Manager (summarised):** Comment

The absence of a major retail destination has had a detrimental effect on surrounding retail businesses which have already seen a 30-40% decline in turnover in the last year. The Restaurants, Cinema and Hotel footfall are likely to have minimal daytime impact on daytime shopping footfall especially midweek.

Whilst there is no doubt as to the town's need for more hotel spaces and that the expansion of the A3/A4 and cinema leisure offer will offer visitors' more choice, the development potentially removes a significant element of independent retail which has hitherto been a strength of the town. This increasing shift in the nature of town usage i.e. night time leisure, needs to be accounted for both strategically and operationally by HDC and partners, particularly on this side of the town. There is little mention of the office provision that will remain within the scheme at first floor level but this is supported and any provision for co-working type space is particularly welcomed as part of the Council's Economic Development Strategy.

OUTSIDE AGENCIES

3.8 **West Sussex County Council – Flood Risk Management Consultant (summarised):** No Objection.

3.9 **West Sussex County Council - Highways (summarised):** No Objection.

No objections are raised in principle to this redevelopment proposal. The site is in a very sustainable location being within the town centre and easily accessible by foot, bicycle and public transport. There are also a number of public car parks nearby. According to trip rate data, the development would generate less impact in traffic generation terms than the current uses on site, particularly in the busier AM and PM peak hours.

In response to concerns over the Copnall Way layby and cycle lane interaction, amended drawings have been submitted which address the highway authority's concerns. The contraflow cycle lane has been retained and widened to 2m and the carriageway of Copnall Way slightly widened on its northern side to allow an additional margin of safety for cyclists between eastbound HGV's and buses using Copnall Way and any HGV's that may be parked in the service layby. Swept path diagrams have been submitted in support of the latest submitted scheme which demonstrates that there would be no encroachment into the contraflow cycle lane other than by service vehicles crossing the cycle lane to use the service layby.

As regards the need to restrict the use of the layby, this can be dealt with through a traffic regulation order (TRO) which would be consistent with other existing service TRO's in the Carfax, as part of the S278/38 road agreement process to construct the service layby.

A second service layby is located within Piries Place which is a privately maintained area and not adopted highway. Park Place is an adopted road and the turn into Piries Place is very tight, especially if other vehicles happened to be parked in this road. Park Place has also suffered surface damage from large service vehicles which has become a regular

maintenance issue for WSCC. The TA states that it is intended that service vehicles of up to 12m would access the Piries Place layby using Park Place, but this type of vehicle is too large and would be unacceptable to WSCC on safety grounds. The swept path analysis clearly shows that 12m vehicles would have some difficulty making this manoeuvre and would rely on the full width of Park Place being available to negotiate the turn which would put pedestrians and cyclists at some risk. In the circumstances, WSCC would only accept Park Place being used by 7.5 tonne box vans, refuse vehicles or by large Transit type vans of maximum 8m in length. This should be more than adequate to service the bars, restaurants, retail and business units at the southern end of the site. Those larger service vehicles would have to use the layby in Copnall Way and service management arrangements co-ordinated with other users. Furthermore, in the interest of pedestrian safety, deliveries from Park Place would have to take place at times avoiding peak pedestrian movement together with the introduction of collapsible bollards and CCTV. In the TA, the applicants propose restricting servicing to between 7am-12pm mid-day which seems reasonable as the proposed uses would most likely generate greater pedestrian activity in the afternoon and evening. However, there would still be some pedestrian movement through Piries Place from the Carfax to Park Place during this period, hence the need to restrict the size of vehicle using this route.

3.10 **Horsham District Cycle Forum (summarised):** Comment

The Forum is pleased to note that the contraflow cycle lane in Copnall Way is to be retained and consider this to be the preferable option. The Forum maintains the need for a designated cycle route through the site from Copnall Way to Park Place.

3.11 **Southern Water:** No Objection

3.12 **Sussex Police:** No Objection

3.13 **Archaeology:** No Objection

3.14 **Access Forum:** Comment

The Forum would very much like to encourage the applicant to consider installing a Changing Places facility as part of this redevelopment. This enhanced accessible toilet would be used by many disabled people and their families who cannot use a regular accessible toilet.

A Changing Places facility, has a height adjustable bench, hoist, toileting facilities and a larger space so that carers can support the disabled person more easily. The Horsham district has an ageing population and also has various schools for disabled children in the near area. Provision of this facility will increase the footfall of the Piries Place area.

PUBLIC CONSULTATIONS

3.15 **Horsham Denne Neighbourhood Council (summarised):** Objection.

HDNC generally approve of the design but raise objection on the following matters:

- The scale, massing and appearance of the hotel building is not sympathetic to the surroundings, including its impact on the skyline. More precise information is required as to how visible the building will be from the War Memorial area in The Carfax.
- No details of signage have been provided. Any signage, including the roof level Everyman sign shown on the visual should not be visible from The Carfax. Wayfinding signage should complement the recently installed HDC signage.
- More information on the twitten entrance proposals is required. The proposed projections and appearance of an illuminated tunnel are totally out of character with the streetscene of The Carfax
- The quantity of public seating is insufficient
- CCTV needs to be installed and monitored to discourage crime and disorder
- Bins must be concealed from view

- Landscaping needs to consider persons with dementia
- Hours of operation need to consider adjacent residents
- Potential of construction disturbance and operational disturbance from deliveries
- There is no mention of weight limits for service vehicles which could damage the road surface on Park Place and Copnall Way
- Contributions should improve The Carfax roadway including removing road humps and creating flat crossing points for persons with mobility issues
- Inadequate cycle parking spaces
- There is no indication of construction worker numbers or how they will park. A condition should secure their off-site parking
- A restriction should be applied to the hours construction vehicles are allowed to access the site
- Confirmation is required that the Piries Place name will remain

3.16 **Horsham Society (summarised)**: Objection.

- No in principle objection however concerned with the overbearing nature of the hotel
- Excessive massing, height, bulk and block form of the hotel will have an adverse effect on the established buildings on Park Street, East Street, North Street, and be clearly visible from the Carfax
- Uncompromising nature of the square hotel block inappropriate for this historic town centre location. The skyline and roofscape needs to be improved and softened either by introducing a mansard or reducing the number of storeys
- The palette of materials should be sourced locally
- The loading bay will conflict with cyclists

3.17 **1** letter of support has been received, stating:

- Since Waitrose moved the area has become rundown and a blot on Horsham. The plans are excellent.

3.18 **2** letters of comment have been received, stating:

- Whilst supporting the plans, concerns over the proximity of the development to remaining business premises and how the works will affect trade and access
- The development must include a Changing Places Public toilet with an Adult Changing bench and overhead ceiling Hoist for those without independent mobility.

3.19 **7** letters of objection have been received from local residents and business owners. The grounds of objection are as follows:

- The development will not attract people to this end of the town until the early evening
- The Carfax is the centre of Horsham Town and this development will push the centre further away and the market town environment will be lost forever
- Blackhorse Way and the Carfax are both unsuitable for large delivery vehicles. The addition of large vehicles trying to navigate through these narrow roads and sharp bends will cause gridlock.
- The majority of occupiers in the development will be drawn from the developer's preferred network of corporate national retail tenants making the offering to Horsham indistinct from many other towns. This will do nothing to protect and enhance Horsham's unique characteristics and historic character
- There should be a commitment to retain a proper balance of existing and new local business together with an appropriate range of national retailers, preferably no less than the number already trading
- Necessity for yet more restaurants, usually chain restaurants with profits being sent out of town and employing agency staff not local people
- Potential loss of established local business (B52s) to the detriment of the vibrant evening economy

- The glass canopy removal should be delayed until the end of the development as it serves customers of B52s.
- The design appears to be a plain box stuck on top of the supermarket, not in keeping with the historic buildings surrounding the development, some of which are listed
- All plant should be moved away from neighbouring properties to avoid nuisance to neighbours
- Plant is proposed near to residential flats approved under application DC/13/0228 and residents will complain about noise, vibration, foul odours etc
- The close proximity of plant may prejudice the redevelopment of the Kings Hotel car park.
- Existing inadequately muffled plant units will impact on the accuracy of the noise surveys
- Access to the shop at 25 Piries Place must be retained at all times. It is unclear whether the resurfacing will cause flooding to 25 Piries Place.
- Access to Piries Bar should be retained at all times during works from both directions to avoid impacting on the business and emergency routes. The demolition of part of the Waitrose building and linking archway to create an open seating area is unnecessary given the volume of seating proposed elsewhere and will impact on access etc during works.
- The brick extension to B52s will reduce light and visibility of Piries Bar in the street.
- The entrance detailing to the twittens is out of keeping with the area
- A large number of licensed premises will likely result in law and order issues

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application is assessed against the relevant policies of the HDPF and the national planning policies contained in the National Planning Policy Framework (NPPF).
- 6.2 The main issues for the Local Planning Authority to consider in the determination of this application for planning permission are the principle of the proposed development in land use terms on the vitality and viability of Horsham Town Centre; the impact on the appearance of Piries Place and the wider area; the impact on the historic character, appearance and setting of the Carfax, Horsham Conservation Area and adjacent listed buildings; the impact of the development on the amenity of neighbouring occupiers; the impact of the development on highway and pedestrian safety; whether appropriate provision can be made for refuse storage/collection; and drainage/flooding.

Principle of Development

- 6.3 The site as existing comprises an open public square surrounded by 25 units most of which are in retail use. Five of these units sit outside of the application site either side of the two twitten entrances from the Carfax. Of the remaining 21 units that fall within the application site, 9 are currently vacant, including the largest retail unit on the site previously occupied

by Waitrose. Office units sit above the retail units at first floor on the south side of the square. General footfall in the square is low, with the majority passing through from Piries Place Car Park to the Carfax.

- 6.4 A Marketing and Viability Study (Crickmay) has been submitted with the application which identifies that the loss of the anchor store within Piries Place (Waitrose) has resulted in significant loss of footfall rendering the remaining retail units less viable, with vacancy rates increasing. Despite marketing of the former Waitrose unit for over a year on flexible terms no occupiers have been found. The Study concludes that without an anchor store the area is not viable.
- 6.5 Horsham Town Centre is identified in the HDPF as being the primary retail centre of the District. Piries Place sits within the identified Town Centre boundary and forms primary retail frontage, with only the six easternmost retail units beneath the oversail section comprising secondary retail frontage.
- 6.6 Policy 12 of the HDPF seeks to secure positive measures to improve Horsham town centre as the primary retail centre, and to promote and encourage activities in town centres so they continue to be the prime focus for community life in the District by (amongst others):
- Maintaining a diverse range and choice of suitable uses including retail, leisure, entertainment, sports and recreation, arts, culture, business and commercial uses as well as residential use.
 - Providing a well designed and maintained attractive public realm.
 - Respecting historic character and good urban design principles.
 - Providing for a convenient, cohesive and concentrated primary area which contains a high proportion of retail (A1) uses where this has reasonable prospects for remaining viable.
 - In the larger centres encouraging variety in the “offer”, which for Horsham town centre has meant the identification of distinct “quarters” that define character and ambiance.
 - Providing for a vibrant and regulated evening economy compatible with adjoining uses.
- 6.7 The Horsham Town Plan SPD identifies Piries Place as falling within an area called ‘The Quarter’. Within the SPD, General Guidance 3 sets out that proposals that will enhance the restaurant offer and night time economy should be concentrated on ‘The Quarter’, and that one or possibly two hotels would be considered favourably in the town centre. The subtext to this guidance sets out that Horsham has ‘a clear deficit’ in hotel provision and that the council is actively promoting the potential of hotels in the town. This deficit of hotel accommodation is confirmed within the Horsham District Hotel & Visitor Accommodation Study 2016. The SPD provides more detailed site specific guidance for ‘The Quarter’ within Site Specific Guidance 2, identifying that this area would benefit from the strengthening of the quality of independent niche and boutique retail, high quality restaurant and night time economy offer, and the strengthening of accessible and legible connections.
- 6.8 Policy 13 of the HDPF provides detailed retail protection policy, identifying that changes from A1 use at ground floor level within the designated primary frontages will be allowed provided that the proposal is of an A2 or A3 use and would result in no more than 30% of the retail frontage length being taken up by non-retail use. The policy allows for alternative uses only if it can be demonstrated by the applicant that the use would contribute to the vitality and viability of the town centre.
- 6.9 The application, as amended, proposes 11 units for flexible A1, A2 or A3 use. Two of these units (units 1 & 9 to the Carfax side of the site) would also permit A4 use, whilst two of the smaller units (units 10 & 11 to the Carfax side of the site would be for A1 or A2 use only). The proposal would therefore have the potential to comprise uses across the square varying from 100% A1 retail to 100% non-retail use. It is understood that the applicants wish this to be a restaurant-led scheme with limited retail use, and the application has been

considered on this basis. Considered as a majority A3 restaurant development, the length of non-retail frontage in the square would sit significantly above the 30% maximum required under Policy 13, and the number of units within Piries Place would significantly reduce, from 19 as existing to 11.

- 6.10 The three existing B1 office suites at first floor level to the southern building comprise 680sqm. Of the three suites, only one above proposed units 10 & 11 to the Carfax side is occupied. The application proposes to retain this suite, and that above proposed unit 5 to the Park Place end, with the central suite to be either B1 office space or additional space for the proposed A1/A3 units 6 & 7 below. Assuming the central suite becomes A1/A3 space, there would be a net reduction of 344sqm of B1 office accommodation across the site. A Marketing and Viability Study (Crickmay) has been submitted which identifies both a lack of interest in letting these units and an oversupply of similar sized vacant units in Horsham Town Centre. Accordingly it is considered that the loss of part of the B1 accommodation can be accepted given this evidence, thereby not conflicting with the requirements of Policy 9 or otherwise harming the availability of office accommodation in the town centre.
- 6.11 The proposed 3-screen cinema is to be set above the A1, A3 and A4 units on the western part of the site, accessed by a glazed foyer at ground floor level. The cinema and restaurant units comprise 'main town centre' uses as defined within the NPPF, and their inclusion within the development accords with the 'town centre first' strategy set out in Policy 13. The introduction of the cinema to this part of the town centre alongside associated and complimentary restaurant uses would serve to provide for a diverse and vibrant evening economy, whilst also providing use during the daytime. This accords with the strategic objectives of Policy 12, which amongst other provisions includes encouraging variety in the Horsham Town Centre 'offer' through the creation of distinct quarters. It also complies with the specific guidance for the area as set out in the Horsham Town Plan SPD.
- 6.12 The proposed 92 room hotel would be set in a new building adjacent to the cinema, with two A1/A3 units at ground floor level turning the corner into Park Place. The provision of a new hotel accords with the general guidance set out in the Horsham Town Plan SPD and HDPF Policy 11 and the accompanying Hotel & Visitor Accommodation Study 2016 (which identifies an immediate potential for an 80-100 bedroom hotel within Horsham Town), and would bring additional footfall to this part of the town centre. The inclusion of commercial uses at ground floor level would further retain and enhance the active frontages through and around Piries Place.
- 6.13 Although the retail offer within Piries Place would appreciably shrink contrary to Policy 13, it is considered that this would be offset by the substantial benefits of the proposal. Taken in their entirety the comprehensive nature of the proposal would serve to significantly remodel, improve and re-invigorate Piries Place creating a new distinct character and ambiance to this currently underperforming 'quarter' of the town centre in accordance with the strategic objectives of Policy 12. Furthermore, the proposals would bring new restaurant uses and a new evening economy identity that would improve the wider overall offer of this quarter of the town centre, as specifically aspired for within the Horsham Town Plan SPD. The proposals are therefore considered in compliance with Policies 11 & 12 of the HDPF and the specific guidance and aspiration for the area as set out within the Horsham Town Plan SPD.
- 6.14 Design and Appearance
The application seeks a mix of demolition, new build elements and the refurbishment and enhancement of existing buildings within Piries Place. The principle demolition works are detailed to be to the former eastern part of the Waitrose retail unit and adjacent smaller retail units, service yard and sub-station along the northern side of the site. The oversail section that provides access from Piries Place car park is also to be removed to create a

more open linkway into the square. Within the square, the existing canopies that project into the square are to be removed and new shopfronts and facades introduced throughout. These works include a new curved frontage to the southern retail units.

- 6.15 The hotel will sit within a new five storey building in the northeast part of the site, with its main entrance from Piries Place. The building is to be completed in a light buff brick with a flat parapet roofline and projecting brickwork detailing. A plant enclosure is detailed at roof level, set a minimum 2.7m from the nearest main elevation and 5.5m from the west elevation facing The Carfax-. This is sufficient to ensure it would not be a dominant rooftop structure in sensitive views. The adjacent former Waitrose building is to be remodelled with a new light and dark brick elevation to Copnall Way and new roofline no higher than the existing, pitched to the west side to respect views from The Carfax. The elevation fronting Piries Place is to be completed in a light buff brick to match the adjacent hotel with bronze coloured shopfronts. The areas of detailing throughout both buildings are also to be bronze coloured bringing continuity throughout.
- 6.16 The buildings to the southern and western sides of Piries Place are to be refurbished broadly as existing, with large bronze coloured shopfronts introduced to match those to the new north buildings.
- 6.17 The design of the buildings and use of materials throughout is considered a significant improvement on the existing presentation of Piries Place. The use of light and dark brickwork complements the brick finishes that predominate in the area, whilst the use of bronze colour detailing to the shopfronts throughout brings a consistency to the square as a whole. In particular the plans detail significant improvements to the Copnall Way elevation, and create a more welcoming and legible entranceway from Piries Place car park. Furthermore the extent of the ground floor shopfront elevations and outside seating will provide for a more open feel with high levels of natural surveillance reducing opportunities for crime or anti-social behaviour. Final details of the materials to be used throughout can be appropriately secured by condition.
- 6.18 Landscaping
The entire surfacing throughout the site is to be lifted, cleaned and re-laid with additional grey paving to add interest. The surfacing is to extend through to Park Place to create a more cohesive public realm. Contemporary lighting columns and wall mounted lighting is proposed, along with public seating, cctv, a replacement tree centrepiece, and the retention of the Piries Donkey statue. New and retained planting is proposed along Copnall Way. In terms of access, the resurfacing will allow for level thresholds throughout, whilst although outside the application site, a new accessible changing area is proposed to be secured within the adjacent car park. Overall the works to the public realm represent a significant improvement on the existing, in accordance with Policies 32 & 33. Final details of the surfacing, lighting, cctv and changing area can be secured by condition.
- 6.19 Impact on Heritage Assets
The application site directly abuts the Horsham Conservation Area, with the twittens and existing unit 19 (B52's) falling within the conservation area. The site is within the setting of Grade II listed buildings and structures, including nos.25, 26, 26a, 27 & 33 Carfax, the Carfax War Memorial, and the Carfax Bandstand. The listed buildings at 25, 26 & 33 Carfax directly abut the twittens within application site.
- 6.20 The Design and Conservation Officer considers the scheme to be of a high quality design overall, but has identified that the scale and bulk of the hotel building would have an impact on the setting of the listed buildings at 25, 26, 26a, 27 Carfax, the War Memorial and the Bandstand in views from the Carfax, as well as the setting of the Horsham Conservation Area. This is owing to the scale of the hotel building appearing above the roofline/top of these structures. This harm is categorised as 'less than substantial' under

paragraph 134 of the NPPF, which advises that such harm should be weighed against the public benefits of the development.

- 6.21 In this instance the development offers a number of significant public benefits including the regeneration of a significantly underperforming, underused and deteriorating area of the town centre, with a high quality and sustainable development including new cinema, restaurant and hotel facilities that would improve the town's offer and economy. Furthermore, the development will improve linkages through the site to Piries Place Car Park and Park Street creating a more vibrant public realm and a greater sense of place to this part of the town centre. The provision of a Changing Places facility also carries weight as a public benefit of the development. These public benefits are considered of significant weight and sufficient to satisfy paragraph 134 of the NPPF.
- 6.22 Whilst paragraph 134 of the NPPF has been satisfied, nevertheless the identification of harm to the setting of listed buildings immediately leads to a presumption against the grant permission under s66 of the Planning (Listed Buildings & Conservation Areas) Act 1990. This presumption can though be outweighed by material considerations of sufficient power. Such considerations in this case include the public benefits identified above, as well as an assessment of the degree of impact which has resulted in the identification of harm.
- 6.23 In this regard, it is noted that the hotel building is set back 54m from the Carfax entrance to the northern twitten, between the listed buildings at 25 & 26 Carfax. Section drawings calculate that the hotel would become visible above the roofline to these listed buildings at approximately 24m further into the Carfax. Within this 24m buffer the scale, form and skyline to the listed buildings would be unimpeded and would continue to be appreciated as existing. Visuals of the development have been provided including two 'worst case' views from in front of the War Memorial within the Carfax. These show the hotel visible above the roofline to the listed buildings at 25, 26 and part 26a Carfax, but to no appreciably greater height than the existing, closer, Waitrose roofline. The use of lighter buff brickwork would help serve to recess the hotel building in longer views.
- 6.24 Furthermore, the number of trees and variety of street furniture within the Carfax is such that clear unobstructed views of the listed buildings and the eastern edge to the conservation area are limited, being in the main around the 24m frontage buffer referred to above. When walking west-to-east through Carfax, either on the inner or outer curve, the hotel would continually creep into and out of view behind trees (both in summer and winter), street furniture, and other buildings/structures. Consequently, whilst causing limited harm, the hotel would not be continually dominant or oppressive in the wider experience of the Carfax or in the closer appreciation of the appearance and setting of the listed buildings and structures.
- 6.25 Overall it is considered that the harm caused to the setting of the listed buildings and conservation area, whilst carrying considerable importance and weight in the planning balance, is sufficiently outweighed by the significant identified benefits of the proposal and the limited manner in which the impact and consequential harm would be experienced from within the Carfax.

Impact on the Amenity of Neighbouring Occupiers

- 6.26 The buildings within and around Piries Place are in the main in commercial/business use throughout. The nearest residential properties are located immediately rear of proposed Unit 5 in the southeast corner of Piries Place. The eight properties are set in a single block fronting Stans Way, a pedestrian route leading from East Street into Piries Place. The proposals include no increase in building height or volume adjacent to these properties, therefore their light and outlook will remain as existing. Concern has been raised by Piries Bar over loss of light to, and visibility of, their premises from the extension proposed rear of

Unit 9 (B52s). Given that the extension is similar in scale to the existing conservatory (albeit solid rather than predominantly glazed as current) and retains a separation to Piries Bar, it is not considered the impact would be so significant as to detrimentally impact on the amenities and viability of this business.

- 6.27 Further residential units are located on Park Place in excess of 50m from the nearest unit within the development, and on the upper floors along East Street approximately 30m from the site. There is also an extant planning permission for the conversion of a building abutting the southwest corner of the site at 25 Piries Place/35 Carfax from hotel use to residential use (DC/13/0228). No residential units directly face into the square, although consideration should be had to potential disturbance to occupiers of the hotel.
- 6.28 Within this context the proposed development would have limited potential to cause undue disturbance to residents. The greatest risk of impact would be from extract and plant located on the rear flat roof to Units 6 - 8 within the southern building, from increased numbers of delivery and servicing vehicles accessing the site from Park Place, and from increased evening footfall and use of outside seating.
- 6.29 A Planning Noise Report has been submitted with the application to address likely impact from plant and use of the commercial units and outside seating areas. The Report has calculated existing background ambient noise levels at two points within the site, one of which is directly adjacent to the residential properties on Stans Way, and taken the lowest readings as the baseline.
- 6.30 In terms of extract and plant, the proposals include provision in two locations, one fronting Copnall Way to the rear of unit 2 at third floor level serving units 1-4, the other to the rear of unit 7 within the existing south building at first floor level serving units 6-10. Units 5 & 9 would retain their existing extract systems. A further area of plant for the cinema is set at second floor level fronting the square, with plant for the hotel at roof level within a centralised compound. No final details of extracts and plant have been provided as this is a matter for each occupier to be covered under separate applications. The Noise Report does not raise concern that any extract systems or plant installed in these locations would result in disturbance that could not be otherwise reasonably attenuated, and this is agreed by Environmental Health officers. With regard the hotel, the Report calculates the minimum glazing specification required for all facades, to sit alongside the provision of mechanical ventilation, to ensure occupiers are not unduly disturbed. This can be secured by condition.
- 6.31 The Noise Report also includes a calculation of likely noise from use of the proposed outside seating areas, identifying the greatest likely impact to be from those associated with units 4 & 5 at the east side of the site adjacent to the properties on Stans Way (Nb it is noted that at the time this Report was written Unit 5 included potential A4 and A5 use). The report identifies that the existing massing of the buildings along the south side of Piries Place will significantly reduce potential noise disturbance to these neighbouring properties from use of the outside seating. However, the report recommends that outside seating to Units 4 & 5 is limited to 22:30 to minimise any potential harm given their proximity. This restriction across all outside seating can be secured by condition, including the seating provided by the terraces.
- 6.32 In terms of hours of operation, the application forms request opening hours for the A3 & A4 units to be 07:00 to 02:00 daily, with the cinema open 08:00 to 01:00 daily. Following discussions Environmental Health officers have agreed that the restaurant establishments should be restricted to 08:00 to 00:00 Monday to Saturday inclusive, and 08:00 to 22:30 Sundays in the interests of protecting neighbouring amenities, with the two A4 units open to 01:00 Mondays to Saturdays beyond these times. This can be satisfactorily secured by condition. The opening hours for the cinema are considered acceptable, and would not bring undue disturbance given the nature of their operation.

- 6.33 Environmental Health officers have raised no objection to the proposals, subject to a condition securing a detailed Construction Environment Management Plan [CEMP] and hours of operation for the A3 and A4 units. The CEMP would include provisions to manage stakeholder consultation and liaison throughout works, details of contractor parking, measures to minimise noise, vibration and dust/dirt amongst others. Hours of construction activity can also be restricted by condition to protect neighbouring businesses and residents. Subject to these conditions the proposals would not unduly disturb the amenities of residents in the local area in accordance with Policy 33 of the HDPF.

Highway Impact, Access, Parking and Servicing

- 6.34 The development proposes no onsite vehicular parking, with parking for 30 bicycles in stands located adjacent to Units 4 & 5. Servicing laybys are detailed along Copnall Way and adjacent to Units 4 & 5 off Park Place. As amended to reflect WSCC Highways and the Horsham District Cycle Forum concerns, the layby along Copnall Way is to retain the cycle lane contraflow so it runs outside the layby, widened to 2m to improve visibility. The application details that access to the Park Place layby is to be bollard-restricted via Park Place and for service vehicles up to 12m in length only. No alterations are proposed to the access or exit arrangements for Piries Place Car Park. A Transport Assessment has been submitted with the application along with a Stage 1 Road Safety Audit.
- 6.35 WSCC Highways have raised no objection in principle to the development, noting that the site is in a very sustainable town centre location easily accessible by foot, bicycle and public transport, and with a number of nearby public car parks. WSCC Highways have identified using trip rate data that the development would generate appreciably less traffic than the current uses onsite (based on full occupancy rather than current occupancy), particularly during the am and pm peak hours. Whilst no onsite parking is proposed, visitors would likely use the 330 capacity Piries Place car park (open 24hrs a day) which has been surveyed as being operating currently under capacity, and would remain under capacity following completion of the development. There is no evidence that the proposed development would generate unacceptable levels of visitor/patron parking demand or associated highway safety issues.
- 6.36 In terms of cycle provision, the widening of the Copnall Way contraflow is necessary to avoid conflicts between service vehicles using the layby and cyclists and is considered a safe arrangement supported by WSCC Highways and the Horsham District Cycle Forum.
- 6.37 Concerns have been expressed as to how servicing, including deliveries and refuse collection, are to be managed. The proposals include a new 15.5m lay-by along Copnall Way accessed via the Carfax with vehicles exiting onto Albion Way. The supporting documentation states that this layby is to be used primarily by the hotel, cinema and units within the northern (former Waitrose) building, with a cumulative 9 deliveries per day anticipated, the longest of which would be 30-40mins. WSCC Highways have raised no objection to this arrangement. Concerns have been raised at the impact of additional large service vehicles on the surfacing and safety of the Carfax, however it is not considered that isolated deliveries by large vehicles up to 14.6m in length would be so frequent, damaging or disruptive on a main thoroughfare as to warrant restriction.
- 6.38 The second layby is set outside the eastern entrance to Piries Place between and beside proposed Units 4 & 5 on an unadopted and privately maintained shared surface roadway. The application proposes that the units within the southern buildings are serviced from this layby, with approximately 10 deliveries per day via vehicles up to 12m in length entering via Park Place and exiting via Copnall Way. To avoid this route becoming a 'rat run', the application proposes that collapsible bollards be installed and servicing restricted to be between 07:00 and 12:00 (midday).

- 6.39 WSCC Highways have raised concern over the proposed use of up to 12m servicing vehicles given the narrow access from Park Place and regular damage that has been occurring to the road surface on Park Place from similarly large vehicles. WSCC Highways are objecting to the use of 12m vehicles on safety grounds given the narrow turn required to enter the site, recommending the use of 7.5 tonne box vans, refuse vehicles or large transit vans no greater than 8m in length. The applicants have confirmed that this is acceptable to them. All matters relating to the servicing of the development from Park Place can be secured within a Service Management Plan by condition prior to first occupation. The Plan would include details of the bollards and servicing plan to avoid vehicles arriving at the same time, and how refuse collections will be managed.
- 6.40 In terms of managing construction traffic, a condition is recommended for a Construction Environment Management Plan. The Transport Assessment identifies that the routing of heavy goods vehicles will be away from the Carfax and deliveries etc restricted to outside of peak hours. These measures would be secured within the CEMP, along with further measures set out in the recommended conditions to ensure adjacent businesses and residents are not unduly impacted during works. Subject to these conditions the scheme complies with Policy 40 of the HDPF and paragraph 32 of the NPPF.

Other Matters:
Access

- 6.41 The plans include improved level access to the units, including new lifts within the cinema and hotel buildings. The applicants, in discussion with HDC accessibility officers, have provided a commitment to upgrade the disabled wc facilities within Piries Place Car Park to provide for a Changing Places fully accessible disabled toilet and changing facility. Horsham does not currently have a fully compliant public Changing Places facility therefore this commitment represents a significant benefit for the town. The commitment is by way of a financial contribution of £60k secured within a s106 agreement for the Council to undertake the necessary alterations and extensions to the wc facilities in Piries Place car park.

Contamination

- 6.42 Environmental Health officers have recommended a condition to ensure potential land contamination that may be uncovered during works is suitably identified and mitigated, to accord with Policy 24 of the HDPF. This can be secured by condition.

Nature Conservation, Ecology and Biodiversity

- 6.43 A Preliminary Ecological Appraisal has been submitted with the application to identify, mitigate and enhance the sites' ecological interest. The Appraisal identifies that buildings at the site have the potential for use by bats, however a survey has found no evidence of roosting. The surveys did though demonstrate that several bat species pass over or through the site, and that three species in particular may roost within close proximity.
- 6.44 The Appraisal recommends that further survey work be carried out if development occurs after March 2017, and that demolition works are carried out either avoiding the bird breeding season or with prior checks carried out by an ecologist. The Appraisal recommends that 10 integrated bat boxes are installed on the site along with fifteen bird boxes, and that planters, street trees and/or green walls are included in the development. These measures can be secured by condition.

Flooding and Drainage

- 6.45 A Flood Risk Statement has been submitted with the application which identifies that the site is located within Flood Zone 1 where there is a low probability of flooding. The

Statement proposes that SuDS will be incorporated into the overall drainage design, with restricted discharge to the main sewer. The WSCC Flood Risk Management officer has raised no objection to this proposal, identifying that it would in principle meet the requirements of the NPPF, PPG and associated guidance documents. The WSCC Flood Risk Management officer has recommended conditions requiring full details of the finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, and the associated maintenance and management of the approved SuDS system be submitted for approval. This will ensure that surface water run-off rates across the development as a whole will be an improvement on existing in accordance with the requirements of the NPPF and to the objectives of Policy 38.

Renewable Energy

- 6.46 A sustainable energy strategy report has been submitted with the application that suitably addresses Policies 35, 36 and 37 of the HDPF. The report identifies that the hotel will include an air source heat pump as part of a series of measures to achieve a 30% reduction in CO2 emissions over Part L of the Building Regulations. A BREEAM Pre-assessment also calculates that the hotel will meet BREEAM 'very good'.

Refuse Collection

- 6.47 The plans detail dedicated bin stores for the hotel and cinema, and shared bin stores for Units 1 & 2 within the northern building. All three stores would be serviced via the Copnall Way layby. As HDC refuse vehicles traverse the Carfax daily, these stores would not result in additional lorry movements in the area.
- 6.48 A further bin store is set adjacent to Unit 5 to serve units 5, 10, 11 and the offices. Collections from this store would be via refuse lorries using Park Place. Units 6, 7 & 8 would likely be serviced via East Street as existing. HDC Waste Services have raised no objection to this arrangement. Final details of all servicing including refuse collection can be secured by condition within a Service Management Plan.

Section 106 Agreement

- 6.49 A section 106 agreement is required for this development to secure the applicants contribution towards providing the Changing Places facility within Piries Place Car Park, to secure a contribution to install a wayfinding sign opposite Piries Place Car Park, and to install the public realm works outside Piries Place Car Park. A separate s278 agreement between the applicants and WSCC is required for the Copnall Way footway, cycle lane and loading bay arrangements.

Conclusions and Planning Balance

- 6.50 The proposed development is considered a high quality design that would serve to re-invigorate Piries Place in accordance with the aspirations of Policy 12 and the Horsham Town Plan SPD. The proposal would though cause some harm to the setting of the Horsham Conservation Area and the setting of Grade II listed buildings including the Carfax War Memorial and Bandstand, albeit in part offset by the significant setback of the hotel element of the development.
- 6.51 It is considered the scheme offers significant benefits that on balance outweigh the harm identified. These include a high quality design that would serve to reinvigorate and regenerate Piries Place with hotel, cinema and restaurant uses in accordance with the requirements and aspirations of HDPF Policies 11 & 12, the Hotel & Visitor Accommodation Study 2016, and the Horsham Town Plan SPD for the area. Such uses and associated activities would significantly improve this deteriorating and underused part of the town centre to the benefit of the wider town centre 'offer' and economy.

Furthermore, the development will improve linkages through the site to Piries Place Car Park and Park Place creating a more vibrant public realm and a greater sense of place to this part of the town centre. The commitment to providing a Changing Places facility also carries weight as a benefit of the development.

- 6.52 For these reasons taken as a whole the proposed development is considered acceptable having regard the relevant policies of the HDPF as detailed above and the provisions within s66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

7. RECOMMENDATIONS

- 7.1 To delegate authority to the Development Manager to grant permission subject to the completion of a S106 agreement, and appropriate conditions:
1. A condition listing the approved drawings
 2. 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. The A3 premises hereby permitted shall not be open for trade or business except between the hours of 08:00 and 00:00 Monday to Saturday inclusive, and 08:00 to 22:30 Sundays. The A4 premises hereby permitted shall not be open for trade or business except between the hours of 08:00 and 01:00 the following day Monday to Saturday inclusive, and 08:00 to 23:30 Sundays. The cinema shall not be open for trade or business except between the hours of 08:00 and 01:00 the following day, daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 4. The outside seating ground floor level as detailed on drawing no. A-00-120 Rev K received on 9 January 2017 shall not be used except between the hours of 08:00 and 22:30 daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 5. The first floor terraces to the cinema and the southern building as detailed on drawing no. A-00-121 Rev I received on 4 November 2016 shall not be used except between the hours of 08:00 and 22:30 daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 6. No servicing of the development hereby permitted shall take place from Park Place except between the hours of 07:00 and 12:00 (noon) daily.
Reason: In the interests of highway safety and to protect the amenities of adjacent occupiers to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).
 7. The development hereby permitted shall be carried out in full accordance with the ecological mitigation measures set out in Chapter 7 of the Preliminary Ecological Appraisal (SLR ref:406.01455.00007 no:1 dated October 2016) received on 4 November 2016.
Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Pre-commencement:

8. No development shall commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should clearly demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented and thereafter maintained in accordance with the approved designs.
Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 & 38 of the Horsham District Planning Framework (2015).
9. 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 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).
10. No development shall commence unless and until full finished level and gradient details of the new Copnall Way service layby and the adjacent buildings (as shown on Glanville drawing no. 8160544/6101revB) have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in full accordance with the approved details.
Reason: As this matter is fundamental to ensure that finished highway gradients are satisfactory and that there is no significant level difference between the highway and service entrances to ensure that the road surface and footway development is properly drained and to comply with Policies 38 & 40 of the Horsham District Planning Framework (2015).
11. 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 targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with 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.
Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).
12. No development, other than works of demolition, shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the new, altered and extended buildings hereby permitted have been submitted to and

approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

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 a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13. No development shall take place, including any works of demolition, until a Construction Environment Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement and Plan shall be strictly adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
- i. An indicative construction and demolition programme
 - ii. Details on how access to existing businesses will be maintained throughout works
 - iii. The arrangements for stakeholder as well as public consultation and liaison during the construction works
 - iv. Details of construction traffic routing
 - v. Locations for the parking of vehicles of site operatives and visitors
 - vi. Location of the site office
 - vii. Locations for the loading, unloading and storage of all plant and materials used throughout the construction of the development
 - viii. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - ix. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - x. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - xi. Locations and details for the provision of wheel washing facilities
 - xii. Details of measures to control the emission of dust and dirt during construction
 - xiii. Details of a scheme for the recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

14. 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 have been submitted to and approved in writing by the Local Planning Authority:
- (a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
- The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.
- (b) An intrusive site investigation scheme, based on (a) 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.
 - (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
 - (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development hereby permitted is to be carried out in accordance with the approved details. Any changes to these components require the express written 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).

15. If contamination, including presence of asbestos containing materials, not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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).

16. No development, other than demolition works above ground level, shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition below ground or development shall take place other than in accordance with the agreed WSI, which shall include:

- the statement of significance and research objectives, and
- the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- the programme for further mitigation, post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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)

Pre-occupation:

17. Prior to its installation, full details of the canopy to the southern twitten entrance from the Carfax shall have been submitted to and approved in writing by the Local Planning Authority. The canopy shall be installed in full accordance with the approved details. No canopy shall be installed to the northern twitten.

Reason: To control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policies 33 & 34 of the Horsham District Planning Framework (2015).

18. Prior to the first occupation of any unit within the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted details shall include:

- i. Details of all hard surfacing materials and layouts
- ii. Details of all planting
- iii. Provision for 10 integrated bat boxes and 15 bird boxes comprising a minimum of 5 integrated Swift boxes and 5 integrated sparrow boxes
- iv. Details of all public seating
- v. Provision for the retention of the Piries Donkey statue
- vi. A detailed lighting scheme for all external areas
- vii. Details of cctv provision

The approved landscape and lighting scheme shall be fully implemented in accordance with the approved details. All planting shall be carried out within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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 Policies 31 & 33 of the Horsham District Planning Framework (2015).

19. Prior to the first occupation of any unit within the development hereby permitted, the refuse and recycling storage facilities indicated on the approved plans shall have been fully implemented and made available for use. These 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).

20. Prior to the first occupation of any unit within the development hereby permitted, the cycle parking facilities shown on the approved plans shall have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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).

21. The hotel shall not be occupied until the glazing and mechanical ventilation measures as set out within the Planning Noise Report (Sandy Brown ref:16292-R02-B dated 12 October 2016) have been fully implemented. The glazing and mechanical ventilation shall be retained at all times thereafter.

Reason: In the interests of the amenities of occupiers of the hotel to accord with Policy 33 of the Horsham District Planning Framework (2015).

22. Prior to first occupation of any unit within the development hereby permitted, a detailed Service Plan for all units within the development shall have been submitted to and approved in writing by the Local Planning Authority. The Service Plan shall include the following details:

- An 8m maximum length of service vehicle servicing the site from Park Place.
- Servicing restricted to between 7am-12pm mid-day from Park Place.
- The installation of collapsible bollards at the boundary of Park Place to prevent service access outside the agreed servicing times.
- The introduction of CCTV to monitor the service access
- A scheme to ensure the efficient and co-ordinated servicing between units

All units shall thereafter operate in strict accordance with the agreed Service Plan.

Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).

23. Prior to first occupation of any unit within the development hereby permitted, a Green Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. All units shall thereafter operate in strict accordance with the agreed Green Travel Plan.

Reason : To encourage sustainable transport modes to accord with Policy 40 of the Horsham District Planning Framework (2015).

24. Prior to first occupation of any unit within the development hereby permitted, the Copnall Way service layby and cycle path diversion shall have been designed, laid out and constructed in full accordance with details that have been submitted and approved by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).

Informatives:

1. The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.
2. The applicant is advised that they will be required to enter into a S38/278 road agreement with WSCC for the construction of the new Copnall Way service layby and fund any necessary associated Traffic Regulation Order.
3. The applicant is advised that this permission does not grant consent for any plant or extract systems required.

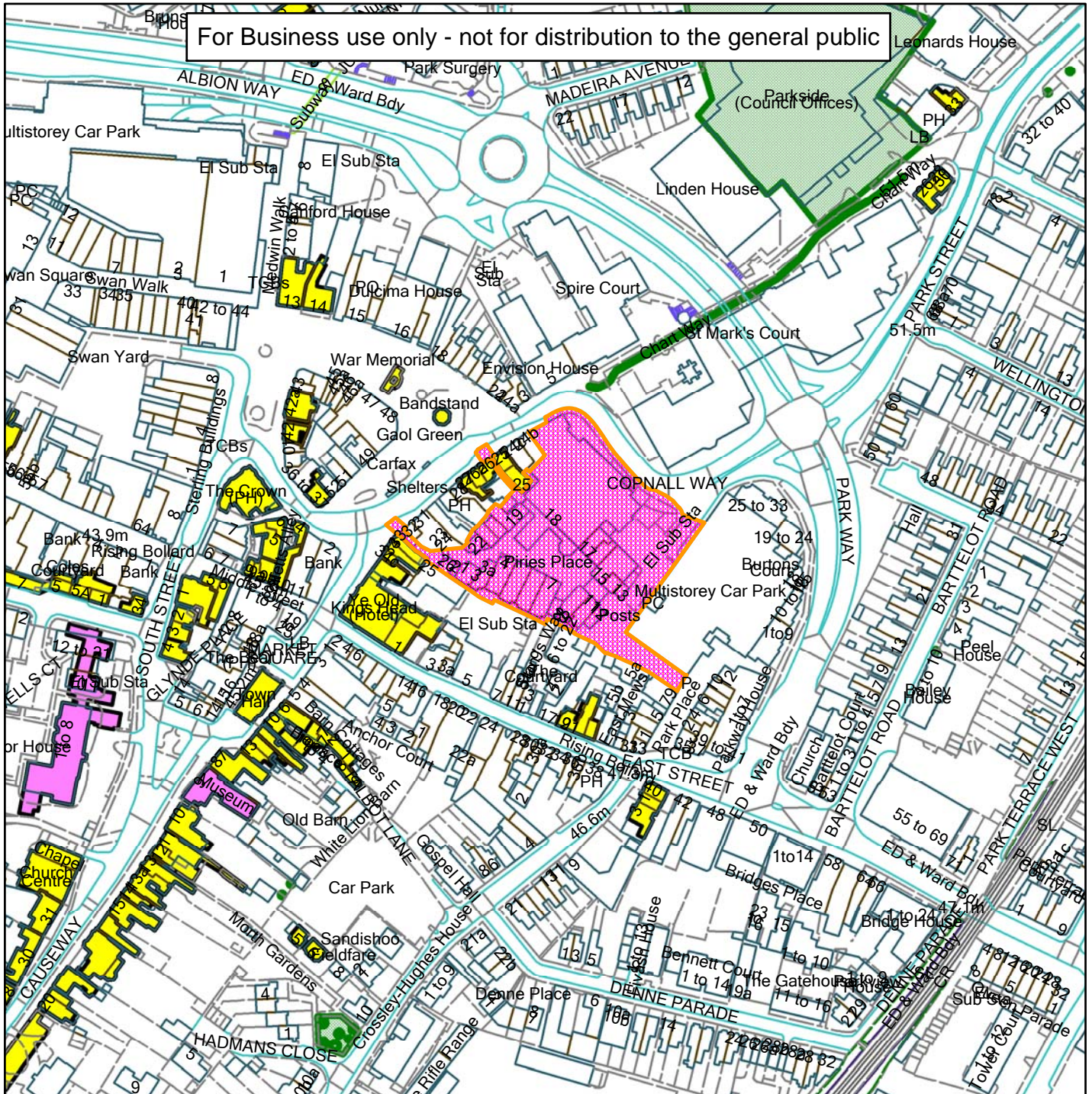
Background Papers: DC/16/2506

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Piries Place

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	26/01/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Development of Broadbridge Heath Sports Facilities including pavilion building, sports pitches and a skate park

SITE: Land South of Broadbridge Heath Leisure Centre Wickhurst Lane
Broadbridge Heath West Sussex

WARD: Broadbridge Heath

APPLICATION: DC/16/2700

APPLICANT: Ms Anna Chew

REASON FOR INCLUSION ON THE AGENDA: More than 8 of letters of representation contrary to Officer's recommendation have been received

RECOMMENDATION: To grant planning permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks permission for the development of 3 sports pitches, a single storey pavilion, a skate park, and associated accesses and landscaping on vacant land directly south of the Broadbridge Heath Leisure Centre. The pavilion would be set centrally close to the northern site boundary, with the three sports pitches aligning adjacent to each other in tandem to the south. The skate park would be set east of the central pitch, adjacent to 5 Multi-Use Games Areas (MUGAs) recently granted planning permission under DC/16/1263.
- 1.2 The plans include works to level the ground and provide an 8m wide tree planted buffer screen along the western site boundary adjacent to the new housing estate. A vehicular access is to be provided from the housing estate serving four parking spaces, with a pedestrian access also proposed from the leisure centre to the north.
- 1.3 The proposal forms part of the wider residential-led development of Land South of Broadbridge Heath (Wickhurst Green) granted planning permission under outline application DC/09/2101. The permission included a requirement within the s106 for a 500sqm pavilion, sports pitches and MUGAs amongst others on this parcel of land. This requirement within the s106 was subsequently amended at 4 October 2016 Planning Committee to require a 455sqm pavilion, a 500sqm skate park, and three sports pitches, as per the current proposal. The MUGAs are to be provided separately by HDC and an application to this effect has recently been granted on an adjacent part of the site under DC/16/1263.

- 1.4 The pavilion and sports pitches have been designed and laid out in close consultation with HDC officers and include two senior pitches and one under-16 pitch. It is the intention that the pavilion and pitches be used by Broadbridge Heath Football Club for their new ground as well as the wider community. An associated application for the infrastructure to enable Broadbridge Heath FC to use the site has been submitted separately under DC/16/2272, which includes additional access points, two stands, floodlighting to the main pitch, and fencing and turnstiles. Until this infrastructure is provided to meet Football Association regulations, Broadbridge Heath FC would not be able to use the site as laid out in this submission.
- 1.5 The pavilion includes four changing rooms, a treatment facility, storage and a community hall amongst others, and the plans detail it is to be completed in red brick and composite boarding, with a low profile hipped metal roof. The pedestrian access has been designed to link to the new leisure centre and 174 space car park recently approved under DC/16/1844. The skate park is to be accessed via the MUGAs and is to be completed in concrete with steel edging.

DESCRIPTION OF THE SITE

- 1.6 The site forms an area of 3.52ha of open space situated to the south of the Broadbridge Heath Leisure Centre and Indoor Bowls Club, within the defined Broadbridge Heath settlement boundary. It is bounded to the east by the slip road from the A24, to the south by the new A281 link road, and to the west by a new housing estate. A line of trees covered by a Tree Preservation Order sits along the northern site boundary. Beyond the leisure centre and bowls club to the north lies the Broadbridge Heath Tesco and car park.
- 1.7 The site has been cleared and levelled using soil spoil from the wider housing development. It sits considerably below the raised level of the junction of the A24 and A281 at the southeast corner, with the embankment running along the southern and part eastern boundary populated by juvenile tree planting. The western boundary includes a small fall in land at the southwest corner to the boundary walls of the adjacent housing. Wire fencing and a shallow ditch runs along the northern boundary of the site, demarcating the site from the Bowls Club and Leisure Centre facilities.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
 NPPF1 - Building a strong, competitive economy
 NPPF4 - Promoting sustainable transport
 NPPF7 - Requiring good design
 NPPF8 - Promoting healthy communities
 NPPF10 - Meeting the challenge of climate change, flooding and coastal change

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 HDPF1 - Strategic Policy: Sustainable Development
 HDPF2 - Strategic Policy: Strategic Development

HDPF6 – Strategic Policy: Broadbridge Heath Quadrant
HDPF24 - Strategic Policy: Environmental Protection
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF31- Green Infrastructure and Biodiversity
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF35 - Strategic Policy: Climate Change
HDPF38 – Strategic Policy: Flooding
HDPF40 - Sustainable Transport
HDPF41 - Parking
HDPF42 - Strategic Policy: Inclusive Communities
HDPF43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

2.4 Broadbridge Heath has not been designated as a Neighbourhood Plan Area

PLANNING HISTORY

DC/09/2101	Erection of 963 residential units, community facility including land for a primary school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works (Outline)	Approved
DC/16/2272	Erection of covered stand for spectator seating and 8no 15m high floodlight columns for use ancillary to football pitches	Pending

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

The proposed tree mix is considered appropriate however semi-mature trees (20-25cm girth min) should be used along the sections of the boundary near the senior pitch. The native thicket planting mix and size proposed is considered appropriate for the native hedgerow. Visuals and general layout plan show a small area around the periphery of the skate park as 'soft landscape' and appears that the ground is slightly raised along these edges. Further detail will be required to better understand how the skate park integrates with its surroundings.

3.3 **HDC Drainage:** No Objection

3.4 **Strategic Planning:** No Objection

The principle of recreational and leisure development has already been established on land alongside the application site, with the granting of planning permission for the new leisure centre building alongside the existing leisure centre at Broadbridge Heath, immediately north of the application site; and the Multi Use Games Area (MUGA) to the east of the

application site. The proposed development complies with the NPPF and the relevant policies in the HDPF.

3.5 **Ecology Consultant:** No Objection

OUTSIDE AGENCIES

3.6 **WSCC Highways:** No Objection

3.7 **Broadbridge Heath Parish Council:** No comments received.

3.8 **WSCC Surface Water Drainage:** No Objection

PUBLIC CONSULTATIONS

3.9 **11 letters of objection** have been received stating:

- It is unclear where the emergency access road is to be built
- The access from Cook Way is unnecessary
- If the western access is for pedestrians it will mean people will park in the residential streets including Cook Way which is very narrow and congested
- Highway safety issues from floodlights and stray balls
- Stands and floodlighting will have a detrimental impact on the area
- Floodlights will cause light pollution
- Floodlights will go against the village character of the area
- Increased traffic and associated noise and disturbance to residents
- Increased parking on residential streets leading to congestion, parking problems and accidents
- Increased traffic will impact on the safety of children
- Existing parking at the leisure centre will not be enough for two 100 capacity stands
- Noise from use of the stadium
- Overshadowing and loss of privacy from the stadium
- Overdevelopment- there is already a stadium in the vicinity and other floodlit sports pitches
- Similar plans were refused for Horsham FC at Hop Oast.

3.10 **6 letters of support** have been received stating:

- The new home for the club has been in the masterplan from consultation stage and is very important for the whole village
- The principle of these facilities was agreed long before the houses in adjoining roads were built
- The new facilities will enable the club to continue and expand the opportunities for local children to take part in sport, keeping them fit, healthy and out of trouble
- Better facilities will improve the players
- Better facilities for supporters
- Provision of a meeting place for local people
- Increased parking at the leisure centre
- Limited light spillage
- Noise from the ground will remain the same as it is only moving a couple of hundred yards and the stands face away from housing [Officer comment: This application only relates to the pitches and pavilion etc and not to floodlighting or stands]

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main planning issues concern the principle of development, its access and impact on parking, trees, drainage, and the amenities of those surrounding the site. Whilst it is acknowledged that the intention is for Broadbridge Heath FC to use the site, as set out in paragraph 1.4 above and in the considerations below, this submission does not include the necessary infrastructure to allow use by Broadbridge Heath FC under Football Association regulations. Such infrastructure is proposed under the accompanying application DC/16/2272 where the impact of use by the football club is considered in full. Consequently this application is considered on the basis that use of the pitches, pavilion and skate park will be by the community only.

Principle of Development:

- 6.2 With the exception of a small area of the southernmost sports pitch, the site of the proposed pavilion, sports pitches and skate park lies within the defined settlement boundary of Broadbridge Heath and forms part of the wider development site around Wickhurst Green which was granted permission in 2009 for 963 residential units and community uses/facilities including formal and informal open space, and youth and recreational facilities (DC/09/2101). That application secured this space and that surrounding it for the provision of a new leisure centre and sports pitches.
- 6.3 The Open Space and Structural Landscape Plan attached to the S106 Agreement included the pavilion, pitches and MUGAs in a different arrangement on the site to that now proposed. The layout now proposed is more orderly to that previously indicated and retains the quantum of facilities required of the wider development. It is therefore accepted in principle that the proposal complies with the overall aims of the 2009 outline permission and the aims and objectives of the Council for the provision of recreational facilities in Broadbridge Heath/Wickhurst Green overall.

Design, Appearance, Landscaping and Drainage

- 6.4 The application proposes a simple rectangular pavilion building completed in brick and dark boarding, with a low profile hipped metal roof. The position and scale of the building is considered appropriate within the otherwise open context of the site, and final details of materials are secured by condition.
- 6.5 In terms of landscaping, the majority of the site would be laid to grass, with an 8m wide landscape buffer along the western site boundary adjacent to the new housing. This buffer is detailed to be formed of a mix of trees and native thicket planting, with the trees to be planted at 4-5m heights. This level of planting is considered acceptable by the Landscape Architect subject to larger trees being planted towards the north end of the buffer, and is

conditioned to be planted prior to first use of the pitches in order to both acceptably present the site as well as protect the amenities of the adjacent residents.

- 6.6 The existing TPO trees along the northern site boundary are to be retained, to be protected throughout construction works by condition. A new access drive with parking is to be constructed around the northwest corner of the site to the pavilion, with a new pedestrian and cycle access to be constructed close to the northern boundary to connect to an access point/path beside the Indoor Bowls Club building and adjacent MUGAs. Neither of these paths would harm the appearance of the site or the adjacent protected trees.
- 6.7 The application proposes a SuDS strategy that follows that approved for the wider development, with surface water from the pavilion to link into the wider SuDS network. This is to the satisfaction of the Council's Drainage Engineer.

- 6.8 The proposal is therefore considered to accord with Policies 31, 32, 33 & 38 of the HDPF.

Access and Parking:

- 6.9 The site would be located close to a range of existing and proposed leisure facilities directly north of the site, and within walking distance of the majority of residents in Broadbridge Heath/Wickhurst Green as well as within walking distance of a bus service. On that basis the facilities are considered to be sustainably located.
- 6.10 The application proposes a vehicular access for emergency services vehicles, disabled vehicles and service vehicles on the western boundary leading to four parking bays and the pavilion along the northern boundary. A pedestrian link is proposed to the north into the leisure centre site where there is suitable parking provision at the leisure centre and indoor bowls club with Tesco parking beyond. The approved leisure centre scheme proposes 174 spaces directly adjacent to the site which would form the primary area for users to park once completed.
- 6.11 Residents of the neighbouring development have raised concerns over users of the pitches and supporters of Broadbridge Heath FC either accessing the site from the western entrance or parking in the narrow residential streets. Whilst it would not be reasonable to restrict pedestrian or cycle access from this entrance (as the pavilion, pitches and skate park are intended to serve the adjacent communities), it is considered expedient to condition that vehicular access be for disabled, service and emergency vehicles only. This, along with a strategy to prioritise user access from the north, will minimise vehicles wishing to drive directly into the site along narrow residential streets. The volumes of deliveries likely to take place to serve the pavilion are not considered so frequent or intense as to cause appreciable harm, and by their nature would enter the site rather than park outside the site in the adjacent residential streets.
- 6.12 In terms of access by supporters, as set out in paragraph 1.4 above, this application is for the pitch layout and pavilion building only, facilities that in themselves would not be compliant with Football Association regulations to allow Broadbridge Heath FC to use the site. The necessary Football Association compliant infrastructure is considered separately under the accompanying application DC/16/2272 and it is under this application that supporter access is addressed. Considered on the basis that users of the pitches, pavilion and skate park would be from the community only, it is not considered that access demand would be of a scale or intensity that could not be appropriately catered for by the access arrangements proposed.

Neighbour Impact

- 6.13 As open air facilities with no floodlighting proposed under this submission, the everyday use of the pitches and skate park by the community will be naturally restricted by daylight hours and as such would not unduly disturb the amenities of nearby residents, subject to the 8m planting buffer being installed prior to first use of the pitches. The pavilion includes a community hall and bar facility that would lend itself appropriate for some late night use. In the interests of protecting nearby amenities, it is considered expedient to apply conditions restricting its use until 11pm Sunday to Thursday and midnight Fridays and Saturdays, with no external music at any time.
- 6.14 In terms of concerns raised over noise and disturbance from use by Broadbridge Heath FC, this is covered under the accompanying application DC/16/2272 given that this application would not enable the football club to operate in itself. Consequently this application is determined on the basis the site is used by the community only, whereby the nature and intensity of use would not be so significant and to conflict with Policy 33 of the HDPF.

7. RECOMMENDATIONS

- 7.1 To grant permission subject to appropriate conditions:
1. A condition listing the approved drawings
 2. 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. No development above ground floor slab level of the pavilion hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roof been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.
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 a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 4. The pavilion, sports pitches and skate park hereby permitted shall not be occupied or brought into use until the access footpaths and roads have been implemented in accordance with surfacing details that shall have been submitted to and approved in writing by the Local Planning Authority.
Reason: To secure satisfactory standards of access for the proposed development in accordance with the NPPF and Policy 40 of the Horsham District Planning Framework (2015).
 5. The skate park hereby permitted shall not be brought into use until full details of the associated hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. The skate park shall be installed in full accordance with the approved details and shall be retained as such thereafter.
Reason: To secure satisfactory standards of access for the proposed development in accordance with the NPPF and Policy 40 of the Horsham District Planning Framework (2015).
 6. The pavilion and sports pitches hereby permitted shall not be occupied or brought into use until the measures to ensure that the northern access point forms the primary point of access for the development as detailed within the Transport Statement

(no.11012876-001, dated January 2017) have been fully implemented. . The approved measures shall be implemented in full prior to the facilities hereby permitted being brought into use and shall be retained at all times.

Reason: To secure satisfactory standards of access for the proposed development and to protect the amenities of local residents in accordance with the NPPF and Policies 33 and 40 of the Horsham District Planning Framework (2015).

7. The planting buffer along the western site boundary as detailed on drawing no. PL-200 received on 25 November 2016 shall be fully planted prior to first use of the sports pitches in accordance with a planting schedule that shall have been submitted to and approved in writing by the Local Planning Authority. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

8. No development shall commence, including 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 along the northern boundary both within the site as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with 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.

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

9. No lighting fitment shall be installed or at any time operated on the site from which the source of light is directly visible from the public highway.

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

10. The pavilion hereby permitted shall not be used except between the hours of 07:00 to 23.00 Sunday-Thursday, and 07.00 to 00.00 Friday and Saturday.

Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

11. No external amplified music shall be played at any time within the site.

Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

12. The western site access shall provide access for pedestrians, bicycles and disabled, referee officials, service and emergency vehicles only, and no other vehicular traffic.

Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

13. All works, including site clearance and preparation, are to take place in accordance with Section 4.2 of the *Ecological Appraisal Report* by Aecom, dated December 2016, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To provide ecological protection and enhancement in accordance with the NPPF and Policy 31 of the Horsham District Planning Framework (2015).

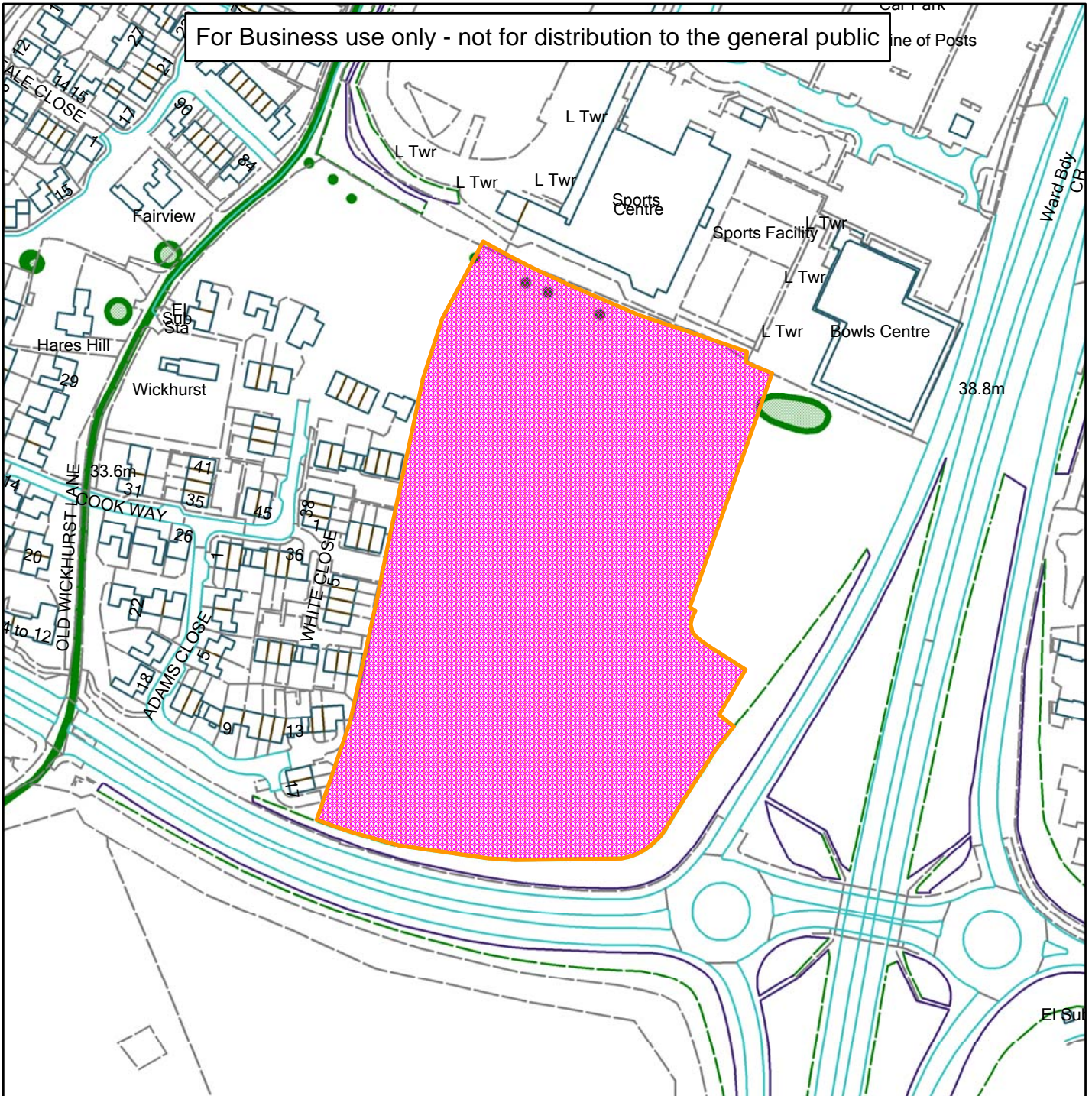
Background Papers: DC/16/2700 & DC/16/2272

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Land South of Broadbridge Heath Leisure Centre

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Date	26/01/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Erection of covered stand for spectator seating and 8no 15m high floodlight columns for use ancillary to football pitches

SITE: Broadbridge Heath Sports Centre Wickhurst Lane Broadbridge Heath Horsham

WARD: Broadbridge Heath

APPLICATION: DC/16/2272

APPLICANT: Horsham District Council

REASON FOR INCLUSION ON THE AGENDA: Horsham District Council is the Applicant and more than 8 No. letters of representation contrary to the Officer recommendation have been received

RECOMMENDATION: To grant planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is being sought under a separate application for three sports pitches and an associated pavilion (reference DC/16/2700) required within the s106 attached to the wider residential-led development of Land South of Broadbridge Heath/Wickhurst Green (DC/09/2101). This application is solely for the erection of 8 floodlights and two spectator stands adjacent to the principal sports pitch adjacent to the pavilion building on the northern part of the site. These facilities being infrastructure necessary to meet Football Association requirements to enable occupancy by Broadbridge Heath FC.
- 1.2 The northernmost of the three sports pitches would lie between 28m and 32m from the westernmost boundary with the adjacent newly completed and mostly occupied housing. It would be set back between 15m and 24m from the northernmost boundary and would be orientated broadly in an east-west direction. Eight floodlights are proposed – 4 placed each side along the length of the pitch just outside the spectator rail: one in each corner and two spaced evenly between. Each of the southern floodlights would be 15m in height comprising a galvanised steel column with two x 2kw Philips 'Optivision' low glare floodlights facing onto the main pitch (the northernmost pitch) and a single light facing south towards the adjacent pitch. Each of the 4 floodlights placed along the northern length of the pitch would also be 15m in height and have two lights facing onto the main pitch.

- 1.3 The submitted plans indicate that the floodlights would provide lighting to the whole of the main pitch and to approximately 2/3's of the second (middle) pitch, with the level of luminance declining towards the southernmost boundary of the second pitch. There will be some limited light spillage beyond the boundaries of the pitch but this reduces to virtually zero beyond the line of the proposed boundary planting.
- 1.4 The two proposed stands are required to meet the Football Association Ground Regulation requirements. These are to house 100 people seated and 100 people standing. The 100 seats are produced by two smaller units being joined (total of 13.23m wide and approximately 3.0m deep) whilst the 100 standing will be accommodated in a single larger unit (9.85m long and 3.0m deep). The Stands are prefabricated and are bolted down onto concrete bases. The stands will be located with the standing stand at the westernmost end of the pitch, i.e. with its back facing the adjacent residential area, whilst the seating stand will be located midway along the southern length of the pitch. The stands would comprise light grey cladding and blue seats.
- 1.5 Further ancillary works involving a 1.83m high perimeter fencing to the ground, a spectator rail to the pitch, and a turnstile adjacent to the pavilion are proposed however these do not require planning permission given their limited height. Additional footpaths are proposed around the pavilion building to link the pavilion and pitches directly to the new leisure centre and its car park granted planning permission under DC/16/1844, once completed.
- 1.6 Until such time as the new leisure centre and car park is are completed, pedestrian access would remain as per the layout proposed under DC/16/2700, with the main access via the northern boundary further to the east. The western access from the adjacent residential area would be for service, emergency and disabled vehicles only. Spectators are to park in the Leisure Centre car park using the northern access points as their primary point of access to the site.

DESCRIPTION OF THE SITE

- 1.7 The site forms part of a green open space lying to the south of the existing Leisure Centre and Bowls Centre to the south of the Tesco superstore in Broadbridge Heath and to the west of the A24. The site is level with a raised boundary with the public highway to the south and along part of the boundary with the highway to the east. Housing lies to the east forming part of the wider redevelopment of this wider area.
- 1.8 Outline Planning permission was granted by application reference DC/09/2101 for the redevelopment of the wider area for housing and village facilities and that application identified this area as being the location for sports pitches with a pavilion, skate park, and land for a leisure centre extension. It also identified the use of this land to provide facilities for Broadbridge Heath Football Club. The leisure centre extension is no longer planned, permission having been granted recently for a new leisure centre and 174 bay car park on land to the north of this site under DC/16/1844.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF)

Section 1 Building a strong competitive economy
Section 7 Requiring Good Design
Section 8 Promoting Healthy Communities

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework
Policy 1 Strategic Policy: Sustainable Development
Policy 2 Strategic Policy: Strategic Development
Policy 3 Strategic Policy: Development Hierarchy
Policy 24 Strategic Policy: Environmental Protection
Policy 32 Strategic Policy: Quality of New Development
Policy 33 Development Principles
Policy 43 Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Broadbridge Heath has not been designated as a Neighbourhood Plan Area

PLANNING HISTORY

DC/09/2101	Erection of 963 residential units, community facility including land for a primary school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangements, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works (Outline)	Approved
DC/16/2700	Development of Broadbridge Heath Sports Facilities including pavilion building, sports pitches and a skate park	Pending

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 **Community and Culture:** Support
Through limited floodlight use and covered spectator areas for 200 spectators the club can maintain their existing competitive status when they locate to the new recreation ground. This will also help them to maintain and develop their cradle-to-grave football offer for Broadbridge Heath residents that currently begins with under 7's and runs right through to veterans.
- 3.2 **Environmental Health Officer:** No Objection
The predicted light spillage is sufficient to mitigate light pollution and light trespass to any neighbouring residential dwellings for use outside of daylight hours. Given proposed scheme for floodlighting this Department have no objections to make regarding this application.

Although this level of football attracts small crowds, noise from bursts of crowd cheering and chanting can have an impact on neighbouring residents.

In the absence of any recognised guidelines specific to the assessment of the impact on residents of noise from sports stadia, it is necessary to consider the ways in which effects of noise can be reduced to an acceptable level. Generally there is little that can be done to

control vocal noise from crowds. In order to reduce the spectator noise impact planning conditions are recommended to prevent spectators from taking air horns, drums, trumpets, etc. into the stadium.

No mention has been made to noise from public address (PA) systems or crowd noise and if such a system is to be installed reference should be made to the relevant British Standard and if a public address system is to be installed it is recommended that prior to the commencement of the development, details of a scheme to protect neighbouring residential properties from noise from the proposed activities shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved details shall be implemented in full prior to the development being operated and shall thereafter be permanently maintained in full accordance with the approved details.

3.3 **HDC Access Forum**: Comment

In the design and access statement there is reference to disabled access.

The applicant should ensure that there is easy access through the turnstiles for wheelchair users, and also that the new stand meets the requirements for accessibility.

EXTERNAL CONSULTATIONS:

3.4 **Archaeology**: No Objection

3.5 **Sussex Police**: Comment

Concerns expressed regarding the ability of the parking to cope with both football spectators and the visitors to the leisure centre.

3.6 **Sport England**: No Objection

3.7 **WSCC Highways**: No Objection

No changes to existing vehicle access/ parking are proposed. The floodlights will not encroach or face on to the public highway and are contained wholly within the site. No highways comments/ concerns.

PUBLIC CONSULTATIONS

3.8 **Broadbridge Heath Parish Council**: No comments received

3.9 **20 letters** of objection have been received raising the following issues:

- adverse impact upon residential amenities resulting from noise, poor crowd behaviour, additional traffic in the area, light spillage
- some new residents were not aware that this land would be for a football club – rather were told they would be surrounded by green space
- overshadowing of residents houses/gardens by the nearest stand
- loss of outlook resulting from stands
- late night noise
- lack of clarity about boundary hedging and fencing as promised by Countryside
- loss of security to nearest residents by people using the pitches
- harm to nearby bat colony
- the fencing off of the pitch would reduce the freedom of movement and use for local residents
- the club should stay where they are
- this is too close to housing
- the Council's handling of this has not been transparent – why wait until people move in to propose these works

- adverse impact upon local property prices
- light intrusion will prevent local residents from sleeping

3.10 **34 letters** of support, including from the Broadbridge Heath Joint User Group (BJUG), have been received and raise the following summarised points:

- plans for this site have been public for many years so those moving into the surrounding area should not be surprised by this application. This has been available to new residents of the area.
- Broadbridge Heath Football Club provide a valuable resource for the local community and this scheme should be supported to enable their continuation
- this is one of the largest clubs in the District and the club have been looking for a permanent ground since 1919 – this is the last chance within the District to make this a reality
- this would provide a vital social hub in the village – available to the wider village when not in use by the football club
- the crowds are generally less than 50 for a match – the FA regulations require such a large amount of seating.
- there is little noise created by one of the clubs games
- such an opportunity would be beneficial for the health of local children
- the existing floodlights have virtually no light spillage so similar would be expected in the new facility
- it would be a huge benefit for the club to have all its games/training etc played in one location – would aid the club spirit.
- parking has been well planned and there should be no adverse impact upon the local area
- the Council should honour their obligation to provide these facilities

3.11 Letter from Countryside Properties drawing attention to the fact that the application should ensure that the amenities of nearby residents are not affected and that the residents are fully consulted.

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

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

6.1 The main issues are the principle of development, the impact of the floodlights and stands on neighbouring amenities and the adjacent highway, and the impact of use by Broadbridge Heath FC in terms of spectator noise, disturbance and parking pressure. The application includes fencing and turnstiles around the northernmost pitch which do not require planning permission given their height and coverage. Additional pathways are proposed around the pavilion and to the stands which are not considered harmful given their limited site coverage.

Principle of Development:

- 6.2 The use of this land has been established by the original outline application (DC/09/2101) for the wider development of the area, with the s106 agreement securing the provision of three sports pitches and a pavilion for use by Broadbridge Heath Football Club as well as for the wider community, and a skate park. The precise layout and appearance of these elements is addressed separately under application DC/16/2700, therefore this application is based on these pitches and the pavilion having been granted permission. It should be noted that the provision of the pavilion and pitches alone under DC/16/2700 would not enable occupancy by Broadbridge Heath FC as wider infrastructure is required to meet Football Association regulations.
- 6.3 This application therefore deals only with the infrastructure necessary to enable occupancy by Broadbridge Heath FC, namely the installation of floodlights and two 100 capacity stands. As occupancy by Broadbridge Heath FC (both its senior and junior teams) would intensify the use of the land, consideration is to be had to how spectators would access the site without causing undue disturbance to adjacent residents by way of noise and parking pressure. These matters are addressed below.

Parking and Highways Impacts:

- 6.5 Although ostensibly for stands and floodlights only, these additions would enable Broadbridge Heath FC to play their games on this site, thereby bringing increased footfall and associated traffic and parking demand than would otherwise be the case for formalised playing fields.
- 6.6 In this respect it is noted that Broadbridge Heath FC currently play their matches on the adjacent athletics ground to the north, therefore it is not envisaged that supporters would increase traffic or parking pressure beyond current levels provided such activity remains to the north of the site. It is anticipated that users of the facilities will be local to the area and that a large proportion will not use cars to attend the site, but that those who do drive will use the nearby car parks to the north of the site as current. Moving forward it is noted that the planning permission for the new leisure centre includes a new 174 bay car park in close proximity to the pavilion thereby increasing parking capacity for the site. The submitted plans detail a clear direct access link between the pavilion and this new car park, thereby ensuring that users of the facilities and supporters use this direct northern access point rather than the more difficult to reach western access point. Accordingly it is not anticipated that the proposed use by Broadbridge Heath FC enabled by the provision of the stands and floodlights would generate more parking need than the adjacent car parks could accommodate or any wider traffic implications.
- 6.7 Concern has been expressed by local residents about access to the pavilion and pitches being from the western access point from the adjacent residential area, which could bring associated parking problems, noise and disturbance. This western access point is provided under the accompanying application DC/16/2700 and is conditioned to be for service, emergency and disabled vehicles only, with a scheme of measures to encourage visitors/users to use the northern pedestrian access point only. Given that direct links are proposed to the new leisure centre car park, with a further pedestrian link to the east maintained at all times, it is not considered that such problems would be likely or of significant harm as a result of these proposals, in compliance with Policy 40 of the HDPF.

Neighbours Amenities:

- 6.8 In this case the potential impacts of the development would clearly be on the residential development newly completed along the western site boundary. Whilst impacts from the intensification of use of the playing fields have been addressed above, there remains

potential impact from light nuisance and noise from the stands during matches. It is not considered that the size of the lights or the stands would result in loss of light or outlook to nearby residents given their modest size and separation.

- 6.9 In respect of the proposed floodlights, the submitted light distribution plans demonstrate that there would be very little light spillage beyond the boundary of the sports pitches site towards the adjacent residential area. At a height of 15m the lighting columns will be visible to houses in the adjacent residential area however, it is not considered that the lighting columns would be unduly intrusive or harmful to the amenities of residents. At the closest point the floodlights would lie 32m from the nearest house and garden – however these lights would be pointing at the pitch and therefore away from the houses shielded to direct the glare down onto the pitch.
- 6.10 Whilst the main pitch would be surrounded by lighting columns the second pitch would only have four lights facing onto the northernmost part of the pitch. The impact upon houses closer to the two southernmost pitches is therefore considered not to be significant. It is proposed that the lights would operate until 22.30pm. It is considered that this would be acceptable in terms of potential impact upon adjacent residents and can be appropriately conditioned.
- 6.11 Of the two stands proposed, the stand closest to the adjacent housing would face onto the pitch with its rear wall set parallel to the site boundary at a separation of 25m from the boundary and approximately 45m from the nearest facing primary windows. This stand would be the smallest – being 9.86m's wide with a height of just over 3m's, with its orientation focusing noise away from the adjacent housing. Access to this stand would be via the main gate adjacent to the pavilion, thereby ensuring users are directed to and from the car parks to the north. The second stand would be midway along the southern touchline facing north towards the pavilion and leisure centre with the same access/exit arrangements. Again this orientation would direct potential noise away from residents.
- 6.12 Concern has been expressed by some local residents about noise disturbance from spectators attending the football matches, their language and the general impact upon the adjacent residential amenities. The size of the stands (100 capacity each, 200 capacity total) and the infrequent number of matches per season that would generate an appreciable crowd (circa 25 matches per season, with average spectator numbers currently under 100), is such that it is not considered that potential noise disturbance would be so significant, prolonged or unneighbourly as to warrant the imposition of further specific conditions or to warrant the refusal of permission. As set out above, crowds would in the main access and leave the ground from the north thereby maintaining a suitable separation from the residential area before, during and after matches. Furthermore, the scheme for the pavilion and pitches under DC/16/2700 includes an 8m wide landscape buffer strip along the western site boundary with the adjacent housing. This would not provide immediate height and cover for the stands and pitches but would in time provide a well landscaped barrier between the pitches, floodlights, stands and the adjacent housing, reducing the impact of these facilities further.
- 6.13 For these reasons the proposed installation of stands and floodlighting would not have a significant impact on the amenities of adjacent residents, in compliance with Policy 33 of the HDPF.

Other Matters:

- 6.14 The applicants have confirmed that the turnstiles will enable access by disabled persons, and that both stands include a cut out space for wheelchair users.

CONCLUSION

- 6.15 The principle of the use of the site and playing fields and the use of these by Broadbridge Heath FC has been established by the original outline permission for the wider area. The impact of the two modest sized stands and the 8 floodlights, enabling the intensification of use of the site by Broadbridge Heath FC, would not add significantly to the parking or traffic pressure and would not result in significant noise or visual impact on the amenities of local residents such as to make the scheme unacceptable, in accordance with development plan policies.

7. RECOMMENDATIONS

- 7.1 Grant permission subject to appropriate conditions.

1. A condition listing the approved drawings
2. 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. The stands hereby permitted shall not be occupied or brought into use until the relevant footpaths, turnstiles, fencing and access points have been implemented in accordance with surfacing details that shall have been submitted to and approved in writing by the Local Planning Authority.
Reason: To secure satisfactory standards of access for the proposed development and to protect the amenities of adjacent residents in accordance with the NPPF and Policies 33 and 40 of the Horsham District Planning Framework (2015).
4. The use of the site by Broadbridge Heath Football Club for matches shall not commence until a scheme of measures to ensure that the northern access point forms the primary point of access for supporters has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented prior to the first use of the site by Broadbridge Heath Football Club for matches and shall thereafter be permanently adhered to.
Reason: To secure satisfactory standards of access for the proposed development and to protect the amenities of local residents in accordance with the NPPF and Policies 33 and 40 of the Horsham District Planning Framework (2015)..
5. Pedestrian access from the northern site boundary to the adjacent car parks to the north shall be maintained and open at all times.
Reason: To secure satisfactory standards of access for the proposed development and to protect the amenities of adjacent residents in accordance with the NPPF and Policy 40 of the Horsham District Planning Framework (2015)..
6. The floodlights hereby permitted shall not be used except between the hours of 08:00 to 22.30 daily.
Reason: To protect the amenities of local residents in accordance with the provision of Policy 33 of the Horsham District Planning Framework (2015).
7. Prior to their installation, full details of any public address system shall have been submitted to and approved in writing by the Local Planning Authority. The public address system shall be installed in full accordance with the approved details and shall be maintained as such thereafter.
Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

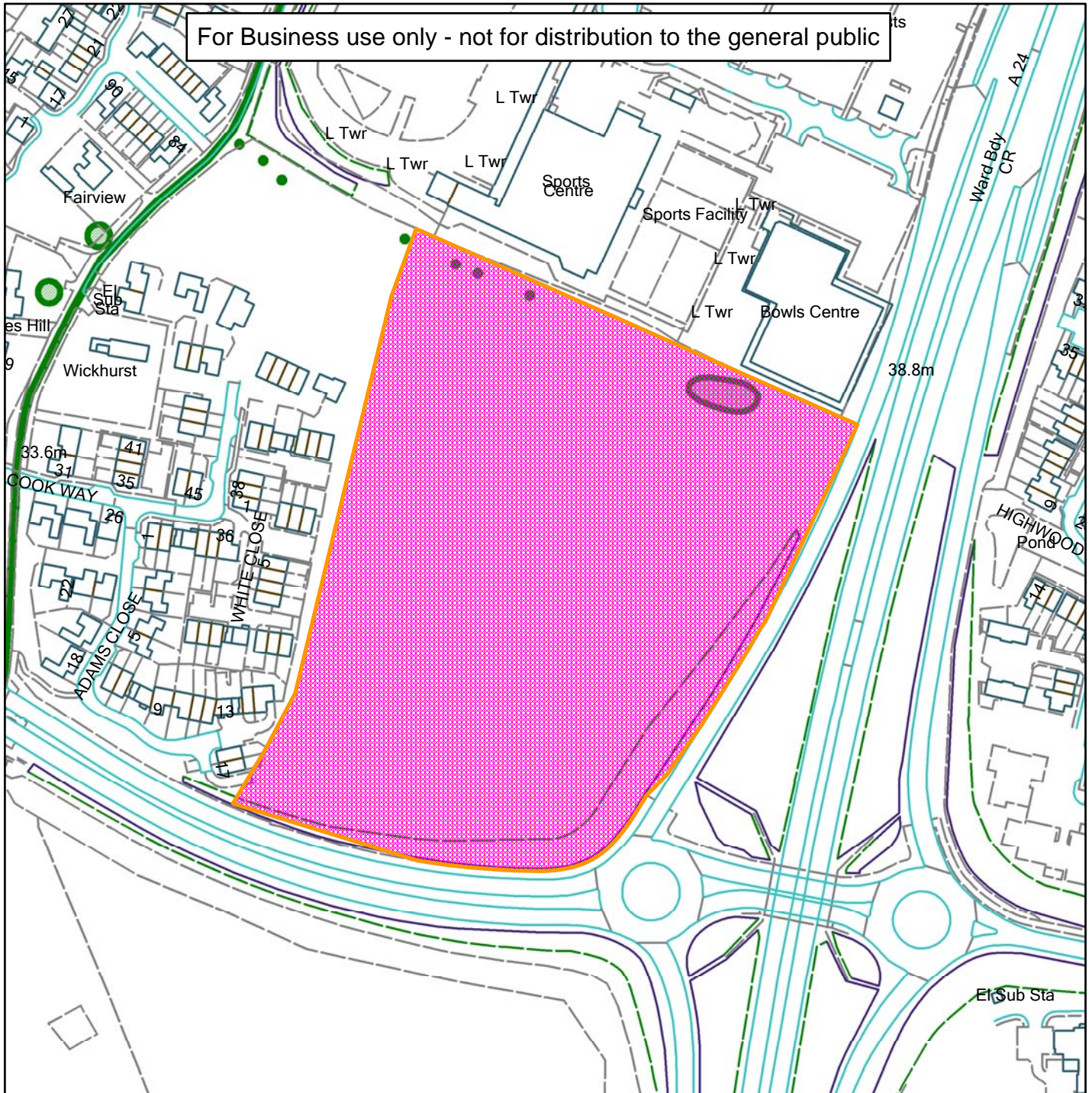
8. Other than in the half hour immediately preceding the kick-off of Broadbridge Heath FC first team matches and during the half-time interval of said first team matches only, no external amplified music shall be played at any time.
Reason: To protect the amenities of local residents in accordance with the provisions of Policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2272 & DC/16/2700



Broadbridge Heath Sports Centre

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Scale: 1:2,500

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 7 February 2017
DEVELOPMENT: Conversion of buildings into a dwellinghouse
SITE: Barn at Maple Hill Newells Lane Lower Beeding West Sussex
WARD: Nuthurst
APPLICATION: DC/16/2173
APPLICANT: Mr Toby Schumacher

REASON FOR INCLUSION ON THE AGENDA: At the discretion of the Development Manager

RECOMMENDATION: Refuse planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission to convert an existing hay barn and stable block to a 2-bedroom dwelling. The proposal would retain the existing footprint of the building, with a number of external alterations caused by the addition of fenestration. A pair of double doors are proposed to the eastern elevation with the addition of a window to the proposed bathroom; 2 x stable door openings are proposed to the southern elevation; the fenestration to the western elevation would be updated, with an enlarged window to centrally; with the addition of a stable door window to the northern elevation, and 2 x windows serving bedroom 2.

1.3 It is proposed to incorporate the adjoining field to the east as part of the residential curtilage, with the existing post and rail fencing and hardstanding retained.

DESCRIPTION OF THE SITE

1.4 The application site consists of a barn and stable block positioned to the east of Newells Lane, outside of the designated built-up area of Lower Beeding. The site falls under the same ownership of the converted live/work unit that is positioned to the south of the site.

1.5 The site benefits from access to Newells Lane through an access gate to the north-west of the site, with access also provided to the south, adjoining the access/hardstanding of the neighbouring property.

- 1.6 An open field, separated by post and rail fencing is positioned to the east of the barn and stables, with the boundary separated by mature hedging and shrubbery along the norther, southern and western boundaries.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework:**

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF11 - Conserving and enhancing the natural environment

NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

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

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF4 - Strategic Policy: Settlement Expansion

HDPF10 - Rural Economic Development

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.4 **Neighbourhood Plan**

Lower Beeding Neighbourhood Development Plan Area

- Designated (Regulation 7) 30 December 2015

PLANNING HISTORY

- 2.5 No relevant planning history

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Public Health And Licensing (Env. Health)**, consulted on the 30 September 2016. There was no response from this consultee at the time of report preparation.

OUTSIDE AGENCIES

- 3.3 **County Council - Highways**, consulted on the 30 September 2016. Their comments can be summarised as follows: No Objections, subject to relevant conditions.
- 3.4 **Southern Water**, consulted on the 30 September 2016. Their comments can be summarised as follows: No public foul sewer in the area, applicant is advised to examine alternative means of foul sewage disposal.

PUBLIC CONSULTATIONS

- 3.5 **Parish Council Consultation**, consulted on the 30 September 2016. The response can be summarised as follows: Objection as the information provided is not considered to justify a need for the dwelling.
- 3.6 Seven letters of support were received from six individual households, and these can be summarised as follows:
- Enhance the appearance of the lane and surrounding area
 - Good use of a derelict building
 - Benefit local housing shortage
 - Other uses not considered acceptable within the rural area

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission to convert the existing bay and adjoining stable block into a 2-bedroom dwelling.

Principle of Development

- 6.2 Policies 3 and 4 of the HDPF state that development will be permitted in existing settlements which have defined built-up areas, and outside built-up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The HDPF does not though contain any specific policies for the conversion of existing buildings within the countryside to dwellings. Of most relevance is Policy 10 of the HDPF, which states that conversion of rural buildings to commercial use would be favoured over residential in the first instance.
- 6.3 Paragraph 55 of the National Planning Policy Framework states that within rural areas, *"housing shall be located where it will enhance or maintain the vitality or rural*

communities...Local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling”.

- 6.4 It is suggested within the submitted Planning Statement that the approved barn and stables were previously used for agricultural purposes (in association with a small holding) but this use has since ceased since its purchase. The building was purchased by the owner of the adjacent property known as Maple Hill, which has permission as a live/work unit. The conversion of this property was permitted under approved planning application DC/11/0809, and was considered acceptable on the grounds that the proposed live/work unit represented acceptable development in the countryside that would contribute to the economic development of the rural area.
- 6.5 The proposal seeks to convert the existing barn and adjoined stable to a 2-bedroom dwelling, and it is suggested within the accompanying Planning Statement that this would initially be used in the short-term for the applicant’s elderly relatives. The site lies outside of a designated built-up area, approximately 3km from the centre of Lower Beeding. Therefore, in policy terms, the site lies within a countryside location.
- 6.6 The proposed dwelling would sit within an isolated countryside location, and whilst it would re-use an existing building, is not considered to lead to an enhancement of the immediate setting. The proposed development for residential purposes would constitute a development which is not essential to its countryside location, neither is it considered to contribute to existing rural enterprises, activities or recreational opportunities. Whilst Policy 10 and paragraph 55 of the NPPF allow for the conversion of agricultural, forestry or rural buildings for business, commercial or residential development outside of built-up areas, the building is required to be suitably located in that it is not in an isolated position in relation to infrastructure, amenities and services. The application site lies in the countryside, outside of, and some distance from, the identified built-up area of any settlement. Whilst there are other residential properties along Newells Lane, the site is considered to be isolated in that there are no services or facilities in close proximity to the site. The site is poorly served by public transport and the nature of the roads without footpaths and lighting, means that the occupants of the proposed dwelling would be heavily reliant on the car to access services and facilities.
- 6.7 It is recognised that a similar conversion was undertaken on the adjoining site, albeit that this proposed a live/work unit. The proposed live/work unit, at a ratio of 50/505 respectively was considered acceptable on the grounds that the conversion would contribute to the economic development of the rural area. No justification has been provided to suggest that the building subject to this application could not be used for a similar, or any other, commercial use, or that the dwelling would be essential to its countryside location. Further, it has not been outlined how the proposed private market dwelling would support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreation; or enable the sustainable development of the rural area.
- 6.8 The site is outside the limits of any town or village and the development, if permitted would result in an undesirable form of sporadic residential development in an isolated and unsustainable location, where the occupants would be dependent upon the car. In addition, the proposal does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with the aims of the NPPF, and in particular paragraph 55, and would also be contrary to policies 2, 10 and 26 of the Horsham District Planning Framework (2015).

Character of the site and landscape character of the area

- 6.10 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.11 The proposal would retain the overall form of the barn and stable block, with the addition of windows and doors proposed in the form of a mock-stable style. The external alterations are considered to appropriately reflect the character and context of the former rural/agricultural building, with the number and scale of the fenestration considered proportionate.
- 6.12 However, concern is raised regarding the size and extent of the proposed residential curtilage. This triangular piece of land currently forms part of an open field to the east of the stable and barn, which is considered to be agricultural in nature. Given the scale and nature of the proposal, there is concern that the size of the curtilage would be disproportionate to the scale of the proposed dwelling, and given its rural countryside location, would result in the erosion of the landscape character. Should such a residential curtilage be proposed, it is likely that associated domestic paraphernalia and should permitted development not be restricted, ancillary/incidental outbuildings could also be erected. It is considered that the cumulative impact of this would potentially erode the landscape character of the rural countryside. On balance, it is though considered that the proposed curtilage would reflect existing land boundaries, and if necessary permitted development rights for future extensions / outbuildings could be removed through condition. This approach would be sufficient to ensure the proposed use did not conflict with policies 32 and 33 of the Horsham District Planning Framework.

Amenities of the occupiers of adjoining properties

- 6.14 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.15 Given the nature and scale of the proposal, in the context of the size and layout of the site and distance from neighbouring properties, the proposal is not considered to result in material harm to the amenities of neighbouring properties through overlooking, loss of privacy or loss of light, in accordance with policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Conditions

- 6.16 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.17 The site benefits from an existing access and hardstanding positioned to the west of the building. The level of hardstanding is considered sufficient to provide for the required number of off-road parking spaces, with the access considered appropriate so that vehicle movements would not have a detrimental impact upon the functioning of the highway network.
- 6.18 However, following consultation with WSCC Highways, should the application be approved, a condition relating to visibility splays has been suggested in order to ensure safe access and visibility into and out of the site. This is considered a reasonable condition in order to ensure the safe and adequate function of the public highway.
- 6.19 Subject to the imposition of the relevant condition, the proposal is considered to provide safe and adequate access, suitable for all users, in accordance with policy 41 of the Horsham District Planning Framework.

Conclusion

- 6.20 Given the nature of the development and its position outside of the built-up area, the proposal is not considered to enable the sustainable development of the rural area or meet any of the other criteria as stated within policy 26 of the Horsham District Planning Framework. Therefore, the proposed residential dwelling is considered to be contrary to policies 1, 2, 10, and 26 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

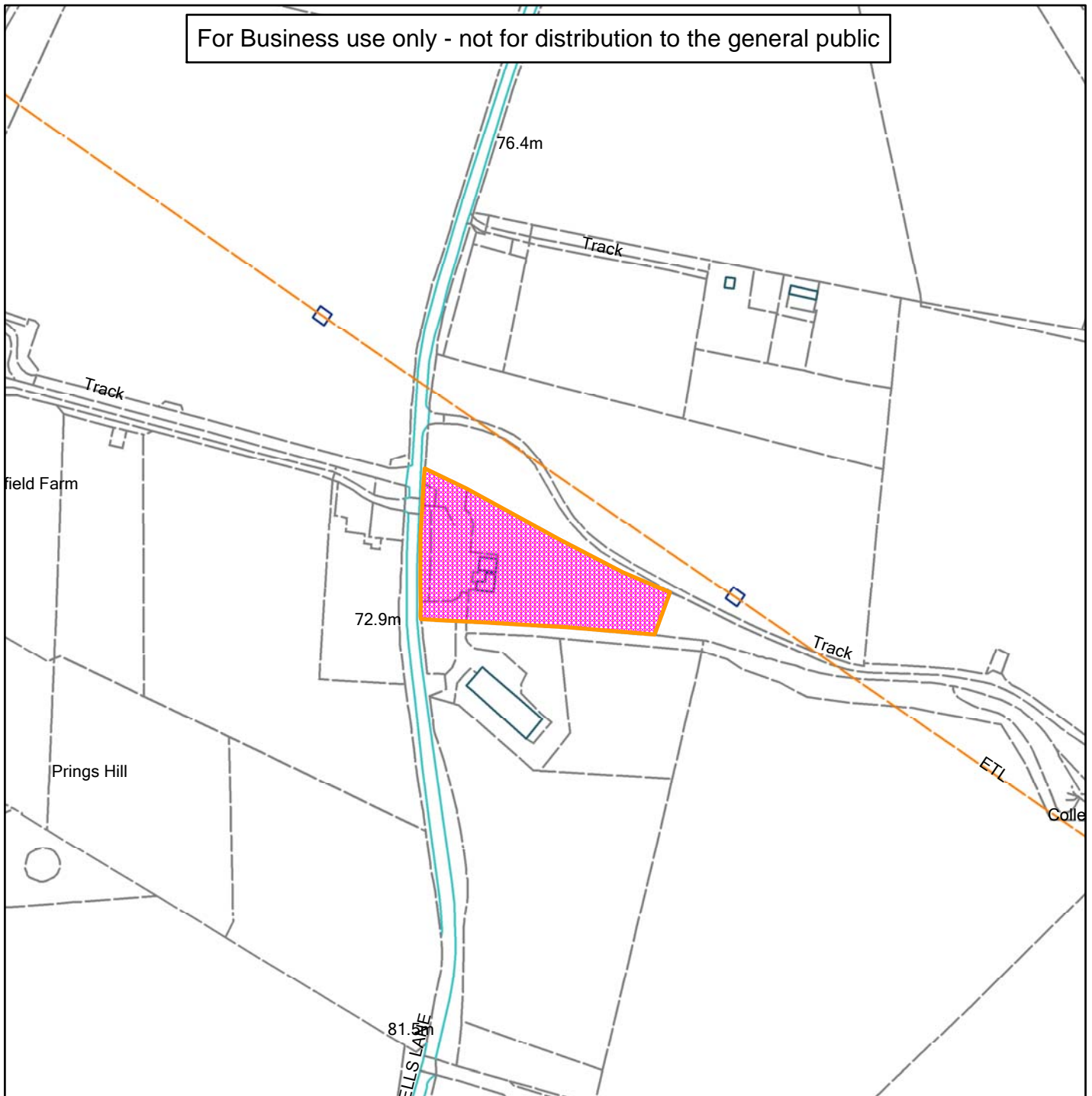
- 7.1 The application is recommended for refusal for the following reason:
- 1 The site is outside the limits of any town or village and the development, if permitted, would result in an undesirable form of sporadic residential development in an isolated and unsustainable location, where the occupants would be dependent upon the car. In addition, the proposal does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with the aims of the NPPF, and in particular paragraph 55, and would also be contrary to policies 2, 10 and 26 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2173



Barn at Maple Hill

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Comments	
Date	26/01/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 7 February 2017
DEVELOPMENT: Demolition of existing dwelling and erection of 2 no 4 bedroom houses, garages, parking and associated external works
SITE: Farnbrakes Church Street Rudgwick Horsham
WARD: Rudgwick
APPLICATION: DC/16/2668
APPLICANT: Cranfold Developments Ltd

REASON FOR INCLUSION ON THE AGENDA: 8 representations received contrary to the officer recommendation.

RECOMMENDATION: To approve permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks consent for demolition of the existing bungalow and the erection of a pair of two storey, semi-detached, 4 bedroom dwellings. The proposed building would be sited in approximately the same position as the existing bungalow but would extend closer to the side boundaries of the site. The frontage of the site would provide shared parking facilities, and a double garage, with amenity space to the rear.

DESCRIPTION OF THE SITE

1.3 The application site is located on the east side of Church Street within the built-up area boundary of Rudgwick. The existing bungalow is sited towards the centre of the plot set back approximately 25m from the road. A single timber clad pitched roof garage sits to the north-east side of the property and forward of its front elevation.

1.4 The site was formerly part of a much larger plot which has been sub-divided following the approval of two detached dwellings at the rear with a new access road parallel with the southern boundary. This neighbouring development was approved under ref: DC/15/1066 and is nearing completion. A development of four detached properties, 'Freshwoods', is sited immediately to the north, on the site of a former single dwellinghouse. Another detached property 'Gimbals' lies to the south-west, separated from the application site by the aforementioned access road.

- 1.5 The western side of Church Street, opposite the application site, includes a series of five detached Grade II Listed Buildings.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework (2015)
HDPF1 - Strategic Policy: Sustainable Development
HDPF2 - Strategic Policy: Strategic Development
HDPF3 - Strategic Policy: Development Hierarchy
HDPF15 - Strategic Policy: Housing Provision
HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
HDPF32 - Strategic Policy: The Quality of New Development
HDPF33 - Development Principles
HDPF34 - Cultural and Heritage Assets
HDPF40 - Sustainable Transport
HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Rudgwick Parish Neighbourhood Development Plan is currently in its early pre-submission stage.

PLANNING HISTORY

DC/12/0006	Demolition of existing house and garage with erection of 5 No. (4 x 3 bed and 1 x 4 bed) detached houses with gardens	REF
DC/14/2592	Provision of 1 no 3 bedroom and 2no 4 bedroom properties, new access, shared access way, garaging, parking and associated external works	REF
DC/15/1066	Provision of 2 no 4 bedroom bungalows, new access, shared access way, garage, parking and associated external works, retention of existing property and garage	PER
DC/16/0776	Provision of 2no 4 bedroom dwellings, garages, parking and associated external works	REF

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 None.

OUTSIDE AGENCIES

3.3 Rudgwick Parish Council: Object, a further two dwellings would lead to a cramped form of development out of keeping with the character and appearance of the area.

3.4 Southern Water: No objection, a formal application would be required for a connection to the public foul and surface water sewer.

3.5 West Sussex County Council – Highways: No objection. The development would result in a net increase of one dwelling utilising this new access point. The expected volume of resulting traffic movements would not cause a detriment to highway safety in this location. The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

3.6 8 letters of representation have been received objecting to the proposal for the following reasons:-

- Semi-detached dwellings would not be in keeping with the surrounding detached dwellings and the character of the street;
- This would be an overdevelopment of the plot;
- Parking and garaging is inadequate;
- The development and roof line would be too high and dominate neighbouring dwellings;
- The layout is cramped and not in keeping with the area;
- There would be overlooking of No 4 Freshwoods;
- The existing characterful dwelling would be lost;
- Increased use of the access will adversely affect highway safety.

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

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

Background

6.1 A previous application for demolition of the existing bungalow and the erection of a semi-detached pair of dwellings was refused for the following reason:-

The layout, comprising tightly spaced dwellings with narrow plots, coupled with proposed building height, scale and form would create an unduly cramped development which would appear at odds and be harmful to the established spacious character along the northern side of Church Street. The proposal is therefore considered to be contrary to Policy 33 of the Horsham District Planning Framework (2015).

- 6.2 The proposed development has been amended in response to the decision, with the footprint of the building reduced in order to increase the separation from side boundaries, and the form and design has been revised to create a single roof form / mass.

Principle

- 6.3 The application site is within the built-up area boundary of Rudgwick, which is identified by the HDPF as a settlement with a moderate level of services and facilities and community networks, together with some access to public transport. Policy 3 of the HDPF states that development will be permitted within built-up area boundaries, with any infill development required to demonstrate that it is of an appropriate nature and scale to maintain the characteristics and function of the settlement. In this location the redevelopment of the site to provide 2 dwellinghouses, and a net gain of 1 unit, would be acceptable in principle and would contribute towards the provision of windfall housing within the District.

Character and appearance

- 6.4 The application site, despite the loss of part of its rearmost curtilage to recent development, remains a relatively generous plot which reflects the character and pattern of development to the northern side of Church Street. As part of an earlier appeal decision on the site (ref: DC/14/2592) it was noted that the considerable set back of existing buildings from the highway, as well as the verdant and soft landscaped appearance, are key features which contribute positively to the character of the area. The adjacent site of Freshwoods, a small residential development of four detached dwellings, also reflects this spacious character on Church Street.
- 6.5 The building would incorporate a hipped roof with the first floor level accommodation partly within the roofspace. This form and scale reduces the height and massing of the building which would appear appropriate in relation to immediately adjoining development. The proposed development, although creating a semi-detached pair of dwellings, would maintain the existing generous set-back from the street with 3 metre separation from the side boundaries, and a front curtilage which would retain soft landscaping to boundaries and an open character. In public views this approach would retain the appearance of a single building on the site and the plot sizes at the rear, which are comparable to the neighbouring backland development, would not be particularly visible or out of keeping.
- 6.6 It is considered that while the proposal would represent an increase in density the proposed layout, scale, appearance and landscaping would reflect the established character and appearance of the area. The proposal is therefore considered to accord with policies 32 and 33 of the HDPF and addresses the previous reason for refusal.
- 6.7 The relationship between the application site and neighbouring listed buildings would not be significantly altered as a result of the proposal, with the development retaining soft landscaping to the frontage and a comparable building line. It is therefore considered that the development would not harm the setting of nearby Heritage Assets.

Impact on neighbouring amenity

- 6.8 The neighbouring dwelling to the south-west, Gimbals, is on a similar building line to the proposed development and separated from the site by an access drive which creates approximately 15 metres separation between buildings. This separation is sufficient to prevent any harmful loss of light or outlook.
- 6.9 The proposed building would be set approximately 3 metres from the shared side boundary with no. 4 Freshwoods, which adjoins to the north, with 7 metres between buildings. While no. 4 has side facing windows and doors these are secondary windows and are not the primary source of light or outlook for habitable rooms. The additional projection beyond the front and rear of no. 4 is mitigated by the separation between buildings, which would be sufficient to ensure no harmful loss of light or outlook to front and rear window and door openings.
- 6.10 The separation between the facing elevations of the proposed dwellings and the dwellings under construction at the rear of the site, at approximately 24 metres, is sufficient to ensure that the proposed dwellings would not have a substantially harmful effect on outlook, light and privacy for future occupants of these dwellings.
- 6.11 The development would not create any overlooking beyond that which would be expected in a residential location such as this. A condition is recommended to require obscure glazing to upper floor side facing window openings.
- 6.12 For the reasons outlined it is considered that the proposed development would not have an unacceptably adverse effect on the amenity of occupiers of nearby properties.

Standard of accommodation

- 6.13 It is considered that the indoor and outdoor amenity space of the proposed development would provide a satisfactory environment for future occupiers.

Transport

- 6.14 The Highways Authority has raised no objections to the proposed access or on-site parking arrangement, commenting that the proposal would not have 'severe' impact on the operation of the Highway network and that there are no transport grounds to resist the proposal.

7. RECOMMENDATIONS

- 7.1 It is recommended that planning permission is granted, subject to the following conditions:
1. A list of the approved plans
 2. 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, B, C, E and F of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s)

of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to the relationship of the site with adjoining properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 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 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 and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 No works for the implementation of the development hereby approved shall take place outside of 08.00 hours and 18.00 hours on Mondays to Fridays and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To safeguard the amenities of adjoining properties in the vicinity of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 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 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).

- 7 No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body shall be requiring the optional standard for water usage across the development. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The subsequently approved water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 8 No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the proposed building(s) have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 Prior to the first occupation of any part of the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape 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. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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).

- 10 Prior to the first occupation of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be implemented as approved and thereafter 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).

- 11 The dwellings hereby permitted shall not be occupied until the first floor windows to the north and southern (side) elevations have been fitted with obscured glazing. No part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained permanently thereafter.

Reason: To protect the privacy of Gimbals and 4 Freshwoods in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 Prior to the first occupation of the development hereby permitted, the car parking spaces serving the development shall be constructed in accordance with approved details and thereafter retained as such for their designated use.

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

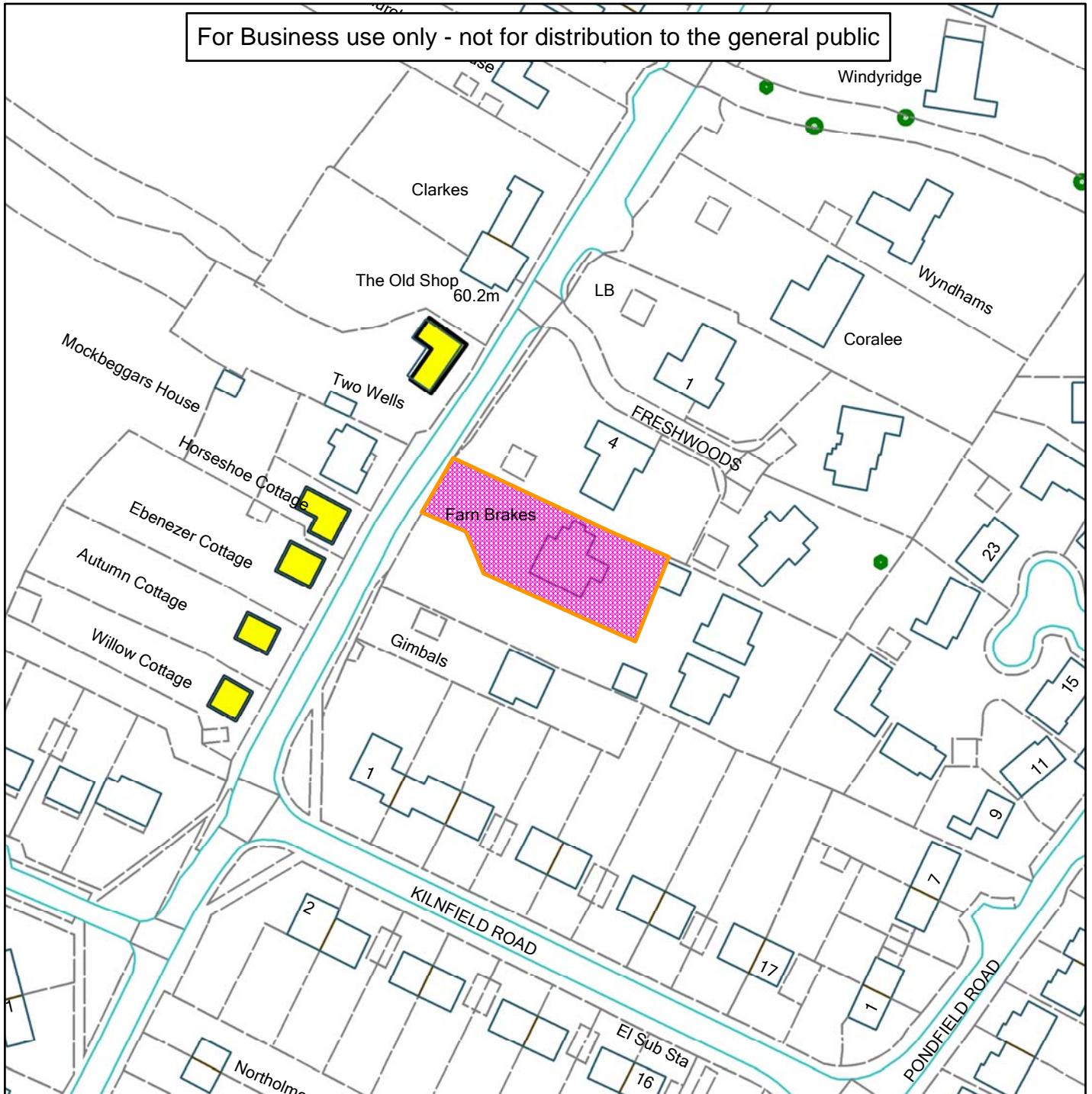
Background Papers: DC/16/2668

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Farnbrakes

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Date	26/01/2017
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 7 February 2017
DEVELOPMENT: The existing tennis courts will be resurfaced and re-fenced. New floodlighting will be installed
SITE: Horsham Park North Street Horsham West Sussex
WARD: Horsham Park
APPLICATION: DC/16/2938
APPLICANT: Mrs Anna Chapman

REASON FOR INCLUSION ON THE AGENDA: HDC is landowner

RECOMMENDATION: Grant Planning Permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks planning permission for the resurfacing of the four existing tennis courts, involving the replacement of the existing green colour coated porous macadam surface with a porous macadam surface with 'Saxe blue play areas' and spring green run offs, the replacement of existing fencing around the courts and the erection of 8m high floodlighting columns.
- 1.2 The existing 3m high green chain netting fence around the four tennis courts will be removed and replaced by a new 3m high twin bar fence around three of the existing tennis courts. The three fences dividing the existing courts will be removed and one dividing fence will be erected to create a fourth court within the footprint of the existing area.
- 1.3 It is proposed to use the existing fourth court as a multi-use court with a toughened surface for use as a tennis court or as a marked five-a-side football court. New tennis equipment will be installed and the surface made continuous over the three court area. A 4.5m high twin bar fence will be erected around the fourth multi-use court as recommended by the Football Association. All fencing will be finished in green polyester powder coating. The existing multi use games area fencing will remain in place.
- 1.4 Ten 8m high time controlled floodlighting columns will be erected along the newly resurfaced and fenced court areas (five columns along both the north and south sides of the pitches).

DESCRIPTION OF THE SITE

- 1.5 The existing tennis courts are located on the southern side of Horsham Park which is situated in close proximity to the town centre and railway station. The tennis courts are located to the south of the Bowling Green and east of the putting green. There is a footpath to the south of the courts and also a soft landscaped area and belt of trees along the southern boundary of the park, which screens the courts from the buildings close by.
- 1.6 The tennis courts are located within relatively close proximity to commercial buildings to the south and east, and to Westhope House (Sheltered Housing) located approximately 44.5m from the eastern boundary of the tennis courts, and approximately 53.2m away from the rear gardens of the nearest residential dwellings located in Madeira Avenue to the south of the tennis courts.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF) (2012) Core Principles, Section 8 - Promoting Healthy Communities (paragraphs 69)

RELEVANT COUNCIL POLICY

- 2.3 HDPF 1 Sustainable Development
HDPF33 Development Principles
HDPF42 Inclusive Communities
HDPF43 Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Horsham Blueprint Neighbourhood Forum is a designated area comprising representatives from Denne Neighbourhood, Forest Council and Trafalgar Neighbourhood Council. There is currently no made Neighbourhood Plan.

PLANNING HISTORY

HU/404/00	Replacement of close boarded fence with an iron railing fence with decorative finials Site: Horsham Park (Western Boundary) North Parade Horsham	PER
HU/45/03	Variation of condition 4 of hu/106/99 to extend floodlighting hours from dusk till 23.00 hours all year for skateboard park Site: Horsham Park North Street Horsham	PER
HU/106/99	Erection of a skateboard and street sports facility Site: Horsham Park North Street Horsham	PER
DC/06/2970	Installation of an additional floodlighting column and retention of extended floodlighting times as approved under planning permission HU/45/03	PER

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Head of Community and Culture**: Any comments received will be reported verbally at Committee
- 3.3 **Public Health and Licensing**: Any comments received will be reported verbally at Committee

OUTSIDE AGENCIES

- 3.4 **Denne Neighbourhood Council**: Any comments received will be reported verbally at Committee

PUBLIC CONSULTATIONS

- 3.5 **Neighbour responses**: None received. Any comments received will be reported verbally at Committee.

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

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main considerations in the determination of this application are:

- The principle of development
- The impact on residential and private amenity

Principle

- 6.2 The Supporting Statement confirms that following the recent redevelopment of the old Novartis Sports Ground, a need was identified by Sport England to improve participation in Tennis at Horsham Park Tennis Courts. The Council have confirmed the need for improvements to the Horsham Park Tennis Courts, including the need for surface refurbishment and erection of floodlighting in order to support the need for a healthier population and to enable and facilitate community engagement. The cost of the

improvements has been secured through S106 developer contributions arising from other developments in the area.

- 6.3 The statement advises that the Lawn Tennis Association (LTA) is keen to support Local Authorities who want to develop their park sites as well as any coaches or clubs interested in encouraging social community tennis. Horsham Park has been identified as a priority area for increasing participation in tennis through the LTA's demand modelling based on the Sport England Active People Survey. The Council has chosen to develop their social league in Horsham Park and has recently let a coaching contract. Various winter evening programmes have been planned to engage people of school and working age at the midweek evening times and include ladies only tennis; men's advantage tennis; cardio tennis (fitness based tennis), junior programmes and social tennis league operations.
- 6.4 Horsham Park is seen as a central location accessible to many local businesses and in order to facilitate the planned programmes for year round play, lighting is required and is seen as vital to developing 'customer loyalty habits and year round play', essential to their success.
- 6.5 The park benefits from having a lit access path which is centrally located immediately to the south of the courts, in addition to the use of the tennis courts, the existing Multi Use Games Area (MUGA) will continue to be available for use. The proposed new single court multi use facility would also offer flexibility.
- 6.6 The total dimensions of the court areas are 60.73m x 36.7m. The total area of the courts will remain as existing, however the internal space will be re-configured to create three tennis courts within one enclosure, and a multi-use court within a separate enclosure (in addition to the existing multi use games area).
- 6.7 No new formal landscaping is proposed around the courts; however the area around the courts will be graded down between the new level and the existing grass levels for ease of maintenance.
- 6.8 It is considered that the proposed enhancement of the tennis courts is acceptable and in accordance with the guidance contained in the NPPF and Policy 43 of the HDPF.

Private and Visual Amenity

- 6.9 The potential impact of the floodlights on residential amenity of neighbouring occupiers including Westhope House (Sheltered Housing) located approximately 44.5m from the eastern boundary of the tennis courts, and the residential properties in Madeira Avenue located approximately 53.2m away to the south of the tennis courts has been assessed. The floodlights are downward facing which should restrict the level of light spillage.
- 6.10 The floodlights are downward facing which should restrict the level of light spillage. There is a belt of mature trees along the southern boundary of the park that provides a buffer between the park and the residential properties in Madeira Avenue, and that would also help to provide a degree of screening from any light spillage from the floodlights. The floodlights point away from the sheltered housing in Westhope House, and although occupiers may be able to see the floodlight columns this does not mean that residential occupiers would be directly or adversely impacted by them in terms of their impact on private amenity. The floodlights would be controlled by a time clock which ensures that measures are in place to switch the floodlights off outside of any agreed times of operation.
- 6.11 In regards to the visual impact of the floodlights within the street scene, it is not considered that the floodlights would be visible from Madeira Avenue to the south of Horsham Park, as views would be obscured by the houses. Any views of the floodlights within the park setting would be viewed within the context of the park itself and are not considered to result in any

appreciable or demonstrable harm to visual amenities and are thereby in accordance with Policy 33 of the HDPF.

Other matters

- 6.12 The Public Health and Licensing Department have been consulted and their views will be reported verbally at committee.

Conclusions

- 6.13 The proposal for the resurfacing of the tennis courts and multi-use court, the new fencing and the erection of 10 No. 8m high floodlight columns within Horsham Park, subject to appropriate conditions to control the use, is considered to comply with Policy 33 of the Horsham District Planning Framework 2015 and the National Planning Policy Framework 2012.

7. RECOMMENDATIONS

- 7.1 Grant Planning Permission subject to the following 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 Section 91 of the Town and Country Planning Act 1990.

- 2 The floodlights hereby approved shall not be illuminated outside the hours of 08:00 – 22:00 Monday – Friday, 08:00 -21:00hrs Saturday, 08:00 - 21:00 Sundays.

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

Background Papers: DC/16/2938

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Retrospective application for a new vehicular crossover to highway, serving Millers Mead and the refurbishment of 2 no existing crossovers - accessing land to the rear of Millers Mead

SITE: Millers Mead Nuthurst Street Nuthurst Horsham

WARD: Nuthurst

APPLICATION: DC/16/2062

APPLICANT: Mr Tingey

REASON FOR INCLUSION ON THE AGENDA: More than 8 representations received contrary to the officer recommendation

RECOMMENDATION: That planning permission is granted.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application is seeking planning permission for the formation of a new vehicular access and associated hard-standing serving Millers Mead and the refurbishment of two existing vehicular accesses that serve land to the rear of Millers Mead. The application does not propose any change of use of the paddock to the rear of the site.

DESCRIPTION OF THE SITE

- 1.2 The application site comprises a single storey dwellinghouse on the eastern side of Nuthurst Street, a classified road, and adjoining land, in use as a paddock which extends to the rear of Winthrift, Micklethrift, Millers Mead and Meadcot. Nuthurst does not have a defined built-up area boundary and is therefore an unclassified settlement.
- 1.3 The site and immediate surroundings have a semi-rural character with sporadic pockets of residential development, made up of an eclectic mix of single and two-storey house types with varying plot sizes bounded by hedges with a high degree of vegetation in and around the properties enhancing the village's attractive visual amenity.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework (2015), the following policies are of relevance:-

HDPF 25 - The Natural Environment
HDPF 26 - Countryside Protection
HDPF 32 - Strategic Policy: The Quality of New Development
HDPF 33 - Development Principles
HDPF 40 - Transport and Access

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The Nuthurst Neighbourhood Plan was 'made' in October 2015 and forms part of the development plan. The application site has not been allocated within the Plan.

PLANNING HISTORY

N/4/62	Proposed vehicular access.	PER
N/46/63	Proposed garage.	PER
DC/15/1641	Prior notification for a single storey rear extension that would extend to a depth of 6m, with an eaves height of 2.7m and an overall height of 3.3m	PANR

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 None received.

OUTSIDE AGENCIES

- 3.2 WSCC Highways Authority: No objection. The proposed would not have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal. The crossovers have not been implemented to current WSCC specification and the applicant would be required to apply for the required licence agreements which may require reconstruction of the access points.
- 3.3 WSCC Rights of Way: No objection.
- 3.4 Nuthurst Parish Council – Object, the crossovers contravene the principles of the neighbourhood plan and Parish Design Statement, are not necessary to access the rear part of the site which has recently been serviced with water and electricity.

PUBLIC CONSULTATIONS

3.5 24 representations have been received objecting for the following reasons:-

- Design
- Highway Access and Parking
- Loss of General Amenity
- Overdevelopment
- Privacy, Light and Noise
- Trees and Landscaping
- Contrary to the Nuthurst neighbourhood plan and Parish Design Statement

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

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

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

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

6. PLANNING ASSESSMENTS

6.1 The main issues in the determination of this planning application are the principle of the development, the impact on visual amenity, neighbouring amenity and highways issues.

Principle

6.2 The new crossover would provide vehicular access to off-street parking associated with the residential use of Millers Mead, with the two remaining crossovers allowing for improved access to the paddock at the rear of the site. The proposal is associated with existing uses and would not lead to a significant increase in the overall level of activity, it is not therefore considered to represent a form of development which is inappropriate to the countryside location and there is no conflict with policy 26 of the HDPF.

Visual amenity

6.2 There are a number of crossovers and associated access drives to residential properties along Nuthurst Street of varying width and construction, and in this context the proposed crossovers would not appear incongruous or unsightly. The frontage to Millers Mead is currently open and this contrasts with adjoining properties which feature established hedgerows in keeping with the semi-rural character of the area. A condition is therefore recommended to secure a landscaping scheme and new planting to the frontage of the Millers Mead section of the site.

6.3 It is considered, for the reasons outlined above and subject to the recommended landscaping condition, that the proposal would preserve the prevailing character and appearance of the street and wider semi-rural area, and complies with policies 25, 32 and 33 of the HDPF.

Neighbouring Amenity

- 6.3 The proposal does not entail or facilitate a change of use of any part of the site and there would not be a material increase in vehicular movements to or from the different parts of the site. The proposal would not therefore be expected to result in harmful levels of noise or disturbance for adjoining residents. The proposal is therefore considered to comply with policy 33 of the HDPF.

Highways Impact

- 6.4 Nuthurst Street is a classified highway with a speed limit of 40 mph. The crossovers subject of this application do not meet current standards for visibility splays, this is though also true of existing access points to adjoining properties. There are no records of accidents within the last three year period which suggests that all accesses are operating safely. The Highway Authority has commented that recent speed survey data on Nuthurst Street indicates that vehicle speeds are below 34mph and the road is lightly trafficked, with average daily vehicular movements below 500 in each direction. In this instance, and for the reasons outlined above, the visibility splays associated with each crossover are considered acceptable.
- 6.5 The application does not include a change of use of any part of the site and the proposal would therefore not be expected to result in a material increase of vehicular movements to or from the site(s). The layout allows for vehicles to stop clear of the highway while accessing and egressing and no obstruction would therefore result. The Highway Authority has not objected to the application and there are considered to be no compelling reasons to refuse the application on transport grounds, the proposal would not create a safety hazard for users of adjoining highways and complies with policy 40 of the HDPF. An informative is though recommended to remind the applicant of the need to secure consent from the Highway Authority.

Other considerations

- 6.6 A number of representations have been received objecting on the basis of a potential future change of use to the rear paddock. The application does not though propose a change of use and the refurbished northern access and new access to Millers Mead would not facilitate or make any change of use inevitable. Any future material change of use which required planning permission would be considered on its own merits having regard to the relevant planning policy in force at the time of an application. The possible future use of the land would not therefore be a reason to refuse this application. It should though be noted that the Council's Compliance Team is monitoring the situation.

Conclusion

- 6.7 The proposal would not result in harm to visual or neighbouring amenities and would not result in a highway safety hazard.

7. RECOMMENDATIONS

- 7.1 It is recommended that outline consent is granted, subject to the following conditions:
- 1 A list of the approved plans
 - 2 Within 3 months of the date of this decision full details of soft landscaping works, which shall include new planting, to the frontage of Millers Mead shall be submitted to and approved, in writing, by the Local Planning Authority. The approved landscape

scheme shall be fully implemented in accordance with the approved details within the first planting season following the approval of the landscaping scheme. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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).

NOTE TO APPLICANT

The applicant is advised to contact the Highway Licencing Team (tel: 01243 642105) to obtain formal approval from the Highway Authority to regularise the site access works on the public highway.

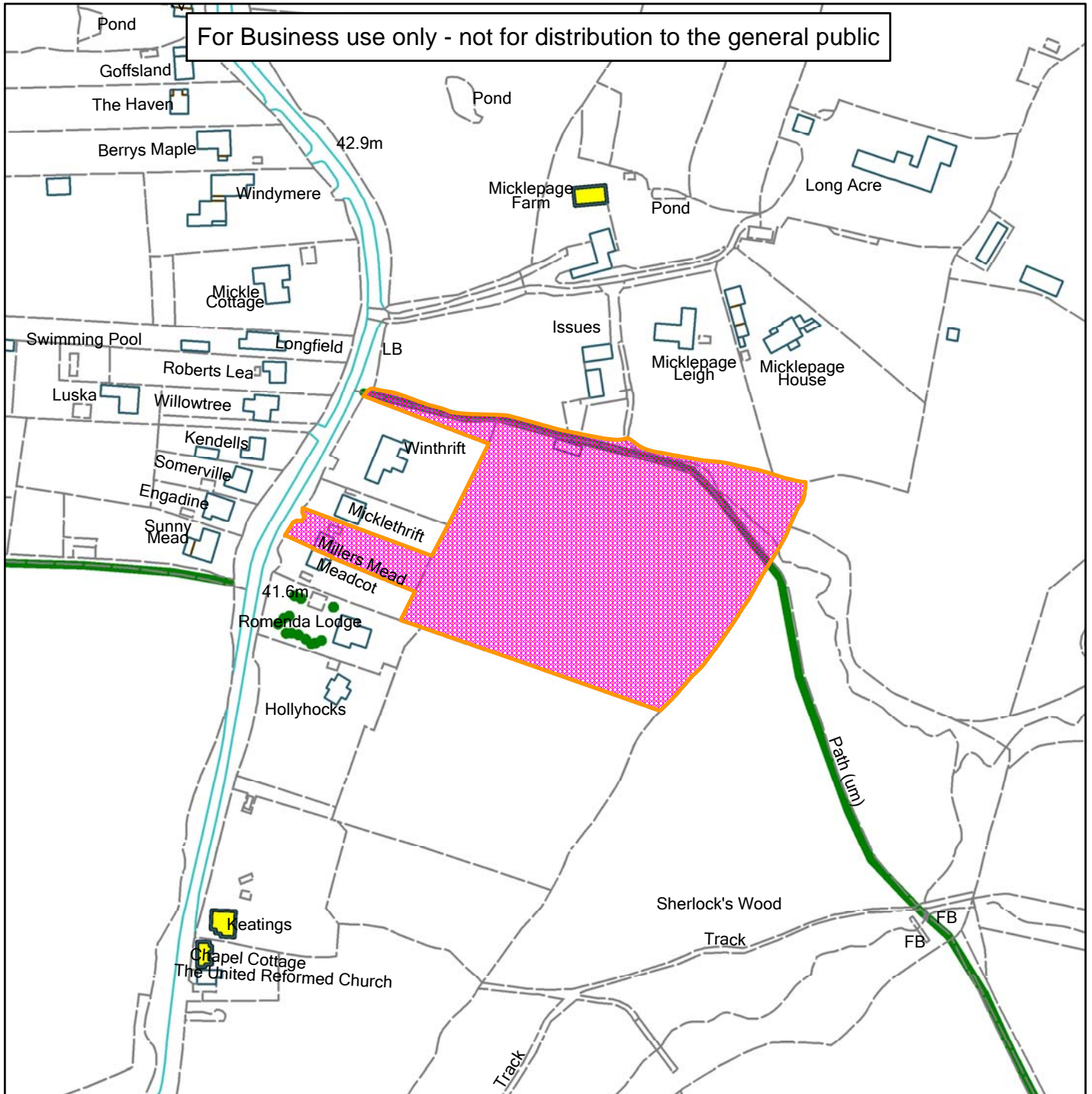
Background Papers: DC/16/2062

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Millers Mead

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Organisation	Horsham District Council
Department	
Comments	
Date	26/01/2017
MSA Number	100023865

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