



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

Planning Committee (North)

Tuesday, 7th March, 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 - 10
To approve as correct the minutes of the meeting held on 7 th February 2017	
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	11 - 12

Applications for determination by Committee:

6. **DC/16/2937 - Winterton Court, Horsham (Ward: Horsham Park) Applicant: Saxon Weald Homes Limited** 13 - 30
7. **DC/16/1919 - Land west of Worthing Road, Southwater (Ward: Southwater) Applicant: Berkeley Homes (Southern) Ltd** 31 - 44
8. **DC/16/2917 - Rudgwick Metals Ltd, Church Street, Rudgwick (Ward: Rudgwick) Applicant: Berkeley Homes (Southern) Ltd** 45 - 74
9. **DC/16/1760 - Landmark House, 75 Station Road, Horsham (Ward: Roffey South) Applicant: Mr Dennis Guile** 75 - 86
10. **DC/16/2492 - Holme Farm Orchard, Winterpit Lane, Mannings Heath (Ward: Nuthurst) Applicant: Delcraven Ltd** 87 - 98
11. **DC/16/2727 - Sedgwick Manor, Sedgwick Park, Horsham (Ward: Nuthurst) Applicant: Mr and Mrs John Davison** 99 - 106
12. **Urgent Business**

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

Planning Committee (North)
7 FEBRUARY 2017

Present: Councillors: Liz Kitchen (Chairman), Karen Burgess (Vice-Chairman), John Bailey, Toni Bradnum, Peter Burgess, John Chidlow, Roy Cornell, Christine Costin, Leonard Crosbie, Jonathan Dancer, Matthew French, Billy Greening, Tony Hogben, Adrian Lee, Godfrey Newman, Brian O'Connell, Stuart Ritchie, David Skipp, Simon Torn, Claire Vickers and Tricia Youtan

Apologies: Councillors: Andrew Baldwin, Alan Britten, Christian Mitchell, Josh Murphy and Connor Relleen

PCN/83 **MINUTES**

The minutes of the meeting of the Committee held on 10th January 2017 were approved as a correct record and signed by the Chairman.

PCN/84 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/16/2506 - Councillor Christine Costin declared a Personal and Prejudicial interest as her family has interests in that area.

PCN/85 **ANNOUNCEMENTS**

There were no announcements.

PCN/86 **APPEALS**

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

PCN/87 **DC/16/2506 - PIRIES PLACE, HORSHAM (WARD: DENNE) APPLICANT: REEF ESTATES/ARCUS-PCD**

The Development Manager reported that this application sought full planning permission for the partial redevelopment of Piries Place to provide a 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 proposed the refurbishment and extension of the public realm from the Carfax to the west through to Park Place to the east. Copnall Way would be widened to provide new loading bays and a shared cycle lane/footway. Cycle parking opposite Piries Place car park was also proposed. Buildings to the east of the site would be demolished to make way for the hotel, and the former Waitrose

would be extended to accommodate the cinema. Buildings on the west and south side of Piries place would be refurbished.

The application site was located in Horsham town centre, east of the Carfax. Piries Place was a triangular shaped square surrounded by retail and other commercial uses; all buildings facing the square were within the application site. The two access alleyways linking Piries Place to the Carfax, and the pedestrianised area abutting the multi-storey car park to the east were also part of the application site.

The two alleyways and one unit to the west (the restaurant/bar B52s) were within the Horsham Conservation Area. There were a number of Grade II listed buildings adjacent to the alleyways, four of which abutted the application site. The western half of the site was within a Site of Archaeological Importance. Piries Place was mostly two storey red brick and render retail units constructed circa 1990. The largest building on the site was the former Waitrose on the north side. Surrounding development was largely two storey, apart from the 4-5 storey Royal Sun Alliance office building opposite Copnall Way to the north.

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 objected to the aspects of the application. Horsham Society objected to the proposal, and seven letters of objection had been received. One letter of support and two of comment had also been received. Two members of the public spoke in objection to the application and the applicant addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; landscaping; impact on heritage assets; impact on the amenity of neighbouring occupiers; and highways, including access, parking and servicing.

RESOLVED

That planning application DC/16/2506 be granted subject to conditions as reported with an additional condition to be added that removes development rights for aerials and other telecoms equipment on the roof of the hotel building and the completion of a legal agreement with condition 12 to be agreed with the local Members, and the remainder to be delegated to the Development Manager.

PCN/88 **DC/16/2700 - LAND SOUTH OF BROADBRIDGE HEATH LEISURE CENTRE, WICKHURST LANE, BROADBRIDGE HEATH (WARD: BROADBRIDGE HEATH) APPLICANT: MS ANNA CHEW**

The Development Manager reported that this application sought permission for the development of Broadbridge Heath sports facilities, including a single storey pavilion, three sports pitches, a skate park, vehicular and pedestrian accesses and landscaping. There would be works to level the ground, and adjacent to the new housing estate an eight metre wide tree planted buffer was proposed.

The proposal formed part of the requirement under the legal agreement attached to outline permission DC/09/2101 (residential development of Land South of Broadbridge Heath (Wickhurst Green)) for a pavilion, sports pitches and skate park. The legal agreement also required MUGAs, which had already been granted under permission under DC/16/1263.

Application DC/16/2272 for infrastructure including access points, stands and floodlighting to enable Broadbridge Heath Football Club to use the site had also been submitted for consideration by the Committee.

The application site was located on vacant land directly south of Broadbridge Leisure Centre and indoor Bowls Club, within the built-up area of Broadbridge Heath. The A24 slip road was to the east and the A281 link road to the south. A line of trees covered by a TPO sat on the northern boundary, beyond which was the Tesco 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 had not commented on the application. Eleven letters of objection and six of support had been received. Two members of the public addressed the Committee in support of the proposal. A representative of the Parish Council and a Member of Horsham District Council both spoke in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; landscaping; drainage; access and parking.

RESOLVED

That planning application DC/16/2700 be granted subject to the conditions and reasons as reported.

PCN/89 **DC/16/2272 - BROADBRIDGE HEATH SPORTS CENTRE, WICKHURST LANE, BROADBRIDGE HEATH (WARD: BROADBRIDGE HEATH)**
APPLICANT: HORSHAM DISTRICT COUNCIL

The Development Manager reported that this application sought permission for the erection of a two covered stands accommodating 100 seated and 100 standing spectators and eight 15 metre high floodlights for use ancillary to the football pitches. The four floodlights on the southern side would use low glare technology. Perimeter fencing, spectator rail and turnstile adjacent to the pavilion were also proposed. There would be additional footpaths linking the area to the leisure centre.

A separate application for the development of Broadbridge Heath sports facilities, including a single storey pavilion, three sports pitches and a skate park were also being considered by the Committee.

The application site was located on vacant land directly south of Broadbridge Leisure Centre and indoor Bowls Club, west of the A24 within the built-up area of Broadbridge Heath. The housing to the east formed part of the wider redevelopment of this area.

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

The Parish Council had not commented on the application. Twenty letters of objection and 34 letters of support, including one from Broadbridge Heath Joint User Group, had been received. The developers of the neighbouring development at Wickhurst Green had commented on the proposal. One member of the public spoke in objection to the application and two members of the public and the applicant addressed the Committee in support of the proposal. A representative of the Parish Council and a Member of Horsham District Council both spoke in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; impact on parking and highways; and the effect of floodlighting and noise on the amenity of neighbouring occupiers.

RESOLVED

That planning application DC/16/2272 be granted subject to the conditions and reasons as reported.

PCN/90 **DC/16/2173 - BARN AT MAPLE HILL, NEWELLS LANE, LOWER BEEDING (WARD: NUTHURST) APPLICANT: MR TONY SHUMACHER**

The Development Manager reported that this application sought full planning permission to convert an existing hay barn and stable block in to a 2-bedroom dwelling. The proposal retained the existing building footprint with a number of external alterations.

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

The application site was to the east of Newells Lane, outside of the designated built-up area of Lower Beeding.

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

The Parish Council objected the application. Seven letters of support had been received. Two members of the public and the applicant addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; Character of the site and landscape character of the area; Amenities of the occupiers of adjoining properties; Existing Parking and Traffic Conditions.

Members considered the officer recommendation as set out in the report, however, Members were concerned that if the buildings were not converted, they would remain redundant and would not be used in the future. They considered that this application should be approved as there was no other foreseeable use for the buildings and that other similar barn conversions had been permitted in a close proximity to the site.

RESOLVED

That planning application DC/16/2173 be approved subject to relevant conditions to be delegated to the Development Manager in consultation with the local Member.

PCN/91 **DC/16/2668 - FARNBRAKES, CHURCH STREET, RUDGWICK (WARD: RUDGWICK) APPLICANT: CRANFOLD DEVELOPMENTS LTD.**

The Development Manager reported that this application sought consent for the demolition of an existing bungalow and the erection of a pair of two storey, semi-detached, 4-bedroom dwellings.

The application site was located on the eastern side of Church Street within the built-up area boundary of Rudgwick.

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

The Parish Council objected the application. Eight letters of objecting to the application had been received. Three members of the public spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; Character and Appearance; Impact on neighbouring amenities; Standard of accommodation.

RESOLVED

That planning application DC/16/2668 be granted subject to the conditions as set out in the officer's report.

PCN/92 **DC/16/2938 - HORSHAM PARK, NORTH STREET, HORSHAM (WARD: HORSHAM PARK) APPLICANT: MRS ANNA CHAPMAN**

The Development Manager reported that this application sought permission for the resurfacing of the four existing tennis courts, the replacement of existing fencing around the courts and the erection of floodlighting columns on the Southern side of Horsham 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 objected the application. Seven letters of support had been received.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; Private and Visual Amenity.

RESOLVED

That planning application DC/16/2938 be approved subject to the conditions as set out in the officer's report.

PCN/93 **DC/16/2062 - MILLERS MEAD, NUTHURST STREET, NUTHURST (WARD: NUTHURST) APPLICANT: MR TINGEY**

The Development Manager reported that this application sought 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 site comprised a single storey dwelling 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.

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

The Parish Council objected the application. 24 letters objecting to the application had been received. Three members of the public spoke in objection to the application A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; Visual Amenity; Neighbouring Amenity; highways impact.

Members considered the officer recommendation as set out in the report, however, Members were concerned about the harmful impact of the crossovers on the rural amenity of the area which they felt was contrary to the Neighbourhood Plan.

RESOLVED

That outline consent for planning application DC/16/2062 be refused for the following reason:

The proposed development would cause harm to the character and appearance of the streetscene by virtue of an urbanising effect of the proliferation of crossovers within this part of the streetscene and as such would be contrary to the Nuthurst Neighbourhood Plan 2015 - 2031 and Policy 26 of the HDPF.

The meeting closed at 8.38 pm having commenced at 6.00 pm

CHAIRMAN

This page is intentionally left blank



Planning Committee (North)

Date: 7th March 2017

Report by the Development Manager: APPEALS
Report run from 26/01/2017 to 22/2/2017

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/16/0802	6 Church Street Warnham Horsham West Sussex RH12 3QW	7 th February 2017	Not Determined	
DC/16/2688	Corner House Brighton Road Monks Gate Horsham West Sussex RH13 6JD	13 th February 2017	Refuse	
DC/16/2375	Baynards Motor Company Rowhook Hill Farm Bognor Road Broadbridge Heath Horsham West Sussex RH12 3PS	15 th February 2017	Refuse	
DC/16/2605	18 Oliver Road Horsham West Sussex RH12 1LH	20 th February 2017	Refuse	
DC/16/2527	Farm Buildings Hawthorns Bar Lane Southwater West Sussex	21 st February 2017	Refuse Prior Approval	
DC/16/1678	The Barn Capel Road Rusper West Sussex RH12 4PY	22 nd February 2017	Refuse	
DC/16/2284	Guildford Road Rudgwick West Sussex RH12 3JD	22 nd February 2017	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/16/2191	Littlehaven Cottage Rusper Road Horsham West Sussex RH12 5QW	Fast Track	17 th February 2017	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/16/1186	73 Eversfield Road Horsham West Sussex RH13 5JS	Written Reps	DISMISSED	Refuse	
DC/16/1102	Lyons Farm Lyons Road Slinfold West Sussex	Written Reps	ALLOWED	Refuse	
DC/16/0149	Land To The Rear of 94 Brighton Road Horsham West Sussex RH13 5DE	Written Reps	ALLOWED	Refuse	
DC/16/1194	Bon Marche 45 West Street Horsham West Sussex RH12 1PP	Fast Track	ALLOWED	Refuse	
DC/16/2039	North Gates The Mount Ifield Crawley West Sussex RH11 0LF	Fast Track	ALLOWED	Refuse	
DC/16/2317	61 Oakhill Road Horsham West Sussex RH13 5LE	Fast Track	ALLOWED	Refuse	



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North
BY: Development Manager
DATE: 7 March 2017
DEVELOPMENT: Demolition of existing dwellings and erection of 65 homes with associated car parking and external works
SITE: Winterton Court Horsham West Sussex
WARD: Horsham Park
APPLICATION: DC/16/2937
APPLICANT: Saxon Weald Homes Limited

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters have been received which are inconsistent with the Officers' recommendation.

RECOMMENDATION: To delegate authority to the Development Manager to grant planning permission, subject to conditions and to a Legal Agreement to secure on-site provision of 35% affordable housing

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application follows the refusal of DC/15/0154, which proposed redevelopment of the site for 69 dwellings, and DC/16/1320, which proposed redevelopment of the site for 65 dwellings and is currently at appeal, with no decision received at the time of drafting this report. The current application proposes the redevelopment of the site to provide 65 dwellings. The tenure mix proposed is 42 private market units (15 one-bedroom flats, 24 two-bedroom flats and 3 two-bedroom houses), 20 affordable rented units (12 one-bedroom flats and 8 two bedroom flats) and 3 shared ownership two-bedroom houses. The proposed dwellings would be arranged in five blocks around a central public open space, with a vehicular access route running around the central square. The central square retains the existing TPO tree and provides a seating area and two bike stands for visitors. The external treatment of the buildings is shown to comprise a mix of brick (red/brown multi), white render and boarded panels with roofing being a mix of zinc and slate.

1.3 Block A would front the existing public footpath running along the northern side of the site. It would have three storeys laid out in two 'wings', each with a mono-pitched roof and linked by a subservient flat roofed section. It would have a maximum height of about 11 metres. It would comprise three 1-bedroom flats and nine 2-bedroom flats, with an integral refuse

storage room. Each flat would be served either by direct access to a private garden in the case of the ground floor units or a balcony in the case of the first and second floor units. Storage for 14 bicycles would be provided in a detached outbuilding. The building would have garden areas to the front and rear and landscaped strips to the sides. The gardens would be private areas to serve the individual ground floor units only. The boundary treatments would comprise 1.8m high close boarded fences to the rear gardens and 0.9m high metal railings to the front and side boundaries.

- 1.4 Block B would be sited towards the eastern boundary of the site, backing onto properties fronting New Street. It would be single storey, with rooms in the roof served by rooflights, with a ridge to about 8.2m. It would comprise a terrace of six 2-bedroom dwellings and would be finished in a red/brown brick with artificial slate roofing. Each dwelling would have a rear garden with a shed for cycle storage. The front garden areas are shown to be paved. Front boundary treatments would comprise 0.9m high metal railings with sections of blockwork walls to screen bin storage areas in the front gardens. The rear gardens would be separated by 1.8m high close boarded fences. The rear gardens of Block B would be separated from the gardens of dwellings on New Street by a landscaped strip of proposed tree and shrub planting. A 1.2m high post and rail fence is proposed to mark the boundary of the end of the Block B rear gardens and the edge of the buffer strip, while a 1.8m high close boarded fence is proposed to the boundary of the New Street gardens and the buffer strip.
- 1.5 Block C would be sited towards the southern boundary of the site, adjacent to the existing car park to the south of the site. Like Block A, it would have two 'wings' with mono-pitched roofs linked by a subservient flat roofed section, and three storeys to a height of about 11m metres. It would comprise three 1-bedroom flats and nine 2-bedroom flats, with an integral refuse storage room. Each flat would be served by either external access direct to a private garden area or a balcony. This building would also be served by a communal landscaped area to the rear, which would contain a storage building for 14 bicycles. The landscaped areas to the front of the building would be partly open and partly enclosed by 0.9m high metal railings. The rear garden and southern site boundary would be enclosed by 1.8m high close boarded fence.
- 1.6 Blocks D and E would be sited on the western side of the site, adjacent to the boundary with a car park adjacent to the railway line. Block D would be towards the southern end of the western side and would have four storeys and mono-pitched roofs to a maximum height of about 14.6 metres. It would comprise twelve 1-bedroom flats and eight 2-bedroom flats, with an internal refuse storage room. Each flat would have either direct access to a private garden area or patio in the case of the ground floor units or a balcony. A detached building for storage of 20 bicycles is proposed to the rear of this building. The rear gardens and rear site boundary would be demarked by 1.8 close boarded fencing. There would be a landscaped strip to the front of the building, and a 0.9m metal railing to those parts of the front area which provides private patios.
- 1.7 Block E would be sited towards the northern end of the western side and would have three storeys and a mono-pitched roof to a maximum of about 11.6m. It would comprise nine 1-bedroom flats and six 2-bedroom flats with an integral refuse storage room. Each flat would have either direct access to a private garden in the case of the ground floor units or a balcony. A detached building for the storage of 20 bicycles is proposed to the rear of the building. The side boundary with the public footpath would comprise 0.9m high metal railings, with the rear boundary treatment being 1.8m close boarded fencing.
- 1.8 Parking for future residents would be provided through 68 un-allocated surface parking spaces. These are distributed throughout the site with 15 spaces along the site access to the north of Block B, 15 spaces in the parking court to the southern corner of the site, between Blocks B and C, 15 spaces in the parking court to the western corner of the site,

between Blocks C and D, 11 spaces on the northern side of the central access road, to the rear of Block A and 12 spaces around the central open space.

1.9 The application is accompanied by a number of supporting documents, including:

- Design and Access Statement
- Planning Statement
- Arboricultural Impact Assessment and Tree Schedule
- Transport Statement
- Drainage Report
- Landscape Strategy Report
- Noise Report
- Phase 3 Site Investigation Report (land quality)
- Preliminary Ecological Assessment
- Site Analysis Character Appraisal
- Sustainability Statement
- Travel Plan

DESCRIPTION OF THE SITE

1.10 The site is currently occupied by 27 dwellings, comprising a development of sheltered housing for the elderly and wardens accommodation. Since the Council's consideration of previous application DC/15/0154, the dwellings have been vacated and the site enclosed by hoarding in preparation for demolition. The site is bordered to the north by a public footpath, opposite which lies a new development of two-storey dwellings with rooms in the roof and a three-storey block of flats at Standings Court (mainly red brick and render walls and grey clad roofs) and an older, three storey block of flats at Dorset Court (mainly brick with tile roof). The approved drawings of Standings Court (DC/10/1121) show that the flats have a height of around 11 metres and the houses a height of around 10 metres. The site borders the rear gardens of dwellings fronting New Street to the east, the railway station car park to the west and the Victoria Street car park to the south. Dwellings on New Street are generally late 19th/early 20th century semi-detached dwellings. Buildings on the opposite side of the railway line are more commercial in character and include a number of office blocks. The site is largely flat, and there are a number of trees in the existing central open space, including a silver maple which is protected by Tree Preservation Order (TPO).

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, 4, 6, 7, 8, 10 and 11.

RELEVANT COUNCIL POLICY

2.3 The Development Plan consists of the Horsham District Planning Framework (November 2015) (HDPF).

2.4 The relevant Policies of the HDPF are 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 35 (Climate Change), 36 (Appropriate

Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision), 40 (Sustainable Transport) and 41 (Parking).

NEIGHBOURHOOD PLAN

- 2.5 Horsham Blueprint Neighbourhood Plan Area has been designated, but no draft Plan has yet been published.

PLANNING HISTORY

HU/58/55	Erection of aged persons bungalows and community hall (outline)	Permitted
HU/27/56	Aged persons bungalows (approval of details)	Permitted
DC/15/0154	Demolition of existing dwellings and erection of 69 dwellings (comprising 27no 1-bedroom flats, 38no 2-bedroom flats and 4no 3-bedroom houses) with associated car parking, bicycle storage, landscaping and external works, served by altered access onto Standings Court	Refused
DC/16/0730	Prior Notification for demolition of all existing buildings on the site including 1-27 Winterton Court and the communal space	Prior Approval required and not granted
DC/16/1320	Demolition of existing dwellings and erection of 66 homes with associated car parking and external works.	Refused. Appeal lodged.
DC/17/0149	Prior Approval for demolition of buildings at Winterton Court	Prior Approval required and granted

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

- 3.1 Strategic Planning: No objection
- 3.2 Landscape and Horticultural Officer:
No objection, satisfied with the provision of green space.
- 3.3 Housing Services Manager:
- Supports the mix and tenure split of affordable units.
 - Disappointing that there is a reduction in affordable housing overall compared to the existing 26 bungalows and wardens flat.
 - However, the affordable provision is policy compliant.
 - The site needs to be developed to deliver much needed affordable housing in a town centre location.

OUTSIDE AGENCIES

- 3.4 West Sussex County Highway Authority:

No objection, subject to conditions. The consultation response includes the following points:

- The proposal would generate an increase in vehicle movements in the immediate locality, but in capacity terms the impact of this is not anticipated to be severe.
- On site roads are to remain private and not offered for adoption.
- Observations made on the previous application are applicable to the scheme as submitted, as the layout is near identical to that previously proposed.
- Carriageway widths vary, but the proposed one-way system means there would be no need for two opposing vehicles to pass.
- Refuse team should be consulted in respect of refuse collection arrangements.
- Provision of parking spaces immediately adjacent to the access is not ideal, but the access road would be low speed and lightly trafficked.
- The first parking bays on the western side of the access road are slightly unusual as they project into the access road. The kerb line should be adjusted here.
- Given the level of parking proposed, the development is not expected to result in any significant increased demand for on-street parking that would exacerbate or worsen any safety issue resulting from parking pressures.
- The roads in the surrounding area form part of the Horsham Controlled Parking Zone and there are measures in place to control how and where parking can take place to prevent parking from resulting in safety issues.

3.5 West Sussex County Council Lead Local Flood Authority:

No objection, subject to conditions requiring details of surface water drainage designs and full details of maintenance and management of surface water drainage.

3.6 West Sussex County Council Strategic Planning:

Requests financial contributions towards primary education (£44,890), secondary education (£48,312), libraries (£7,490), fire and rescue (£2,738) and transport (£57,453) to mitigate the impacts of the development.

3.7 Horsham District Cycling Forum:

- Cycle storage rooms need to be fully accessible via wide doors and separate from the bin storage.
- Cycle storage should be safe and secure in lockable rooms with lighting.
- Many of the cycle storage locations are not easily accessible, via long narrow pathways.
- Cycle storage for Blocks C, D and E should be moved to the front.
- Cycle storage for Block B is in the rear gardens and accessed through the house, which is impractical.
- The visitor cycle stands should be fully lit.

3.8 Southern Water:

No objection, subject to conditions requiring approval of details of diversion of public sewers and approval of a drainage strategy.

PUBLIC CONSULTATIONS

3.9 Forest Neighbourhood Council: Objection

The consultation response includes the following points:

- The applicant is a social housing provider, and the development should therefore include more social housing.
- Fewer, but larger, properties should be built here.
- Concern regarding the mix of social housing tenants and private market/shared ownership homes.
- The WSCC parking calculator places over-reliance on dubious statistics. 68 parking spaces won't be sufficient.

- Although the County Council suggest only 6 or 7 additional traffic movements, the use as retirement bungalows generated minimal traffic movements and the proposal will generate significantly more.
- The management company contracted by the Applicant at their site at Kennedy Road does not satisfactorily manage parking at that site (parking on pavements, parking by non-residents, parking not in marked spaces etc.).
- The Neighbourhood Council will continue to object to this proposal until the Applicant presents a proper plan for dealing with parking and additional traffic.
- This is a missed opportunity to provide sheltered accommodation for the aging population.
- If approved, restrictions on construction hours should be applied and the NC should be consulted should there be any s106 or CIL monies arising.

3.10 The Council has received 20 letters of objection from 17 households, which include the following points:

- The reduction of one dwelling is minimal and does not address the previous objections.
- The number of dwellings remains too high for this site.
- Insufficient parking spaces are proposed.
- There is already pressure for on-street parking, and illegal/dangerous parking. This development will worsen the situation.
- The junction onto Standings Court is heavily trafficked by pedestrians and cyclists using the underpass and the entrance will not cope safely with an increase in traffic.
- Proposed traffic calming is not sufficient to ensure the pedestrian route remains safe.
- New Street is used as a cut-through and as a result is a busy road. The development will worsen this.
- Traffic generation models are based on out-dated figures.
- The high buildings are out of keeping with the Victorian and Edwardian section of old Horsham.
- The buildings would provide a dominating backdrop to New Street and Standings Court houses.
- The development will create noise and light pollution.
- More trees and vegetation should be retained than shown on the drawings, particularly ash tree T23 in the northern corner of the site.
- There is a lack of school places and space at doctor's surgeries to accommodate this development.
- The reduced amount of affordable housing suggests that there is less need for it and therefore the scheme should be much smaller scale.
- The development should include sheltered housing for the elderly to replace that which will be demolished.
- The central green space will not be used as there is parking all around it.
- The development will harm the amenity of neighbours due to loss of light, appearance of the buildings, additional noise, and light spillage.

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

Introduction and Principle of Development

- 6.1 The application follows the refusal of DC/15/0154 and DC/16/1320. While the main consideration and starting point for assessment of any planning application is whether the proposal complies with the adopted Development Plan, regard must also be had for other relevant material considerations. The previous reasons for refusal are a strong material consideration of significant weight in determining this application. It must therefore be considered whether any changes to the proposal, the site or the Policy context in which the application is determined would warrant the Council taking a different decision to that under DC/15/0154 and DC/16/1320.
- 6.2 Although DC/15/0154 was determined prior to the adoption of the HDPF, the second application (DC/16/1320) was considered after the HDPF adoption. Since the determination of DC/16/1320 there have been no changes to relevant Development Plan Policies, and these remain as set out in the report of that previous application. No objection was previously raised to the principle of development, which is within a built-up area and partly previously developed (note that residential gardens are excluded from the definition of 'previously developed land' in the NPPF). The principle of residential development of this site therefore remains acceptable.
- 6.3 In terms of changes to the proposed development since the previous refusals, the appearance has reverted from a traditional pitched roof design as proposed under DC/16/1320 to a more modern design with mono-pitched zinc-clad roofs and a mix of render, brick and boarding to the elevations (similar to the appearance of the flats at Standings Court), and the buildings have been reduced in height. The internal layout of the buildings has also been revised in response to concerns about internal noise transfer.

Consideration of the First Reason for Refusal of DC/16/1320

- 6.4 The first reason for refusal of the previous application related to the amenity of future occupiers and stated:

The proposed development represents the overdevelopment of a confined site, leading to a poor level of amenity for future occupiers of the development due to a deficiency of private and communal outdoor space for safe outdoor play, for residents to sit out in reasonable privacy, for drying washing out of doors and other ancillary residential purposes. In addition, the proposed layout has resulted in internal conflicts between adjacent room types in separate flats and many bedrooms facing the adjacent car park and railway line, leading to potential noise disturbance and the need to provide mechanical ventilation to bedrooms, as opening windows would result in noise disturbance for future residents. This is not a sustainable approach to addressing the relationship of the site with the railway, and would not result in a good quality living environment for future occupiers. The proposal is therefore contrary to Policies 1, 24, 32, 33 and 37 of the Horsham District Planning Framework (Adopted November 2015) as well as to the NPPF, in particular paragraph 17.

- 6.5 The central square is not proposed to contain play equipment. This has been the case for the previous schemes and no objections were previously raised in respect of equipped play and recreation, as Horsham Park is a short walk away via the North Street underpass and provides play areas as well as other sports facilities and a large space for informal play and recreation. This remains the case.
- 6.6 It was considered that the previous scheme did not provide sufficient private amenity space for future occupiers. The proposed scheme has not changed materially in terms of the provision of amenity space. The Landscape Masterplan Strategy shows a slight amendment to the central square, with hedge planting to the edges to enclose the space

and prevent vehicles over-running and to further define the space. The Applicant's supporting information highlights that HDC does not have adopted standards for the provision of amenity space, but that the amount of amenity space provided complies with standards adopted by other adjacent councils (Crawley, Adur and Worthing). The private amenity spaces referred to in the previous reasons for refusal (i.e. balconies, patios and private garden areas) have not changed materially in the current scheme. However, given the absence of any defined local requirements for amenity space within the District, it is considered that the provision of space per unit is acceptable which is supplemented with the communal green square within the centre of the development.

- 6.7 The Environmental Health Officer previously identified conflict between room types in the buildings comprising flats which would have affected the amenity of future occupiers (i.e. kitchens above bedrooms), and highlighted the presence of the railway line as a noise source to be mitigated against, but recommended dealing with this by way of conditions. It was determined at Committee however, that a satisfactory internal environment for future residents could not be ensured through the use of conditions. The internal layout of buildings has subsequently been revised in comparison to the previous application to address these concerns. In addition, the Applicant has confirmed that they intend to meet the EHO's requirements in terms of exceeding the Building Regulations standards for resistance to passage of sound where necessary, and that this is achievable. It is therefore considered that the current proposal addresses the noise element of the previous refusal and can now be appropriately controlled through conditions.

Consideration of the Second Reason for Refusal of DC/16/1320

- 6.8 The second reason for refusal related to the appearance and scale of the development and stated:

The height of proposed buildings does not respect or reflect the overall scale of buildings in this residential area and would result in an overly prominent appearance, forming a dominating backdrop to the smaller scale buildings on New Street and Standings Court. The proposal would therefore be harmful to the character and appearance of the locality and is contrary to Policies 1, 32 and 33 of the Horsham District Planning Framework (Adopted November 2015), as well as to the NPPF, in particular section 7.

- 6.9 The design and appearance of the previously proposed schemes generated a great deal of discussion. The external materials and modern appearance proposed under DC/15/0154 reflected the new development at Standings Court, but the scale of buildings (up to 5 storeys) was akin to the commercial buildings on the opposite side of the railway and therefore at odds with the more domestic scale of buildings in the immediate surroundings. It was therefore concluded that the scale of the proposed buildings was not appropriate and any development should reflect those on this, eastern, side of the railway.
- 6.10 The second application DC/16/1320 proposed an amended design, reducing three of the buildings (Blocks A, C and E) to three storeys, Block D to 4 storeys and Block B to 2.5 storeys. However, in revising the external appearance of the buildings to incorporate traditional pitched roofs, the overall height of buildings increased, and it was concluded that the scheme presented under DC/16/1320 did not address the matter of the inappropriate height of buildings as set out in the refusal of DC/15/0154.
- 6.11 The external appearance of the buildings now proposed has reverted back to a more modern architectural style and materials in comparison to DC/16/1320, but the number of storeys and height of the buildings has reduced in comparison to the previous proposals. For ease of reference, the numbers of storeys and heights of buildings proposed over the course of the three applications for redevelopment of this site are summarised below (note that DC/15/0154 proposed a single block, D, on the western side, and this was subsequently split into two blocks, D and E, for the later applications):

	DC/15/0154		DC/16/1320		DC/16/2937	
	Storeys	Height (m)	Storeys	Height (m)	Storeys	Height (m)
Block A	2.5	10	3	12.2	3	11
Block B	3	9.7	2.5	10.4	1.5	8.2
Block C	5	15.8	3	12.2	3	11
Block D	5	15.6	4	15.2	4	14.6
Block E	-	-	3	12.2	3	11.6

- 6.12 In the vicinity of the site, many of the dwellings are two or 2.5 storeys, and the adjacent flats at Dorset Court and Standings Court are up to three storeys. Plans on the file for the planning permission for Standings Court show that the flats in that site are around 11m in height.
- 6.13 The proposed scheme has been amended to bring the overall height of buildings down to around 11m or less. Block D is slightly higher, at 14.6m, away from existing residential buildings and adjacent to the car park and railway line behind. The remaining blocks therefore provide a consistent transition from the smaller scale buildings on New Street, through the larger form residential properties of Standings Court and Dorset Court, to the larger scale commercial buildings on the opposite side of the railway.
- 6.14 In light of the changes that have been made to the scale and appearance of the buildings, it is considered that the second reason for refusal has been addressed and is not applicable to this revised scheme.

Consideration of the Third Reason for Refusal of DC/16/1320

- 6.15 The third reason for refusal related to the absence of a Legal Agreement to secure the affordable housing provision and stated:
- Policy 16 requires provision of at least 35% affordable units on developments of this scale. The provision of affordable housing must be secured by way of a Legal Agreement. No completed Agreement is in place by which to secure this Policy requirement. As such, the proposal is contrary to Policy 16 of the Horsham District Planning Framework (Adopted November 2015), to the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document, and to the NPPF, in particular paragraph 50.*
- 6.16 The site as existing provides 27 affordable units in the form of 26 sheltered housing units for the elderly and one warden's flat. When a redevelopment was originally proposed for this site under DC/15/0154, all of the dwellings were proposed to be affordable units. However, the subsequent application DC/16/1320 proposed 35% affordable, with the remainder private market housing. The reduction in the Applicant's affordable housing offer was due to significant changes to the funding of Registered Providers since the original application, meaning that a 100% affordable scheme was no longer viable.
- 6.17 This application also proposes to provide 35% of the units as affordable, in accordance with Policy 16. This equates to 23 units, which would be split as 20 affordable rented units and 3 shared ownership units. Although this represents a net reduction in the number of affordable units from those currently on site, the new units would be of a more modern construction, with improved energy efficiency and more flexible layouts. The proposed tenure split also reflects the District's greatest need, which is for rented accommodation, and provides a greater percentage of units as affordable rented than the 70% expected by the HDPF. No objection was previously raised to the affordable housing offer, but at the time of determination there was no legal agreement in place to secure the affordable units,

and it was therefore necessary to include reference in the reasons for refusal to a lack of affordable housing provision. However, no objection is raised in relation to Policy 16 in the event that a satisfactory Legal Agreement is completed to secure the provision of on-site affordable housing. This is therefore reflected within the recommendation.

Other Matters Not Previously Objected To

- 6.18 The proposed development would also place additional demands on local services such as education and recreation facilities. The County Council have requested contributions towards infrastructure provision. However, the Applicant previously presented a Financial Viability Appraisal which demonstrated that it was not viable for the development to provide the financial contributions. This was assessed by the Council's financial consultants who confirmed that the provision of infrastructure contributions in addition to on-site affordable housing provision was not viable for the development. The Applicant has not provided a revised viability appraisal in relation to the current revised scheme. However, it is not considered that scheme viability will have changed in the time passed since the previous assessment (about 6 months) to a degree which would now mean financial contributions are viable. As per DC/16/1320, no objection is now raised to the non-provision of financial contributions to infrastructure.
- 6.19 The previous reasons for refusal did not relate to the privacy and amenity of neighbouring residents, parking and highways, flooding and drainage, ecology and biodiversity, sustainable construction and climate change or arboriculture and trees.
- 6.20 The current proposal is not materially different to the previously refused scheme in respect of these matters, and therefore no objection is now raised. It is noted that a number of the letters of objection refer to parking and highways issues. However, the County Highway Authority have advised that sufficient provision is made for parking and that the trips generated by the development can be accommodated in the surrounding highway network. Full details of a suitable scheme of drainage are to be secured by condition, as can a scheme to deliver net gains in biodiversity across the site and to ensure retained trees are protected during construction.

Conclusion

- 6.21 In conclusion therefore, it is considered that the principle of development in a sustainable location within a built-up area is acceptable. As set out above, the previous reasons for refusal relating to noise impacts and the scale of development have been addressed by the revised scheme. The previous reason for refusal relating to affordable housing will be addressed by the completion of a Legal Agreement.
- 6.22 The element of the first reason for refusal of the previous application relating to provision of private amenity space has not been specifically addressed. However, given the improved internal environment that can be achieved through the redesign of the flatted Blocks, it is considered that a satisfactory environment and reasonable level of amenity space can be provided for a development of this density in a town centre location, and that the resultant development would not warrant refusal on this basis. Therefore, while the level of amenity space has not materially increased, all other matters are now satisfactorily addressed and, on balance, it would not be reasonable to pursue refusal on the grounds of insufficient amenity space alone.

7. RECOMMENDATIONS

7.1 To delegate the application for approval to the Development Manager, subject to conditions and a Legal Agreement to secure on-site affordable housing provision. Proposed conditions at the time of drafting are:

1. A condition listing 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. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. An indicative programme for carrying out of the works
 - b. The arrangements for public consultation and liaison during the construction works
 - c. Measures to minimise the noise (including vibration) generated by the demolition and construction process to include hours of work, proposed methods of demolition, proposed methods of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - e. The anticipated number, frequency and type of vehicles used during demolition and construction.
 - f. The method of access and preferred routing of vehicles during demolition and construction.
 - g. The parking of vehicles of site operatives and visitors
 - h. Loading and unloading of plant, materials and waste
 - i. Storage of plant and materials used in constructing the development
 - j. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - k. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - l. Measures to control the emission of dust and dirt during demolition and construction
 - m. A scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of highway safety and the amenity of nearby residents in accordance with Policies 40, 33 and 24 of the Horsham District Planning Framework (Adopted November 2015).

4. No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:
 - (a) All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated on the approved site layout drawing to be completed and cleared away;
 - (b) 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. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policies 31 and 33 of the Horsham District Planning Framework (Adopted November 2015).

5. Prior to the commencement of the development hereby permitted, full details of provision of facilities for charging plug-in and other low-emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until provision has been made for occupiers of that unit to access the charging facilities.

Reason: To encourage low-emissions vehicle choices in order to assist in ensuring delivering the Air Quality Action Plan for this area in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).

6. Prior to the commencement of the development hereby permitted, full details of the measures which will be undertaken to divert and/or protect public sewers within and adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that existing infrastructure is maintained to serve existing properties, in accordance with Policy 39 of the Horsham District Planning Framework (Adopted November 2015).

7. Prior to the commencement of the development hereby permitted, a drainage strategy detailing the proposed means of surface water disposal and an implementation timetable, shall be submitted to and approved in writing by the Local Planning Authority. Where Sustainable Drainage Systems are proposed, the drainage strategy shall include details of responsible parties for the implementation of the scheme and a management and maintenance plan for the lifetime of the development. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason: To ensure that surface water is effectively managed in accordance with Policies 35 and 38 of the Horsham District Planning Framework (Adopted November 2015).

8. Notwithstanding the details shown on the drawings hereby permitted, a full schedule and samples of materials to be used in the external construction of the development hereby permitted, including where necessary drawings to show the extent of each type of material on each building, shall be submitted to and approved in writing by the Local Planning Authority prior to completion up to slab level of any building hereby permitted. The development shall thereafter be carried out in accordance with the approved details.

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 (Adopted November 2015).

9. Prior to the commencement of any works above slab level, detailed plans, including cross sections as appropriate, showing the existing and proposed ground levels and the

proposed slab and finished floor levels of the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed datum point located outside the application site. Thereafter the development shall not be constructed other than as approved in relation to the fixed datum point.

Reason: To protect, as far as is possible, the character of the locality, in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

10. Prior to the commencement of the development hereby permitted, details of the proposed means of foul and surface water sewerage disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory sewerage infrastructure is in place to serve the development, in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

11. Prior to the commencement of the development hereby permitted above slab level, details of a scheme to protect the proposed dwellings and flats from noise from the adjacent railway and car park and that achieves the internal noise levels in bedrooms and living areas in accordance with BS8233:2014, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and no flat or dwelling hereby approved shall be occupied until the results of post-construction survey of internal noise levels has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an acceptable level of amenity for future occupiers in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

12. Prior to the commencement of any development above slab level, details of a scheme for internal noise insulation to minimise noise transfer between adjoining dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve at least 5 dB greater sound reduction than the values given in Section O of the Building Regulations 2010 Approved Document E Resistance to the Passage of Sound. The development shall thereafter be carried out in accordance with the approved details and no unit shall be occupied until the scheme for noise reduction for that unit has been implemented as approved.

Reason: To ensure an acceptable level of amenity for future occupiers in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

13. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

14. Any dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit water use of each dwellinghouse or flat to 110 litres per person per day. Prior to commencement of construction confirmation shall be submitted in writing to the Local

Planning Authority that the Building Control Body has been notified that the optional standard is in force for this development. The subsequently approved water limiting measures shall thereafter be retained in accordance with the approved details, other than replacement with other water limiting measures of equal or better efficiency.

Reason: To ensure that water usage is limited in this area of water stress, in accordance with Policy 37 of the HDPF.

15. Prior to the construction of any building above slab level, full details of the bicycle storage buildings shown on drawing number 13/080 PL52 Rev A received by the Local Planning Authority on 21st December 2016 shall be submitted to and approved in writing by the Local Planning Authority. No dwelling or flat hereby permitted shall be first occupied until covered and secure cycle parking spaces serving that unit have been provided in accordance the approved details.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).

16. Prior to the occupation of any part of the development hereby approved full details of all hard and soft landscaping works, including details of surfacing materials and construction of the access road and surrounding areas of hardsurfacing, shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory development and in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

17. No flat or dwelling hereby approved shall be occupied until the results of post-construction survey of sound insulation levels between the dwelling and any adjoining dwellings have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an acceptable level of amenity for future occupiers in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

18. Prior to the initial occupation of the development hereby permitted, the access onto Standings Court shall be constructed in accordance with the approved drawings.

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

19. No dwelling or flat hereby permitted shall be first occupied until the car parking serving that unit has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for parking in connection with the dwellings hereby permitted.

Reason: To provide car-parking space for the use in accordance with Policy 41 of the Horsham District Planning Framework (Adopted November 2015).

20. No dwelling or flat hereby permitted shall be first occupied until the boundary treatments enclosing the amenity space associated with that unit or Block have been erected in

accordance with the approved details shown on drawing number LLD/699/03 Rev 5 received by the Local Planning Authority on 21st December 2016.

Reason: In the interests of the amenity of future occupiers and the appearance of the development, in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

21. No dwelling/flat hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling bins associated with that unit has been made within the site in accordance with the approved drawings. The facilities for refuse and recycling storage shall thereafter be retained in accordance with the approved drawings.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 37 of the Horsham District Planning Framework (Adopted November 2015).

22. No work for the implementation of the development hereby permitted shall be undertaken on the site except between 08.00 hours and 18.00 hours on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays.

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

23. The development hereby permitted shall be carried out in full accordance with the recommended measures set out in sections 6 and 7 of the Preliminary Ecological Appraisal and Protected Species Assessment, dated 9th December 2016 and received by the Local Planning Authority on 21st December 2016.

Reason: To ensure reasonable and proportionate measures are taken to avoid harm to wildlife and to enhance local biodiversity, in accordance with Policy 31 of the Horsham District Planning Framework (Adopted November 2015).

24. No trenches or pipe runs for services, drains, or any other reason, shall be excavated anywhere within the root protection area of any tree or hedge targeted for retention on or off the site without the prior written approval of the Local Planning Authority.

Reason: To protect roots of important trees and hedgerows on the site in accordance with Policies 31 and 33 of the Horsham District Planning Framework (Adopted November 2015).

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

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

26. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as amended, no means of enclosure other than those shown on drawing number LDD/699/03 Rev 5 received by the Local Planning Authority on 21st December 2016 shall be erected on the north eastern boundary of the site adjacent to the public footpath.

Reason: In the interests of the visual amenities of the area and to ensure the footpath is sufficiently overlooked, in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

Notes to Applicant:

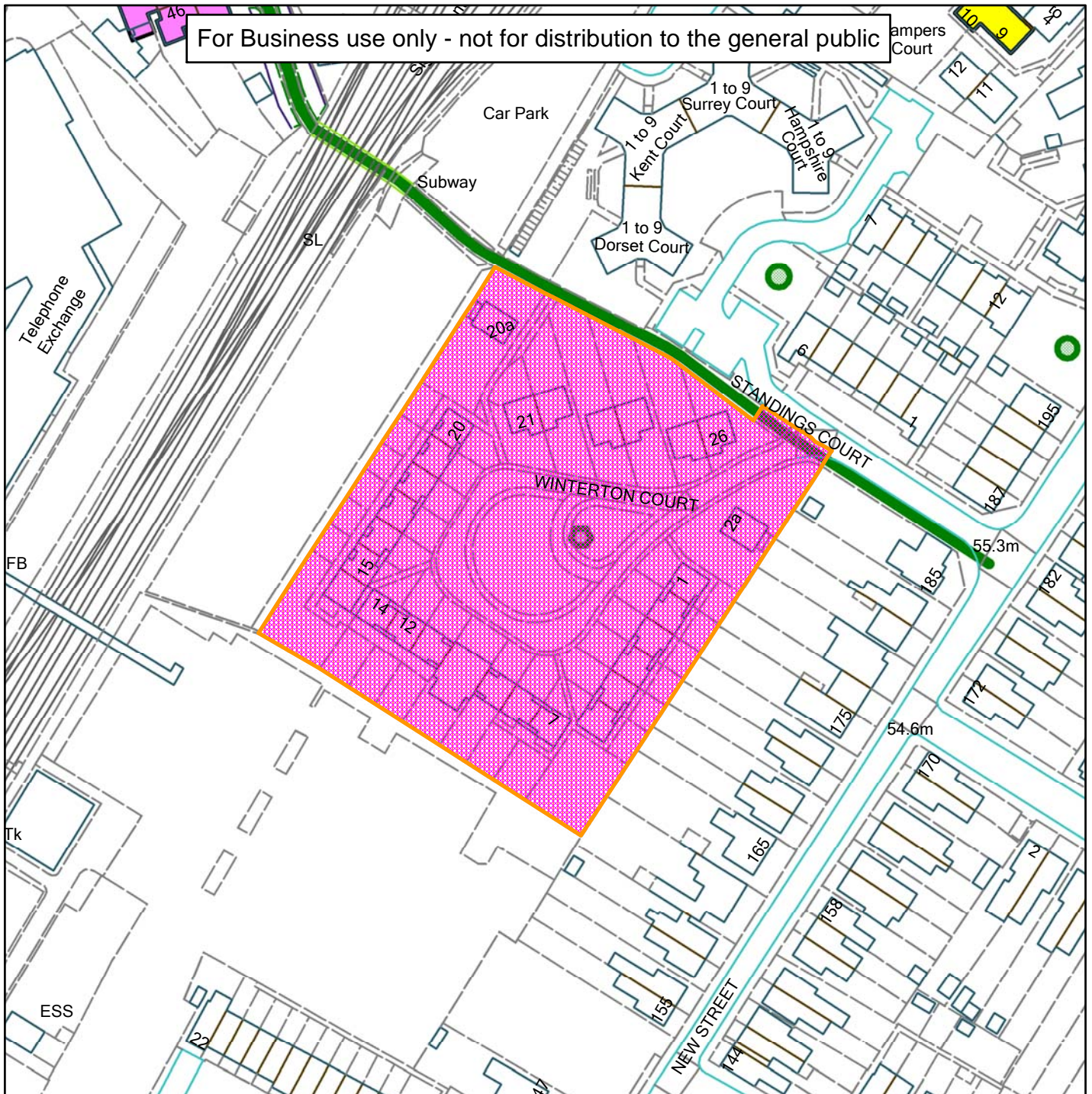
- a. Removal of waste and clearance of debris and construction waste from the site, including all asbestos waste, should only be carried out by an appropriately licensed waste removal contractor.
- b. The applicant should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. A formal application for connection to the water supply is required in order to service this development. The applicant should contact Southern Water, Sparrowgrove House, Otterbourne, Hampshire, S021 2SW (Tel 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
- c. The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
- d. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- e. Any alteration to, or replacement of, the existing boundary with the PROW or the erection of new fence lines, must be done in consultation with WSCC's RoW Team to ensure the legal width of the footpath is maintained and there is no unlawful encroachment. Access along the PROW by contractor's vehicles, deliveries or plant is only lawful if the applicant can prove they have a vehicular right. If the footpath's surface is considered damaged as a result of the development then the applicant will be required to make good the surface to a standard satisfactory to WSCC's RoW Team. Should any building works, demolition or construction encroach upon the PROW then a Temporary Path Closure Order may be required, for which an application must be made to WSCC's RoW Team. The granting of planning permission by the Local Planning Authority does not confer consent for such a closure, which would require a separate application to WSCC's RoW Team.
- f. All asbestos containing materials shall be identified and removed by an appropriately licensed and competent contractor prior to the commencement of any other works.
- g. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning 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.

Background Papers: DC/16/1320 & DC/15/0154



Winterton Court

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



Scale: 1:1,250

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
OSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 March 2017

DEVELOPMENT: Provision of a community building, 2 x football pitches, a cricket pitch, 2 x tennis courts, a multi-use games area (MUGA), a skate park, a LEAP-NEAP with associated access, parking and landscaping works (application for approval of Reserved Matters following outline approval DC/14/0590- Residential development of up to 540 dwellings and 54 retirement living apartments, associated vehicular, cycle and pedestrian access, drainage and landscape works)

SITE: Land West of Worthing Road Southwater West Sussex

WARD: Southwater

APPLICATION: DC/16/1919

APPLICANT: Berkeley Homes (Southern) Ltd

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters have been received which are contrary to the Officers' recommendation

RECOMMENDATION: To approve the application

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The Application seeks approval of matters reserved by outline planning permission DC/14/0590 for the sports and recreation area only. Means of access was approved as part of the outline application. Therefore, only the matters of appearance, landscaping, layout and scale are for consideration now.

1.3 The application includes the provision of:

- Two football pitches
- A cricket pitch
- Two tennis courts
- A multi-use games area (MUGA)
- A skate park
- A neighbourhood equipped area for play (NEAP) and local equipped area for play (LEAP)
- A community building
- Associated car parking and landscaping.

- Land for provision of a sports pavilion (details not included in this application, and will be subject of a further separate application for approval of reserved matters)
- 1.4 Vehicle access to the site would be via the approved access point on Church Lane. The site is also crossed by existing public footpaths, which would be retained as part of this proposal, and also provide pedestrian links to the residential element of the development. The cricket pitch would be sited to the south east of the site, and the football pitches to the north west. The land for a sports pavilion would be sited between the cricket and football pitches. The equipped play area would be sited in the north east of the site, adjacent to the residential part of the development permitted by DC/14/0590. The remainder of the facilities would be sited to the west of the cricket pitch.
- 1.5 Parking is provided in two main areas- 20 spaces (including two disabled bays) just adjacent to the site access onto Church Lane and a further 86 spaces (including 4 disabled bays) adjacent to the sports pavilion land.
- 1.6 The Legal Agreement of DC/14/0590 sets out details of the end users of these facilities, which includes:
- The parking spaces near the site entrance onto Church Lane (referred to as the church car park) are to be used for parishioners of the Holy Innocent's Church and offered for transfer to the District Council or its nominee for the sum of £1.
 - The larger parking area (referred to as the sports club car park) near the land reserved for a sports pavilion is to be offered for lease first to Southwater Sports Club and then to the Parish Council or the District Council or its Nominee for use by users of the sports club facilities, sports pavilion, community hall, MUGA, skate park, and LEAP/NEAP.
 - The sports facilities comprising the football pitches, cricket pitch and tennis courts to be offered for lease to Southwater Sports Club and then to the Parish Council or the District Council or its Nominee.
 - The sports facilities comprising the MUGA are to be offered for lease to the Parish Council or the District Council or its Nominee.
 - The community building is to be offered for lease to the Parish Council or the District Council or its Nominee.
 - The NEAP/LEAP area and the Skate Park are to be offered for lease to the District Council or its Nominee or the Parish Council.
- 1.7 The Legal Agreement also sets trigger points for the delivery of the facilities proposed through this application, which are as follows:
- The football pitches, cricket pitch, tennis courts, sports club car park, NEAP/LEAP, community building, MUGA and skate park are all to be completed and ready for use on or before occupation of the 250th unit of the associated residential development.
 - The sports club facilities (football pitches, cricket pitch, tennis courts, car park and access thereto) and sports pavilion must also be practically completed and available for use prior to the removal of existing cricket pitches, football pitch, tennis courts and sports pavilion.
- 1.8 The application is supported by a number of documents including:
- Design and Access Statement
 - Planting Schedule
 - Landscape Design Strategy
 - Bat Assessment
 - Ecology Update
 - Ecology Enhancement and Management Plan
 - Tree Schedule and Tree Works
 - Arboricultural Impact Assessment and Method Statement
 - Utility Statement
 - Waste Management Strategy

- Foul and Surface Water Drainage Strategy
- Transport Statement
- Play Strategy

DESCRIPTION OF THE SITE

- 1.9 The site is known as ‘West of Worthing Road, Southwater’, and is subject of Strategic Policy SD10 and outline planning permission DC/14/0590 for development of up to 594 dwellings plus associated facilities. The site is largely undeveloped, but part of the residential development would be on the site of the existing Southwater Sports Club and the Parish Council building on Church Lane. Therefore replacement facilities, as well as additional sports and recreation facilities, were incorporated into the outline planning permission.
- 1.10 Works have commenced on ‘phase 1’ of the residential development (to the north east of this application site) under reserved matters approval DC/15/2064.
- 1.11 The site is crossed by public footpaths, including the Downs Link. There is a group of listed buildings opposite the site on Church Lane, namely the Church, Vicarage and Southwater House.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The relevant chapters of the National Planning Policy Framework are: 1, 4, 7, 8, 10, 11 and 12.

RELEVANT COUNCIL POLICY

- 2.3 The Development Plan for the area is the Horsham District Planning Framework. The relevant Policies of the HDPF include: 1, 2, 15, SD10, 24, 25, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41 and 43.

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Southwater Parish has been designated as a Neighbourhood Plan Area. No Plan is in place at this time however.

PLANNING HISTORY

S106/16/0009	Modifications to planning obligations attached to DC/14/0590	Application Permitted
DC/16/0582	Erection of temporary sales and marketing suite with associated parking and landscape works for period of 4 years	Application Permitted
DC/16/0638	Sales and Marketing Signage, 2 x v-Board and 6 x Flags (Advertising Consent)	Application Permitted
DC/16/0683	Erection of building (Phase 2 Block B) to provide 25no apartments (13 x 1 bed, 12 x 2 bed) with associated parking and landscape works	Application Permitted

DC/15/2594	Provision of temporary construction access with associated landscape works	Application Permitted
DC/14/0590	Residential development of up to 540 dwellings and 54 retirement living apartments, associated vehicular, cycle and pedestrian access, drainage and landscape works (Outline)	Application Permitted
DC/15/2064	Erection of 244 dwellings (including 54 retirement living apartments) with associated access, parking and landscape works pursuant to outline planning permission DC/14/0590 (Approval of Reserved Matters)	Application Permitted

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:

Raised a number of points for clarification in respect of the original submission. The applicant submitted amended plans in response, but there are still a number of points that remain to be addressed. These include:

- Details of fencing to be amended, or justification for their height to be provided (particularly in relation to fencing around the football pitch).
- Although the Drainage Engineer and WSCC Flood Management Team have advised that the details of drainage are acceptable, there are more opportunities to do away with underground pipes, and drain to soft landscaped areas and swales.
- The attenuation pond should be designed to fully integrate with the landscaping scheme.
- Details of access to the attenuation pond for maintenance are necessary.
- Further details of surfacing materials are necessary, in particular a buff coloured surface for pedestrian paths, rather than black tarmac, and surfacing to reinforce access for mowers and grounds keeping machinery is required to the pitches.
- Some surfaces within the play area are not suitable for inclusive access and need to be changed.
- Play area is acceptable in principle, but some amendments to the location and type of equipment within it are necessary.
- Planting within the play area and around the skate park should be simplified to reduce the on-going maintenance requirements.
- No details for drainage of the skate park are provided.

3.3 HDC Drainage Engineer:

- No objection to drainage strategy.
- Conditions need to secure the implementation and maintenance of the SuDS features to ensure they remain effective for the lifetime of the development.
[Officer Note: conditions 10 and 11 of the outline planning permission require approval of storm water management and surface water drainage]

3.4 HDC Access and Equalities Officer:

- British Standards recommend 6% of total parking capacity to be accessible for visiting disabled motorists.

- For this scheme of 86 parking spaces, 4 are shown as accessible, which equates to 4.6%. Five accessible parking spaces would be required.
[Officer Note: considering the total parking provision of 106 parking spaces with 6 accessible spaces, the overall percentage of accessible spaces is 5.6%]

3.5 HDC Collections Supervisor (refuse and recycling):

- No objection, but a refuse and recycling strategy will need to be in place for the Sports Pavilion, and all bins moved to this area to be emptied.

3.6 HDC Archaeology Consultant:

No objection, conditions of the outline planning permission remain applicable.

3.7 HDC Ecology Consultant:

- No comments to make. Conditions of the outline permission remain applicable.

OUTSIDE AGENCIES

3.8 WSCC Highways:

- No objections to access and parking arrangements.

3.9 WSCC Rights of Way:

- No objection, subject to conditions requiring approval of surfacing.
- Originally raised concern regarding the alignment of the re-routed public footpaths within the site, but additional information was submitted by the applicant to demonstrate that existing connection points with rights of way outside of the site would be maintained.

3.10 Sport England:

- No objection raised to the majority of the proposal, subject to conditions to ensure the pitches are of sufficient quality through approval of a full specification informed by a ground investigation carried out by a sports turf specialist/agronomist.
- Raised objection to the proposal as originally submitted, which included full details of the sports pavilion.
- The sports pavilion as proposed did not comply with FA standards for the size of changing rooms.

In response, the Applicant has chosen to withdraw the sports pavilion element of the proposal for later consideration under a separate planning application. This is because the negotiation of changes to the size/layout of the pavilion building with Sport England and Southwater Sports Club are anticipated to take some time. The Applicant hopes to receive approval for the remainder of the sports and recreation facilities in order to commence ground works for the pitches at a suitable time of year.

Sport England have therefore removed their objection to the scheme, with the pavilion reserved for later consideration.

3.11 Sussex Police Crime Prevention Design Adviser:

No objections. Advice is provided to assist in reducing crime and the fear of crime, including:

- Play areas should be enclosed and signage provided to indicate the age group they are provided for.
- Landscaping between the play area and dwellings should be maintained at a height which does not prevent overlooking.
- Footpaths should be at least 3m wide to allow people to pass without infringing personal space.
- Means of controlling any designated parking bays (i.e. those associated with the church) should be considered.

- A vehicle height restrictor should be considered at the site entrance to impede access by unsuitable vehicles.
- The sports area should be designed to deter vehicle access along its perimeter, such as anti-vehicle mitigation including bunds or ditches.
- Lighting in the car park should conform to relevant British Standards.

3.12 Southern Water:

- No objections
- Foul and surface water drainage strategy is acceptable in principle.
- Approval to connect to the public foul sewer should be obtained.

3.13 Environment Agency:

- No objection.

3.14 Natural England:

- No comments, as the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes

PUBLIC CONSULTATIONS

3.15 Southwater Parish Council:

- No objection in principle
- The MUGA and skate park should be of a similar size and standard to the existing ones at Southwater Leisure Centre.
- Lighting and CCTV should be installed to the MUGA.
- Confirmation of the design of the skate park would be appreciated.

3.16 Eight letters of objection have been received, which include the following points:

- Surrounding roads are already congested, and this is getting worse over recent years.
- The proposal will add to rush hour traffic in many locations.
- The development should include improved road infrastructure.
- Road surfaces should be improved to reduce noise.
- Concern regarding access onto Church Lane at a dangerous point.
- Church Lane is a busy road at peak times, and has no footpath.
- Cars often exceed the speed limit on Church Lane.
- Increased traffic on Church Lane will have repercussions.
- There has been extensive flooding on the Downs Link footpath and adjoining properties in recent years. The development will make this worse.
- Harm to the outlook from the Downs Link footpath.
- It is not clear how many roads will cross the Downs Link within the development.
- Noise from these sports and play facilities will have a negative impact on the rural environment and habitats.
- Southwater already has a cricket field, 2 football pitches, a skate park, tennis courts, a community building and a club house. The village is not gaining anything from this development, apart from loss of countryside.
- The existing skate park in Southwater attracts vandalism.
- New landscaping should have wildlife benefits.
- Concern regarding felling of existing trees and removal of hedgerows.
- Houses should not be built without associated infrastructure such as hospitals, doctors and schools. Sports fields should not be the priority.

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 site is part of the Strategic Development Site SD10, Land West of Southwater and also included in outline planning permission DC/14/0590. Both the allocation policy and the outline planning permission set out requirements for sports and recreation facilities within the wider development. In particular, the Policy requires “Replacement and enhancement of the existing playing pitches and sports club pavilion will be provided in addition to further playing pitches and recreation facilities” and the parameter plans and Legal Agreement of the outline planning permission set out the principles for the sport and recreation area, including the number and type of facilities. The outline permission also permitted the site access. The proposal is therefore acceptable in principle, and it is the detail of the application which is the main consideration at this stage.
- 6.2 The application includes all of the sports facilities, aside from the full details of the sports pavilion, which were indicated on the outline application parameter plans as being provided within this area. The applicant’s supporting information indicates that they have prepared this scheme with involvement from relevant parties including Southwater Parish Council and Southwater Sports Club. As set out in section 1 above, the Legal Agreement of the outline application requires the facilities to be transferred to one or other of these bodies in the first instance. Southwater Sports Club had not made representations on this application at the time of drafting this report.
- 6.3 At the time of drafting this report, the Parish Council had made representations on the original submission, but not the amended plans omitting the detail of the sports pavilion. They raised no objection to the proposal, but did request that lighting and CCTV are provided to the MUGA and skate park. The applicant has not provided details of lighting or CCTV for any of the facilities. Full details of lighting can be secured by condition, to ensure that a suitable balance is struck between the security of the site, the amenity of neighbouring residents and the semi-rural, edge of settlement location of the site. It will be necessary to consider the appropriateness of a full scheme of external lighting for this site, including the appropriateness of any floodlighting which might be proposed to the pitches, and the hours of operation of any external lighting. However, the installation of CCTV would be a matter for the future management of the site, to be finalised between the developer and the end user of any of the facilities proposed.
- 6.4 Sport England’s original consultation response advised that they have no objection to the majority of the proposal, subject to conditions to ensure that the pitches and tennis courts are constructed, planted and maintained to a suitable standard. However, Sport England objected to the pavilion building which was included in the original submission, as its internal layout did not meet the relevant Football Association standards for changing facilities. The size of the sports pavilion and its maximum cost (449sqm and £797,219) are set out in the Legal Agreement of the outline application. There is sufficient space within the footprint of the building to provide appropriate sized changing facilities to meet the relevant minimum standards. However, it is understood that the end user, Southwater

Sports Club, wish to maximise the area available for social functions within the sports pavilion. Therefore, the Applicant has chosen to withdraw the sports pavilion element of the proposal for later consideration under a separate planning application once the revised design has been finalised following discussions with the SSC and Sport England. This is because the Applicant hopes to receive approval for the remainder of the sports and recreation facilities in order to commence ground works for the pitches at a suitable time of year (i.e. spring). The sports pavilion will still need to be delivered alongside the pitches and other sports facilities no later than the 250th dwelling units and before the demolition of the existing sports pavilion at the existing SSC site, as required by the Legal Agreement of DC/14/0590. Given the safeguards included in the Legal Agreement relating to the delivery of the sports pavilion, the removal of the pavilion from the current application for submission under cover of a fresh reserved matters application is considered to be an acceptable and pragmatic approach, allowing the applicant to progress with the necessary groundworks for the sports pitches in the event that approval is granted for this proposal.

- 6.5 The County Rights of Way Officer initially raised concern regarding the alignment of re-routed footpaths across the site with the existing off-site rights of way. The Applicant has submitted details of their agreed footpath diversions, which have addressed the RoW Officer concerns regarding the alignment of routes. The RoW Officer also seeks further details of surfacing and construction of public rights of way through the site. The Council's Landscape Architect also seeks amendments to some of the surfaces proposed for footpaths, in particular seeking buff coloured tarmac instead of black. The Landscape Architect also seeks revisions to the surfacing within the play area and at the entrance to the skate park. Condition 25 of the outline permission DC/14/0590 requires approval of details of surfacing and drainage of existing public rights of way to be improved. However, this condition does not relate to the standards of construction of diverted or new rights of way, or full details of hardsurfaces throughout the site. As such, it will be necessary to approve by condition full details of surfacing and construction of the footpaths throughout the site.
- 6.6 The application includes two areas for car parking, as set out in the parameter plans and legal agreement of the outline application. As set out in section 1, above, details of access were approved at the outline stage. The County Highway Authority has raised no objection to the level of car parking proposed. The HDC Access and Equalities Officer has highlighted that the relevant British Standard for car parking requires 6% of parking spaces to be accessible for visiting disabled motorists. In this case, 6 accessible spaces of 106 spaces in total are provided, which equates to 5.6%. The 6% requirement for accessible parking bays is also embedded in the WSCC Parking Standards (2003). However, given the lack of objection from the Highway Authority, and the small margin (0.4%) by which the proposal falls short of the required 6%, refusal on this basis is not considered sustainable. In terms of refuse collection, the HDC Collections Supervisor raises no objection, but seeks approval of a refuse strategy to ensure that bins are left in a single suitable location for collection.
- 6.7 The proposed skate park is aimed at older children and is intended to provide for a number of different users including skateboarding, BMX biking and scooters. It would be of concrete construction and set in landscaped surroundings. It would be set in an area with the main car park to the north, the access road to the east, the MUGA to the west and the community building to the south. It would therefore be well over-looked and integrated into the overall scheme. The equipment in the LEAP is aimed at children up to 12 years old, and the NEAP at children up to 14 years old and is sited to the eastern edge of the football pitches, adjacent to residential development also forming part of the outline approval, which will assist in providing some surveillance of the LEAP/NEAP. The equipment includes both formal equipment such as swings, rotating structures and climbing structures, as well as informal play equipment such as boulders for climbing, timber sleepers and wooden platforms. The play area would be enclosed by timber post and rail fencing and includes planting and seating areas. The play equipment shown is predominantly timber and laid

out in a series of 6 separate areas linked by informal paths. Overall, no objections are raised to the proposed play provision. However, the HDC Landscape Architect highlights a number of points that need to be addressed within the play area, including the substitution of sand surfaces and the re-ordering/replacement of some of the equipment to improve the variety and play value of the LEAP/NEAP. There is also limited detail provided in relation to drainage of the skate park, which is shown as a solid concrete structure, with water likely to accumulate at the base. Full details will therefore be necessary to approve by condition.

- 6.8 The proposed community building is a single storey building providing a hall, store, toilets and small kitchen. As set out in section 1, above, the Legal Agreement of DC/14/0590 requires this building to be first offered to the Parish Council for leasehold. The Parish Council have not raised objection to this element of the proposal and the Design and Access Statement indicates that the Applicant has consulted with the Parish Council in terms of the design of this building. As such, no objections are raised to this element of the proposal.
- 6.9 The HDC Drainage Engineer seeks confirmation that the implementation and maintenance of the SuDS features are secured. Conditions 10 and 11 of the outline permission DC/14/0590 require approval of details of storm water attenuation and drainage, including sustainable surface water drainage. The Applicant has submitted details pursuant to these conditions under application reference DISC/16/0228 for this part of the site, and the HDC Drainage Engineer raised no objections to that application. Therefore further conditions relating to approval of a drainage strategy are not necessary at this reserved matters stage.
- 6.10 The applicant has provided full details of proposed planting. The planting scheme around the skate park and play areas will be maintained by the Parish or District Council or its nominee in accordance with the Legal Agreement of the outline application. The Landscape Architect advises that while the planting scheme as presented will look attractive, it is overly complex in terms of the different species and their maintenance requirements, and requests simplification of the planting scheme in order to reduce the on-going maintenance burden. Alternative details of planting can be secured by condition. The long-term maintenance of the landscaped areas is set out separately in the Landscape Maintenance and Management Plan submitted pursuant to condition 7 of the outline permission and considered by the Council under reference DISC/16/0095. As such, it is necessary at this stage, to ensure that alternative details of planting are provided, and delivered at an appropriate stage.
- 6.11 In conclusion, the proposal is considered to represent acceptable replacement and enhanced sports and recreation facilities as set out in Policy SD10, the parameter plans approved at the outline stage and the requirements set out in the Legal Agreement of the outline application.

7. RECOMMENDATIONS

- 7.1 To approve the application, subject to conditions. As set out above, there are a number of matters which are already secured by the conditions and legal agreement of the outline permission, including the timescale for delivery of these facilities. Therefore, it is only necessary to condition any matters not already secured. These relate mainly to the detail of this proposal, and are reflected in the recommended conditions below.
1. A condition listing the approved drawings
 2. Notwithstanding the details of planting shown on the submitted plans, full details of proposed planting shall be submitted to and approved in writing by the Local Planning Authority prior to the carrying out of any planting within the landscaped areas hereby permitted. The approved scheme of planting shall be implemented in the first planting

season following the substantial completion of any of the sports and recreation facilities hereby permitted, and maintained thereafter in accordance with the Landscape Maintenance and Management Plan considered by the Council under reference DISC/16/0095 pursuant to condition 7 of outline planning permission DC/14/0590.

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).

3. Prior to the commencement of the use of the facilities hereby permitted, full details of any external lighting of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The details shall include full elevational drawings (to a scale of 1:100 or 1:50) of any lighting columns/bollards, a site plan at a scale of not less than 1:500 showing the location of any external lighting, details of the luminance of any external lighting and the intended hours of operation of such lighting. The development shall thereafter be carried out in accordance with the approved details and no external lighting or floodlighting shall be installed or operated other than in accordance with the approved details.

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

4. Prior to the laying out of the football and cricket pitches hereby permitted, a specification for their construction, planting and maintenance shall be submitted to and approved in writing by the Local Planning Authority. The specification shall be informed by a Ground Conditions Assessment to be undertaken by a sports turf specialist/agronomist, which shall also be submitted with the sports pitch specifications, and shall include details of reinforced access to allow for grounds keeping equipment. The pitches shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the playing pitches are of a suitable standard and quality for their intended purpose in accordance with Policies SD10 and 43 of the Horsham District Planning Framework (2015).

5. Prior to the construction of the tennis courts hereby permitted, full details of their construction, including surfaces and means of enclosure, and future maintenance shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason: To ensure that the tennis courts are of a suitable standard and quality for their intended purpose in accordance with Policies SD10 and 43 of the Horsham District Planning Framework (2015).

6. Prior to the initial use of any part of the development hereby permitted, a Refuse Strategy detailing the refuse collection strategy for the site and including details of storage of refuse and recycling bins and their collection point(s) shall be submitted to and approved in writing by the Local Planning Authority. The use shall thereafter be carried out in accordance with the approved Refuse Strategy.

Reason: To ensure that sufficient provision is made for the storage and collection of refuse and recycling for the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. Notwithstanding the details of hardsurfacing submitted with the application, prior to the commencement of works to construct pedestrian paths, footways and cycleways, including any diverted or newly dedicated public rights of way within the site, full details of the materials and method of construction of these paths shall be submitted to and approved in

writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the paths are of a suitable construction for their intended use and are of an acceptable appearance to integrate with the overall scheme of landscaping and design for the development, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

8. Notwithstanding the details of the play areas submitted with the application, prior to the commencement of works to construct the LEAP/NEAP full details of the play area including named types of play equipment and their location, surfacing materials/levels and ancillary structures such as bins, benches, gates and fencing, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the LEAP/NEAP is suitable for its intended use and is of an acceptable appearance to integrate with the overall scheme of landscaping and design for the development, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

9. 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 approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted 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).

10. Notwithstanding the details of fencing hereby permitted, full details of fencing and means of enclosure, in particular the fence to the football pitches, attenuation pond and LEAP/NEAP, shall be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the approved details prior to the initial use of the facility enclosed or partly enclosed by the fencing hereby permitted.

Reason: To ensure that the means of enclosure are of a suitable construction for their intended use and are of an acceptable appearance to integrate with the overall scheme of landscaping and design for the development, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

Notes to Applicant

- a. Sport England guidance 'National Turf for Sport' should be consulted to inform the sports pitch specifications required by the above conditions, and the details of maintenance provided within the Specification ensure that the Performance Quality Standards set out in Appendix 4 of National Turf for Sport are met. <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/natural-turf-for-sport/>
- b. The Sports and Play Construction Association Codes of Practice for the Construction and Maintenance of Tennis Courts should form the basis of the tennis court specification required by the above conditions: <http://www.sapca.org.uk/technical-guidance/codes-of-practice/more/1598/page/1/sapca-code-of-practice-for-the-construction-and-maintenance-of-tennis-courts>

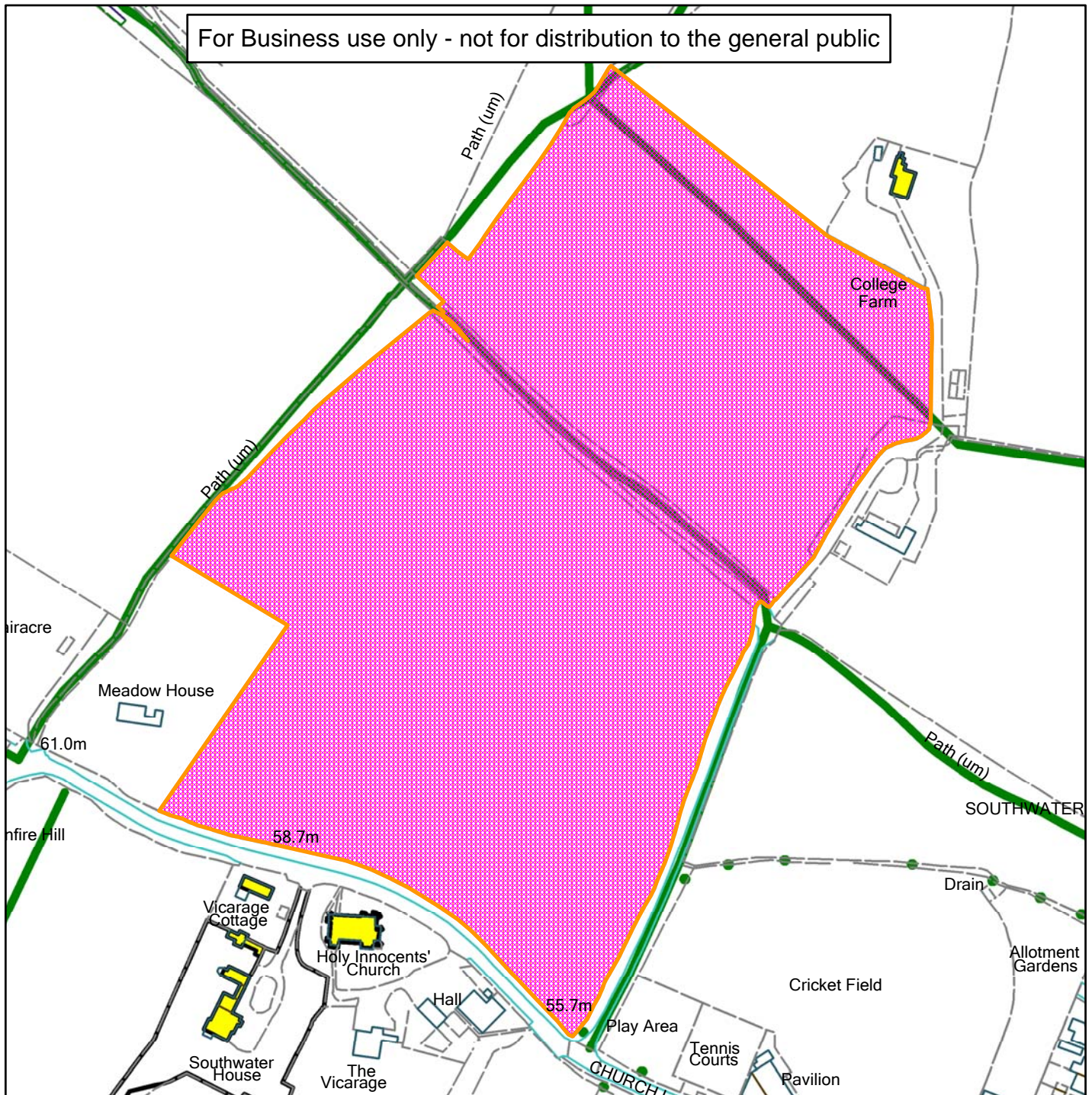
- c. In preparing details to address the condition above requiring an alternative scheme of planting to that submitted, the Applicant should have regard to the comments of the Council's Landscape Architect, which require simplification of the proposals around the play area and skate park in particular.
- d. In preparing details to address the condition above requiring approval of details of paths and cycleways through the site, the Applicant should have regard to the comments of the Council's Landscape Architect, who seeks the use of buff coloured surfacing, and the County Rights of Way Officer, who seeks full details of surfacing and construction of those rights of way proposed for adoption.
- e. In preparing details to address the condition above requiring approval of details of the LEAP/NEAP within the site, the Applicant should have regard to the comments of the Council's Landscape Architect who highlights a number of changes to equipment, surfacing means of enclosure (including access for maintenance) that are necessary in order to make the development acceptable.

Background Papers: DC/16/1919 & DC/14/0590



Land West of Worthing Road

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



Scale: 1:2,500

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 March 2017

DEVELOPMENT: Demolition of 2 x existing dwellings, industrial and agricultural outbuildings and erection of 55 dwellings, 3 x offices (B1 Use Class) and industrial building extension (B2 Use Class) with associated access, drainage and landscape works

SITE: Rudgwick Metals Ltd, Church Street, Rudgwick, Horsham

WARD: Rudgwick

APPLICATION: DC/16/2917

APPLICANT: Berkeley Homes (Southern) Ltd

REASON FOR INCLUSION ON THE AGENDA: - More than eight representations received which are contrary to the officer recommendation
- The application involves land owned by a Council Member.

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager, subject to completion of a legal agreement and appropriate conditions. The legal agreement will secure affordable housing provision (35%) and contributions for education, libraries, fire and rescue services, highway improvements, health improvements, community and sports facilities.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes redevelopment of the site with a mixed use scheme comprising the construction of 55 dwellings, 3 x office units (Class B1), the retention of the existing commercial use with a replacement extension (Class B2) and a new access from Church Street. The proposal includes the demolition of two existing dwellings as well as derelict farm and workshop buildings.

1.3 The current scheme proposes a mix of detached, semi-detached and terraced houses and a block of flats. All of the buildings would be two storeys high and would be of traditional design with hipped roofs with a mix of external materials. The proposal includes 19 affordable units (35%). The housing mix is as follows:

Market Housing	
2 Bed Houses	4
3 Bed Houses	22
4 Bed Houses	9
5 Bed Houses	1
Total	36

Affordable Housing	
1 Bed Flats	2
2 Bed Flats	6
2 Bed Houses	7
3 Bed Houses	4
Total	19

- 1.4 Two existing dwellings are proposed to be demolished in order to facilitate the construction of a new access road to serve the proposed development. The dwellings proposed to be demolished are located on the north side of the existing access road just off Church Street. The new access road would run from Church Street west to east, through the curtilage of the two existing dwellings to be demolished. The road would then go north and divide into two main branches, one to provide access to the existing and proposed commercial units and the other to serve the main residential elements of the scheme. Windacres Bungalow, an existing dwelling adjacent the west of the site, would retain their access over the site from north to south.
- 1.5 Adjacent to the access and close to the site frontage with Church Street, two replacement detached houses are proposed. These would be located on the land between the proposed access to serve the site and the southern site boundary. The southern boundary of the site would be adjacent to the existing access that currently serves Rudgwick Metals and a number of other dwellings around the site. The existing access is outside the current application site and is not in the ownership of the applicant. This existing access will remain in place serving adjacent properties.
- 1.6 The proposal includes areas of open space either side of the new access to the site in the south east corner. The area to the east of the access road would include a surface water attenuation basin. The scheme retains the majority of the trees within and surrounding the site. An access gate is proposed to the north east boundary to allow access to Windacres Farm.
- 1.7 The area of open space and attenuation pond separate the main proportion of the development in the north section of the site from the two houses proposed adjacent to Church Street. This northern section includes the remaining 53 dwellings proposed, the existing Rudgwick Metals business to be retained and extended, and the three new office units. The dwellings would be located to the east and west sides of the site divided by the

main internal road. The dwellings would mainly have a north to south orientation with front and rear gardens.

- 1.8 The proposal includes 125 residential and 18 commercial car parking spaces. Parking would be provided in parking barns, garages and parking courts. The proposal also includes cycle parking in dedicated cycle sheds and integral storage areas. Landscaping is proposed throughout including new tree planting. The scheme would require the removal of a number of trees, including trees which currently run across the site and trees near the main access. The trees to be removed are within Category B (moderate quality), Category C (low quality) and Category U (unsuited for retention). The trees and hedgerow around the boundaries of the site would be retained and enhanced.
- 1.9 The commercial elements of the scheme would be located in the north west section of the site. As stated, Rudgwick Metals is to be retained on site. The scheme includes a two-storey extension to Rudgwick Metals which replaces an existing extension. This is located to the south elevation of the existing business. The replacement extension would have a floor area of 15m x 18.5m. The scheme also includes 3 x B1 office units adjacent to Rudgwick Metals. These units would be single-storey and would have a total floor area of 138sqm. The new units would be accessed via the new road proposed along the west side of the site.
- 1.10 In summary, the proposal would provide the following:
- 53 new dwellings to the main section of the site (all within two-storey buildings).
 - 2 replacement two-storey dwellings adjacent to the entrance of the site off Church Street.
 - Retention of the existing Rudgwick Metals business on site.
 - Two-storey extension to Rudgwick Metals.
 - 3 new commercial units (Class B1) adjacent to Rudgwick Metals.
 - New access road from Church Street.
 - Open space amenity area including an attenuation pond.
 - Demolition of two dwellings adjacent Church Street and farm and commercial outbuildings.
- 1.11 This application is accompanied by the following supporting documents:
- Design and Access Statement
 - Planning Statement
 - Landscape Statement
 - Transport Assessment
 - Framework Travel Plan
 - Flood Risk Assessment
 - Tree Report, Tree Constraints Plan, Tree Protection Plan
 - Ecology Assessment and Mitigation Strategy
 - Utilities Assessment
 - Ground Investigation Assessment
 - Sustainability and Renewable Energy Statement
 - Waste Management Strategy
 - Noise Impact Assessment

DESCRIPTION OF THE SITE

- 1.12 The site lies on the north side of Rudgwick village to the east of Church Street. The site is 2.62 hectares in size and has an irregular shape with the majority of the site located to the east of dwellings fronting Church Street and Highcroft Drive. Currently there are two dilapidated detached dwellings adjacent the access to the site called Windacres Lodge and Windacres Barn. The site is accessed from Church Street via an access to the south of

these dwellings. This access leads to the main part of the site which includes Rudgwick Metals. This access also serves three dwellings adjacent the application site; Windacres House, Windacres Cottage and Windacres Bungalow.

- 1.13 Rudgwick Metals is located in the north west section of the site. This is a metal storage and cutting business. The business is contained within a two-storey green metal clad industrial building which includes a parking area. The building includes a single-storey extension. The site also contains a number of substantial open fronted and enclosed agricultural buildings together with farm office buildings. These buildings are located along the western boundary of the site along with agricultural equipment. A number of these buildings are unused and some are dilapidated. The remainder of the site is open grassed land.
- 1.14 The site is surrounded by trees around its boundaries. The site also includes some trees within the site located along the access and dividing the site. None of the trees within or around the boundaries of the site are covered by a Tree Preservation Order. The site slopes gently from north to south as well as west to east. There is a public right of way along the southern side of the access to the site. This path then joins a pathway to the south east of the site. There is also a public footpath approximately 215m to the east of the site running north to south. This pathway is separated from the site by trees and fields.
- 1.15 The front of the site is adjacent to the Rudgwick Conservation Area which includes a number of listed buildings fronting Church Street. Two listed buildings are situated directly opposite the existing entrance to the site. The majority of the site is within the defined Built-Up-Area Boundary of Rudgwick.
- 1.16 To the south of the site lies residential development accessed off Summerfold and Windacres Drive. This includes 25 houses approved for development at land to the south of Summerfold in 2015. To the north and west of the irregularly shaped site lies further residential development accessed from Church Street and Highcroft Drive. Land to the east is predominantly agricultural, with the exception of the dwellings Windacres Cottage and Windacres House that are located in relatively close proximity to the south eastern corner of the site.

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, 4, 6, 7, 8, 10, 11 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 4: Strategic Policy: Settlement Expansion
 Policy 7: Strategic Policy: Economic Growth

Policy 9: Employment Development
 Policy 10: Rural Economic Development
 Policy 15: Strategic Policy: Housing Provision
 Policy 16: Strategic Policy: Meeting Local Housing Needs
 Policy 17: Exceptions Housing Schemes
 Policy 24: Strategic Policy: Environmental Protection
 Policy 25: Strategic Policy: The Natural Environment and Landscape Character
 Policy 26: Strategic Policy: Countryside Protection
 Policy 31: Green Infrastructure and Biodiversity
 Policy 32: Strategic Policy: The Quality of New Development
 Policy 33: Development Principles
 Policy 34: Cultural and Heritage Assets
 Policy 35: Strategic Policy: Climate Change
 Policy 36: Strategic Policy: Appropriate Energy Use
 Policy 37: Sustainable Construction
 Policy 38: Strategic Policy: Flooding
 Policy 39: Strategic Policy: Infrastructure Provision
 Policy 40: Sustainable Transport
 Policy 41: Parking
 Policy 42: Strategic Policy: Inclusive Communities

2.5 Local Development Framework:

Supplementary Planning Document:

Planning Obligations (2007)

Development Plan Document:

Site Specific Allocations of Land (2007): Policy AL9 Land at Windacres Farm Rudgwick.

- Policy AL9 states the following:

Land amounting to 2.5 hectares is allocated for residential development and employment use. At a density of 30 dwellings per hectare, this site is expected to accommodate around 30 dwellings as described below.

Development will be subject to the following:

- a. retention of existing business on the site;*
- b. the provision of sheltered accommodation for the elderly;*
- c. contribution to local employment in the form of new small employment units (B1);*
- d. retention and enhancement of the existing mature hedgerows;*
- e. access to be from Windacres Farm, south of Windacres Lodge onto Church Street;*
- f. the careful siting, design and separation of employment uses and housing;*
- g. improvements to cycle and pedestrian links to the village from the site;*
- h. the provision of replacement dwellings if demolition is necessary to achieve access to the site; and*
- i. contributions will be required towards the improvement of infrastructure, including the provision of more sustainable transport choices, services and community facilities unless it is demonstrated that the site or local circumstances do not justify such a provision, in accordance with Core Policies CP13 and CP20.*

RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The site is within the Parish of Rudgwick. A neighbourhood plan designation area was approved on the 28th June 2016. To date, a draft neighbourhood plan has not been produced.

PLANNING HISTORY

DC/09/1623	Redevelopment of site with mixed use scheme including demolition of existing 2 dwellings, derelict farm buildings and workshops and erection of 36 dwellings, parking barns, 3 x B1 office units and 3 x B1 shed units, a community facility (meeting rooms, coffee shop) and extension to existing industrial unit.	Permitted 08.08.2013
------------	--	-------------------------

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 – Housing (summarised):** No objection. The intention to provide 35% affordable housing is welcomed.
- 3.3 **HDC - Strategic Planning (Summarised):** No objection. The principle of mixed use (residential and employment) development on the application site has already been established through the allocation of the site in the Site Allocations of Land AL9. The proposed development is in the Built-Up-Area Boundary and is also in accordance with HDPF Policy 3. The proposal will also contribute to the provision of housing identified in HDPF Policy 15, the need for which has increased since the site was allocated for development in 2007.
- 3.4 **HDC – Technical Services (Drainage):** No objection. The overall drainage strategy proposed is acceptable. Suitable drainage conditions are recommended.
- 3.5 **HDC – Refuse Collections Supervisor (summarised):** Comment. Further information is required regarding access to the site for refuse vehicles, the capacity of the shared road surface for refuse vehicles and the size and location of domestic and commercial bin provision.
- 3.6 **HDC – Environmental Health (summarised):** No objection subject to conditions.
- 3.7 **HDC – Parks & Countryside:** No objection.
- 3.8 **HDC – Ecology Consultant (summarised):** No objection subject to conditions.
- 3.9 **HDC – Economic Development Manager (summarised):** Comment. The additional commercial units are welcomed given the lack of supply of commercial units in the District. When compared to the previous approval, it is disappointing to see a reduction in the proposed employment space. An agreement is required to secure the provision of the new commercial units.
- 3.10 **HDC - Landscape Officer (summarised):** Objection. The principle of development of the site is not disputed however, the proposed site layout is considered to be discordant with the site's rural setting and the immediate existing urban grain.

- 3.11 **HDC - Conservation Officer (summarised):** Objection. The development would be too urban and would not respond well to the historic context of the site. The current development proposal is not considered to preserve, enhance or better reveal the positive characteristics of the historic core of the settlement and the setting of the heritage assets. In its current form, the proposal is not supported.

OUTSIDE AGENCIES

- 3.12 **West Sussex County Council – Flood Risk Management Consultant (summarised):** No objection. The Flood Risk Assessment proposes sustainable drainage techniques which are acceptable in principle. Development shall not commence until a finalised surface water drainage design and details of the maintenance and management of the SuDS system have been submitted to and approved by the Local Planning Authority.
- 3.13 **West Sussex County Council - Highways (summarised):** No objection. The Highway Authority does not consider that this development would result in any impacts on the local highway network that could be considered severe and it has been demonstrated that safe and suitable access can be achieved. Subject to conditions no objection is raised to this application.
- 3.14 **West Sussex County Council – Section 106 (summarised):** Comment. Contributions are required in relation to School Infrastructure (Primary, Secondary and 6th Form), Library Infrastructure, Transport and Fire & Rescue Service Infrastructure.
- 3.15 **NHS Coastal West Sussex Clinical Commissioning Group:** No objection subject to a contribution towards improvements for Rudgwick Medical Centre to accommodate the increase in patients.
- 3.16 **Southern Water (Summarised):** No objection subject to conditions.
- 3.17 **Environment Agency (summarised):** No comments received.
- 3.18 **Natural England (summarised):** No objection.
- 3.19 **Sussex Police:** Comment. With the level of crime in the Horsham District being below average when compared with the rest of Sussex, no major concerns are raised.
- 3.20 **Historic England:** Comment. The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

PUBLIC CONSULTATIONS

- 3.21 **Rudgwick Parish Council:** Objection. The Parish recognise that the site has been allocated for residential development and employment use. This application proposes the erection of 55 dwellings, which is a considerable expansion of the previous application (DC/09/1623), and would be an overdevelopment of the site resulting in a significant increase in traffic movements. The number of dwellings, together with a lack of open space, would make the development too urban and not in keeping with the rural character of the area. The need for lorries to access the site with the industrial units through the housing also causes concern.
- 3.22 **Rudgwick Preservation Society:** Objection. The scheme is overdevelopment of the site with greater density than previously proposed. This is out of character with neighbouring properties and the adjacent Conservation Area and Listed Buildings. The development will also produce a lot more traffic onto Church Street with heavy traffic unsuitable for this road.

There is also a lack of places at the local primary school. It is also essential for the infrastructure to be in place and drainage and sewage disposal to be dealt with. There has also been a lack of consultation.

3.23 11 letters of objection have been received from local residents. The grounds of objection are as follows:

- The application is overdevelopment of the site. The proposal represents a considerable increase in the number of dwellings and density on site when compared to the previous approval.
- The original scheme allowed for a mixed development with 36 dwellings with sheltered housing. This element of the original scheme has been lost.
- The proposal is close to the current building development adjacent to Summerfold. The proposal will result in a cumulative effect on the village. The current scheme would be the largest development in Rudgwick.
- The scheme results in the loss of open fields and will impact on the rural character of the village. The scheme will have a massive impact on the dynamics of the village.
- The proposal would result in noise disturbance.
- The additional dwellings are not required by the village.
- Concern is raised over road tarmacking and potential drainage and flooding issues. Flooding is already a problem in this area.
- The scheme will put a considerable amount of additional cars on the road as most of the inhabitants will have to drive and commute to work. There is an issue with speeding on Church Street and there is concern that the new access will be dangerous. Road usage has substantially increased over the last few years.
- There is a lack of parking for the development and the scheme will result in on-street parking to the detriment of local residents.
- There is a lack of infrastructure in the area. The local doctor's surgery, school and dentist are all at capacity and very stretched.
- The scheme was submitted at Christmas time when residents are busy and have had limited time to comment.
- Given its allocation, development of this site is inevitable; however, the last application was more sustainable.
- Concern is raised over industrial traffic in close proximity to dwellings.
- There is a lack of cycle parking for the industrial units.
- Concern is raised over discrepancies in the Transport and Sustainability Statements.
- Concern is raised that the scheme proposes to use Highcroft Drive as an access to the site. There is a long standing agreement not to use this access.
- The proposal should include bungalows. The new houses to the front should be appropriately designed for the setting of the Conservation Area.
- The applicant should wait for the Neighbourhood Plan to be developed so that it can be incorporated into this process.
- Concern is raised over the access to Windacres Bungalow which will share a drive with the development. The access appears too narrow with limited visibility.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The main issues to consider in the determination of this application are the principle of the proposed development in land use terms; the impact on the character and visual amenity of the landscape and locality; the impact of the development on the amenity of prospective and neighbouring occupiers; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety; whether appropriate provision can be made for car and cycle parking, refuse storage/collection, drainage/flooding and; whether the development can be delivered without harming the interests of nature conservation, flooding and land contamination.

Principle of Development

- 6.2 Under the HDPF, the Site Specific Allocations of Land DPD (2007) (SSAL) remains part of Council's development plan. Since the previous application was granted, the NPPF has been published and the HDPF adopted. It is therefore necessary to consider the requirements of these documents as well as the allocation of this site in the Site Specific Allocations of Land document.
- 6.3 Policy AL9 of the SSAL allocates the Rudgwick Metals site for residential development and employment use. The policy sets out a number of criteria for the development of the site as outlined below.
- 6.4 Firstly, the policy states that at a density of 30 dwellings per hectare, this site is expected to accommodate around 30 dwellings. This requirement would still be applicable but does allow some flexibility in numbers. In the current scheme, the overall residential density is 30.9dph. This includes the land comprising the two replacement dwellings at the front of the site, the main spine road through the site and the larger parcel of residential development. For clarity, this does not include the commercial area of the site or its access road, nor does it include the area of land to be designated as open space either side of the entrance road.
- 6.5 With this density, the scheme yields 55 residential units. This is higher than the 30 dwellings recommended by the policy. The increase in residential units is partly achieved through the reduction of new employment units, when compared to the previous permission. Additionally, as an allocated site, an increase in housing is acceptable, subject to a satisfactory layout and an appropriate level of density, as this would further assist with the delivery of the 16,000 homes required under the HDPF. It is therefore considered that the principle of the 55 dwellings on this site is acceptable. The layout of the 55 units is also considered appropriate as outlined below.
- 6.6 Criterion A of Policy AL9 requires the retention of the existing business on site. The requirements to support local economies is still applicable and an objective in the adopted HDPF under Chapter 5. The scheme retains the existing business on site, Rudgwick Metals, with the addition of a replacement two-storey extension.
- 6.7 Criterion B requires the provision of sheltered housing for the elderly. Horsham District Council's Housing Manager has commented that there is not a specific requirement for sheltered housing for the elderly on this site. The Council currently has adequate provision for sheltered accommodation in the district, including sites at Horsham, Southwater and Pulborough. Non-compliance with this requirement is therefore considered acceptable, as

there is not sufficient up-to-date evidence to require such specialist forms of accommodation.

- 6.8 Criterion C requires a contribution to local employment in the form of new small employment units (B1). In accordance with the HDPF, the requirement to support local economies is still applicable. The policy does not state the amount of units to be provided. Consequently, the proposed 3 small Class B1 units proposed are acceptable in principle. Whilst it is noted that this represents a reduction in employment units over those previously approved for this site, the previous permission has now expired and is not therefore deliverable. Furthermore, the policy does not set out a specific level of employment floorspace that should be created.
- 6.9 Criterion D requires the retention and enhancement of the existing mature hedgerows. The scheme indicates that the trees and hedgerows around the boundaries of the site would be retained. The scheme also includes additional landscaping including new trees. The scheme would require the removal of some trees which currently run across the site as well as some trees near the main access. The trees to be removed are not considered to be worthy of specific protection and therefore their removal is considered acceptable in the context of bringing forward this allocated site for development. The proposal would also reinstate trees and hedges to form a field division in the site, in line with historic maps for this site.
- 6.10 Criterion E requires access to be from Windacres Farm, south of Windacres Lodge on to Church Street. The current scheme indicates a new access from Church Street as required by the policy. Concern has been raised by adjacent residents that the proposal would result in the use of Highcroft Drive to access the site. The applicant has confirmed that there are no proposals and no rights to use this access.
- 6.11 Criterion F requires careful siting, design and separation of employment uses and housing. Under the current scheme, Rudgwick Metals is retained in the north west section of the site. The scheme includes a two-storey extension to the business and 3 new small B1 commercial units adjacent Rudgwick Metals. The existing business and new commercial units would be in close proximity to proposed residential units. The potential impact on the amenity of the residential units is considered acceptable, as outlined below in the amenity section. This is achieved through appropriate measures to mitigate potential noise impact.
- 6.12 Criterion G requires improvements to cycle and pedestrian links to the village from the site. The new access to the site would allow safe cycle and pedestrian access to the site. Additionally, West Sussex County Council has indicated that the transport contribution could go towards safety improvements on the A281 to improve pedestrian and cycle movement within the village of Rudgwick.
- 6.13 Criterion H requires the provision of replacement dwellings if demolition is necessary to achieve access to the site. As in the previous approval, the scheme indicates the replacement of two dwellings on site with two dwellings adjacent the entrance of the site on the south side of the new access road.
- 6.14 As outlined above, the current proposal is considered largely in accordance with the requirements of the Policy AL9 of the Site Specific Allocations of Land (2007). Given the date of the adoption of the SSAL in 2007, it is considered appropriate for the current scheme to take into account current requirements as outlined in the relatively recently adopted HDPF in 2015 as well as the NPPF. Currently there is not a specific requirement for the provision of sheltered accommodation across the District and it is therefore considered appropriate to not provide sheltered accommodation on this site, as set out in criterion B. In addition to the site allocation, the proposed areas for development are within the Built-up-Area boundary of Rudgwick. It should also be noted that Rudgwick Parish does not have a made neighbourhood plan to be taken into consideration at this time.

- 6.15 An additional material consideration for the principle of development of this site is the previous planning permission. Under DC/09/1623, permission was granted in August 2013 for a mixed use scheme including demolition of existing 2 dwellings, derelict farm buildings and workshops and the erection of 36 dwellings, parking barns, 3 x B1 office units and 3 x B1 shed units, a community facility (meeting rooms, coffee shop) and an extension to the existing industrial unit.
- 6.16 This permission has expired and works were not commenced. However, whilst no longer extant, the previous permission set out parameters for the development of the site that were considered acceptable. The current scheme follows a similar form and is considered to include improvements, in terms of the layout for the site, economical use of land and its deliverability, when compared to the previous approval. This is expanded upon below in the design and landscape section.
- 6.17 For the reasons outlined above, the principle of residential development, within the Built-Up-Area boundary, where the land has been allocated for development within the Site Specific Allocation of Land document is considered appropriate and assists in the District's housing requirements, in accordance with Policies 1, 2, 3 and 4 of the HDPF and Policy AL9 of the SSAL.

Housing Mix and Affordable Housing

- 6.18 In accordance with the NPPF there is a requirement to plan for a mix of housing types. Within this context Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). In November 2016, Chilmark Consulting Ltd undertook a Market Housing Mix Assessment of Crawley and Horsham. The assessment indicates that in the Horsham District there is a good spread of market housing choice at present. However, there is a need to refine and maintain the market mix to ensure that choice and access to appropriate housing remains in future. In conclusion, the assessment states that there is a need to maintain a spread of choice in market housing sizes, especially for smaller units.
- 6.19 The current proposal includes a significant proportion of smaller units in line with the requirements of the recent market housing assessment. It proposes 4 x 2 bed and 22 x 3 bed market housing, units out of a total of 36 units. This is considered an appropriate proportion of smaller units in accordance with the recent market assessment recommendations.
- 6.20 The 2014 SHMA update focused mainly on affordable housing need and indicates that there is a greater need for 2 bedroom affordable units with slightly reduced need for 3 bedroom accommodation. The current proposal includes a high proportion of 1 and 2 bedroom affordable houses and apartments (2 x 1 bed and 13 x 2 bed units) and is therefore in line with the needs identified in the latest SHMA in relation to affordable housing.
- 6.21 The current scheme includes a total of 19 affordable units (35%) across the development. The affordable housing is pepper potted throughout the site. These units would be secured through a proposed S106 agreement. The applicant has stated that the affordable housing will be delivered by Moat Housing, who are an established registered provider within the District. In discussion with the Council's Housing Officer, it has been agreed a tenure split of 50% affordable rent and 50% shared ownership for the 19 affordable units.
- 6.22 Having regard to the above, it is considered that the development will help to provide a suitable range of dwelling types that will meet local and District needs and that the development is compliant with the identified mix of dwellings outlined in the Council's updated latest market assessment and is also in accordance with Policy 16 of the HDPF.

Impact on the Amenities of Nearby and Future Occupants

- 6.23 Policy 33 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers / users of nearby properties and land.
- 6.24 The introduction of a mixed use scheme with 55 no. dwellings into what is currently mainly an open field would result in increased levels of disturbance to adjacent residential occupiers associated with, for instance, the comings and goings of vehicles. However, it is not considered that this would result in an unacceptably harmful impact on the living environment of adjacent residents.
- 6.25 The proposed houses and commercial units would be set a significant distance from any adjacent properties and would not result in a loss of amenity in relation to loss of light, outlook, overshadowing or an increased sense of enclosure. The proposal would result in the new access in close proximity to the side elevation of Beckington, a dwelling to the north of the new access road off Church Street. However, this does not result in a significant impact on the amenity of this property in relation to noise disturbance. Windacres Cottage is an existing dwelling adjacent the south east corner of the site. A unit is proposed 12m to the north of this site with a side elevation facing over the top half of the garden of Windacres Cottage. This unit includes a small bathroom window to the side elevation. This may result in limited views of the garden of Windacres Cottage over the boundary. To protect the amenity of Windacres Cottage, a condition is recommended that this window is obscure glazed and fixed shut to a height of 1.7m above the finished floor level of the room the window serves.
- 6.26 In terms of amenity space, each of the houses would include a private garden of an appropriate size. Whilst no balconies are provided for the flats, the scheme includes adequate outside amenity areas incorporated into its layout, including the use of an area of open space, and therefore is considered acceptable in this respect.
- 6.27 As a mixed use scheme, the proposal includes the retention of the existing business (Rudgwick Metals) on site as well as three additional small business units. The existing business is located in the north west section of the site. The scheme includes a two-storey extension to the south elevation of Rudgwick Metals. This replaces an existing single-storey unit. This extension would not significantly affect the amenity of any adjacent properties in terms of loss of light or an increased sense of enclose.
- 6.28 The three new commercial buildings are proposed adjacent to the west elevation of the replacement extension. These units and the replacement extension would be in close proximity to proposed housing directly to the south. Given this relationship, there is potential for the use of the units and extension to result in noise disturbance to the nearby residential units. To this end, a condition is recommended stating that the B1 units should not be used (including deliveries) except between 0800 hours and 1800 hours on Mondays to Fridays, 0800 hours and 1300 hours Saturdays inclusive with no working on Sundays, Bank or Public Holidays. It should also be noted that the new units and the extension would not include any south facing windows. The proposed residential units would also have limited windows facing the new commercial units and extension.
- 6.29 Class B1 uses are defined as offices, research and development uses and light industrial uses that can be carried out in a residential area without detriment to the amenity to existing or proposed properties. A condition is also recommended limiting the use of the 3 new units to Class B1. With these conditions in place, the use of the Class B1 units would not result in a detrimental impact on the amenity of any adjacent properties.
- 6.30 In relation to Rudgwick Metals, the applicant has submitted a Noise Report which considers the impact of noise from the business and the potential impact of any future industrial

operator of the site upon the proposed new housing. The acoustic model has also considered the impact of noise associated with vehicle movements to the B2 premises. The site has lawful B2 (general industrial), B1 (office) and B8 (storage and distribution) consent and operates 0700 hours and 1800 hours on Monday to Fridays inclusive and 0700 hours and 1300 hours on Saturdays.

- 6.31 Detailed background noise surveys were undertaken on the site and acoustic modelling has been undertaken to determine the likely propagation of noise from the B2 premises across the proposed residential development. The assessment has demonstrated that the impact of noise associated with the industrial use will be acceptable at the nearest residential property proposed. This assessment is backed up by an Officer site visit where no discernible noises were heard from the existing premises.
- 6.32 Whilst there are no concerns with the existing business and its potential impact on new properties nearby, there is the possibility that the existing business could vacate the premises and a new industrial business could take it over. This may result in a new industrial use which could potentially result in noise disturbance to adjacent properties. Consequently, it is proposed to add a clause in the S106 which limits the use of the premises to the existing hours of use (including delivery times) and also limits the potential noise output to an acceptable level in terms of decibel levels. These details will be finalised in the preparation of the S106 in consultation with the Council's Environmental Health Team. These restrictions will ensure that the existing business and any future occupiers would not have a significant impact on the amenity of any adjacent properties, whilst ensuring that the current business remains operational.
- 6.33 In light of the above, it is considered that the development can be appropriately controlled to ensure that it would not have a harmful impact on the amenity of existing or prospective occupiers in terms of loss of light, outlook, noise disturbance or privacy. Measures to protect residents from the harmful effects of noise, vibration and dust during the construction period can be controlled by a Construction Environmental Management Plan to be submitted and approved by the Local Planning Authority. The scheme is therefore in accordance with the requirements of Policy 33 of the HDPF.

Highways and Parking Considerations

- 6.34 The development will be served by a new access road off Church Street. This road would be north of the two new dwellings proposed adjacent the entrance to the site. The new access runs west to east adjacent the southern boundary of Beckington, a detached dwelling facing Church Street. The road would then go north east and divides into two. One stretch would serve the new commercial units with the arm running up the western side of the site. The other arm would serve the new dwellings on the main part of the site. The existing access would remain to the south of the site serving adjacent dwellings.
- 6.35 West Sussex County Council Highway Authority (WSCC) has commented that the access proposals from Church Street (B2128) remain unchanged from the consented 2013 application. The Highway Authority has commented that the access from Church Street is acceptable and would not result in any highway safety concern.
- 6.36 Currently, Windacres Bungalow, a dwelling adjacent the western boundary of the site, shares the existing access to the site. The existing access is not within the ownership of the applicant and is not included in the current application. As in the previous scheme, the access to Windacres Bungalow would remain via the existing access road to the south of the site and the new access road. This would require access over the new road proposed within the site.
- 6.37 This access would cut straight over the new road through the site. WSCC as Local Highway Authority have reviewed the proposed access to Windacres Bungalow to assess

whether there would be any issues with visibility and highway safety. WSCC have commented that the engineer's report confirms that there would be no highway concerns to the visibility from this access. Notwithstanding this, the Highway Authority have commented that it may be appropriate for the applicant to incorporate speed reducing measures at the detailed design stage, in the vicinity of the bend to further reduce speeds. This is something to be considered through a Road Safety Audit at the detailed design stage. These details are secured via a recommended condition.

- 6.38 With respects to the internal layout, the application form implies the carriageway will be offered for adoption by WSCC. The extent of adoption is not indicated and WSCC have commented that there would seem no in principle issues with the layout that would prevent this from being considered for future adoption.
- 6.39 A 2m wide footway is proposed throughout the site. This will allow a continuous walking route for pedestrians in line with guidance in Manual for Streets. Crossing points to include tactile paving are proposed from the site access to allow pedestrians to access the existing footway on the western side of Church Street to allow access to local facilities.
- 6.40 Turning is shown for a HGV that would be used in association with the existing retained B2 use. The Highway Authority has commented that this would be acceptable. Adequate turning is also achievable for a refuse vehicle within the site. The internal site layout in all other respects appears to follow the appropriate guidance. These details would be finalised through a suitable condition requiring full details of the new internal roads and pavements to be approved in consultation with WSCC.
- 6.41 Parking is proposed within allocated and unallocated bays for the business and residential uses. Based on the submitted Transport Assessment, a total of 122 car parking spaces are proposed; viewed against the WSCC standards, the proposed parking provisions are slightly over standards. The Highway Authority therefore raises no concerns relating to parking.
- 6.42 In conclusion, the Highway Authority does not consider that this development would result in any impacts on the local highway network that could be considered severe and it has been demonstrated that safe and suitable access can be achieved. Subject to conditions, the Highway Authority raises no objection to this application. The proposal is therefore in accordance with Policies 40 and 41 of the HDPF and the NPPF.

Impact on landscape character and the visual amenity of the locality

- 6.43 The site contains a mix of agricultural and employment buildings, some of which are derelict. These are in the north western corner of the site with the north-eastern part of the site being laid to grassland as is the central part of the site. The site is considered to have an affinity with the open countryside given its position at the edge of the built-up-area in close proximity to the open fields.
- 6.44 In this location, Policies 25 and 26 of the HPDF are therefore applicable. Policy 25 seeks to protect the countryside against inappropriate development unless it is considered to be appropriate in scale and essential to that location. The Council's Landscape Officer and Conservation Officer have both commented that the proposed layout arrangement is too urban for this location and would significantly change the site's rural character. It is acknowledged that the proposed layout of the houses is significantly denser when compared to the existing urban grain in the immediate surrounding area. However, the proposal is similar in scale and layout to the previous permission with some notable improvements. Additionally, given the allocation of the site in the Site Specific Allocation of Land document for development there is a requirement to ensure that an appropriately efficient use of the land is achieved. In this instance, no objection is raised to the loss of the open landscape setting of the site.

- 6.45 The previous permission proposed the same main area for development in the north section of the site along with the development of the area adjacent to Church Street. Under the previous permission, three storey buildings were approved. The current scheme limits the heights of all buildings to two storeys. This is seen as an improvement to the visual impact of the current scheme when compared to the previous permission. In addition, the previous permission proposed a large section of commercial buildings along the western boundary and a large area of car parking was proposed in the central area. Therefore, whilst the numbers of residential properties was less in the previous proposal, the overall level of built form was similar. In the current scheme, the restricted height of buildings proposed, along with the provision of a large and attractive open space towards the centre of the site, rather than the previously approved extensive car parking area are considered as substantial visual improvements.
- 6.46 The current scheme does result in an increase in the number of residential units within the site when compared to the previous permission. However, this is partly achieved through a reduction in the number of commercial units. With the reduction of commercial units, the proposal is still considered in accordance with its allocation which does not specify the number of additional commercial units required by this site. It should also be noted that the previous permission included areas left marked for 'future development'. The use of those areas would have increased the density of the site. The current scheme does not leave any areas for future development and again includes an open central area as an amenity space.
- 6.47 To address some of the concerns regarding visual impact raised by the Landscape Architect and Conservation Officer, the current scheme has been amended as follows:
- The garage court to the rear of plots 1-3 has been relocated to enable plots 1-3 to be pushed back thereby allowing for a new hedgerow to be planted. This reinstates the historic field boundary of this site.
 - Windows have been added to the side elevations of plots 28 and 42 and the roof style changed from barn hip to traditional hipped roof structure to soften the edge of the built form when viewed from the east.
 - The visual impact of the unit fronting off Church Street (plot 55) has been reduced lowering the finished floor level height of the unit by 400mm and by adding mature planting in front of the building. These measures help mitigate the visual impact of this dwelling when viewed from Church Street.
 - The visual impact of plot 54 has also been improved by reducing the scale of the proposed garage.
 - Close boarded fencing has been replaced along the eastern boundary with open post and rail fencing, to reflect the rural nature of land to this eastern side and to soften the boundary between the existing fields and the edge of the Built-up Area. An inappropriately lengthy and contrived access to a proposed rear garden, which ran along the eastern boundary has also been removed. Hedging is also proposed along this boundary.
- 6.48 The amendments improve the visual impact of the proposal when viewed from Church Street and to the east of the site. In terms of views of the site from the surrounding area, public footpath no.1396 runs in close proximity and along the southern boundary of the site. From this footpath, there will be glimpsed views of the proposals towards the attenuation basin area and development behind but these will be from a relatively short section of the public footpath. The public footpath no.1391 and Bridleway no. 1395 are a field width away from the site to the east and north. From these footpaths, there will also be some views of the proposed development. However, these pathways are situated a significant distance from the site, separated by fields and trees. The improvements to the scheme along the eastern boundary would assist in mitigating any views from these

footpaths. As amended, it is therefore felt that the visual impact of the proposal from the surrounding area is appropriate.

- 6.49 The site is in close proximity to the Rudgwick Conservation Area to the west. Given the existing properties along Church Street with densely planted gardens, no views of the proposed development are expected to be obtained from the nearby Conservation Area. There are also several listed buildings along the west side of Church Street. The majority of these buildings are separated from the site by existing dwellings and it is considered that the scheme would not affect the setting of these buildings. The proposed access to the site would be directly opposite Rudgwick Chapel, an unlisted building, and a Grade II listed barn to the south of Kings. The new access would replace an existing grass verge and require the removal of hedgerow. The dwelling at plot 55 would be sited 14m away from the road at Church Street. As amended, the scheme includes extensive planting in the front garden of this two-storey property. A condition is recommended requiring details of this mature planting as part of a detailed landscaping scheme. Given its set back position from the road and the proposed mature planting in front of the dwelling, the Conservation Officer has commented that the proposal would not result in any harm to the setting of this listed building.
- 6.50 It is therefore considered that the scheme is appropriate in respect of its impact on the setting of the nearby listed buildings or the Rudgwick Conservation Area and can be considered to accord with the aims of the HDPF and NPPF.
- 6.51 Subject to a condition requiring details of materials, no objection is raised to the design and appearance of the proposed buildings. The proposed houses would all have a traditional appearance with a mix of materials and the commercial buildings are also appropriate in scale and design adjacent to, and in the context of, Rudgwick Metals.
- 6.52 Whilst the proposed development would obviously have an impact in terms of the character and appearance of the site itself and would be partially visible from longer distance views from within the surrounding countryside, the proposal, as amended, is considered to strike an appropriate balance between making the best use of an allocated site whilst respecting and minimising impacts upon its surroundings. As an allocated site, the Council would seek to utilise this land to ensure it delivers an appropriate scheme which adds to the housing supply of the District. The scheme is considered in accordance with the requirements of the allocation of the site under Policy AL9. The scheme has been amended to improve its visual appearance from Church Street and when viewed from the east. It is therefore considered that the proposal is acceptable.

Contamination

- 6.53 Policy 24 of the HDPF states that the high quality of the district's environment will be protected through the planning process. Developments are expected to minimise exposure to and the emission of pollutants. This includes addressing land contamination and making sure sites are appropriate for development taking into account ground conditions.
- 6.54 The Council's Environmental Health Team have commented that given the industrial use of the site, a condition is recommended requiring the submission of scheme dealing with components of land contamination to be submitted and approved by the Local Planning Authority prior to commencement of works. This would include a preliminary risk assessment and a site investigation report. Subject to this condition, the scheme is considered to be in accordance with Policy 24.

Nature Conservation, Ecology and Biodiversity

- 6.55 Policy 31 of the HDPF states that proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be

provided that mitigate or compensate for this loss and ensures that the ecosystem service of the area is retained.

- 6.56 The Council's consultant ecologist has commented that the scheme has the potential to affect bat roosts and the loss of terrestrial habitats supporting great crested newts. To this end, the Ecologist has recommended conditions requiring the submission of an Ecological Mitigation and Management Plan for the approval of the Local Planning Authority prior to commencement of works. This will include details of habitat protection for retained habitats, and avoidance measures with regards to protected and notable species, as well as enhancement measures for biodiversity. This would be based upon the Ecological Mitigation Strategy submitted with the scheme. The applicant is also advised to contact Natural England regarding a potential licence for any ecological works.
- 6.57 A condition is also recommended requiring details of all external lighting for the site to be submitted and approved by the Local Planning Authority, in consultation with the Consultant Ecologist, prior to the installation of any lighting. Subject to these conditions, the scheme is considered appropriate in terms of its potential impacts upon ecology and can be controlled to comply with Policy 31 of the HDPF.

Flooding and Drainage

- 6.58 The site is located within Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF. West Sussex County Council Flood Risk Management Consultant (WSSCC) has commented that current mapping shows that the majority of the proposed site is at 'low risk' from surface water flooding and 'low risk' from ground water flooding based on current mapping.
- 6.59 Southern Water, West Sussex County Council and the Council's Drainage Engineer have all raised no objection to this proposal, subject to the use of a condition requiring the submission and approval of details relating to the proposed means of foul and surface water drainage for the site. Subject to this condition, the scheme is in accordance with Policy 38 of the HDPF.

Renewable Energy

- 6.60 In accordance with Policies 35, 36 and 37 of the HDPF, the scheme includes a Sustainability and Renewable Energy Statement. The statement incorporates sustainable design measures to reduce energy use. This includes a commitment to limiting the water supply to 110 litres per person per day, in line with the requirements of Policy 37. The proposal also includes a Waste Management Strategy which outlines measures to deal with potential impacts arising from waste generated by the site.

Air Quality

- 6.61 The Council's Environmental Health Officer has commented that the application makes no provision for residents to make green vehicle choices. Consequently, a condition is recommended requiring details of facilities for charging, plug-in and other ultra-low emission vehicles to be incorporated into the development. This is also in accordance with HDC's Air Quality Action Plan's standard mitigation for residential developments of 1 charging point per unit.

Refuse Collection

- 6.62 The Council's Waste Collection Supervisor has commented that further details are required of how the proposal will deal with domestic waste. To this end, a condition is recommended requiring full details of refuse and recycling storage facilities to be submitted for the approval of the Local Planning Authority prior to occupation of any new buildings.

Contributions

- 6.63 Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions would be required towards health provision, sports provision, community facilities, libraries, education, fire and rescue and transport infrastructure. In addition the provision of affordable housing needs to be secured through a legal agreement.
- 6.64 The developer contributions, secured in the event that planning permission is granted, would be allocated towards improvements within the local area, to ensure they benefit future residents of the development. The provision of a commuted sum for specific local projects is considered a fair approach to deal with the cumulative pressure of additional residents on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in the local area.
- 6.65 Under the Horsham District Infrastructure Study Main Report (2010) health is seen as an essential criteria in the consideration of developments. Lack of health facilities (doctor's surgeries and dentists) in the Rudgwick area has been raised as an issue within the representations received for this proposal
- 6.66 The NHS Coastal West Sussex Clinical Commissioning Group (CCG) have commented that currently the GP practices will struggle to cope with the increasing patient numbers. On this basis, the CCG have commented that S106 funding to be used towards improvements for the existing facilities in Rudgwick and have suggested a tariff for calculating the potential contribution.
- 6.67 At the time of writing the report, the amounts required for the above contributions and where the contributions would be spent were being finalised. The final contributions proposed will be reported to committee.

Conclusions

- 6.68 Taking all matters into account, the proposal is considered an acceptable form of development. The scheme would result in an appropriate development in accordance with the requirements of Policy AL9 of the Site Specific Allocation of Land document. Whilst it is acknowledged that the development would alter the character of the site and some views from surrounding areas, it is considered that the provision of both market and affordable homes would constitute significant benefits in favour of the development. The scheme is considered to be in accordance with the requirements of the HDPF and NPPF and would result in a sustainable form of development. The proposal is also considered appropriate with respect to its impact on demand for travel and highway considerations, trees, sustainability, ecology and flooding.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager subject to appropriate conditions (as outlined below) and subject to the satisfactory completion of the necessary Legal Agreement.

7.2 CONDITIONS

1. Approved Plan Numbers.
2. **Standard Time Condition:** The development hereby permitted must be begun within a period of three years beginning with the date on which this permission is granted.

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

3. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding, where appropriate
 - v. the provision of wheel washing facilities if necessary
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of adjacent properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

5. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
- All trees on the site shown for retention on approved drawing number 9354/02 Rev D, 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).

6. **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local

Planning Authority in writing. The submitted details shall show accordance with the approved Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

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

7. **Pre-Commencement Condition:** No development shall commence until an ecological mitigation and management plan, including provision for roosting bats and great crested newts and their habitats, has been submitted to and approved by the Local Planning Authority in writing. The approved provisions shall be implemented before development commences and shall thereafter be retained and maintained in accordance with the approved details.

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).

8. **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 to comply with Policy 38 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement Condition:** No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained and maintained as such.

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 and 38 of the Horsham District Planning Framework (2015).

10. **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) 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 shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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

11. **Pre-Commencement Condition:** No development shall commence, other than works to implement the access, until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

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

13. **Pre-Commencement Condition:** No development shall commence unit detailed plans of the roads, footways and parking areas serving the development shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the agreed details.

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

14. **Pre-Commencement (Slab Level) Condition:** 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 permitted buildings has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted 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).

15. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place level 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: As this matter is fundamental 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).

16. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the Local Planning Authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

Reason: As this matter is fundamental to ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

17. **Pre-Commencement (Slab Level) Condition:** Prior to the installation of any external lighting, details of the lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall only be implemented as approved and thereafter maintained as such.

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).

18. **Pre-Occupation Condition:** Prior to the first occupation (or use) 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).

19. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management plan, including long term design objectives, management responsibility and maintenance schedules for all communal landscape areas shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

21. **Pre-Occupation Condition:** Prior to the first occupation (or use) 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. No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) until the boundary

treatments associated with that dwelling (or use) have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

22. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of all secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

22. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

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

23. **Pre-Occupation Condition:** Prior to the occupation (or use) of any part of the development hereby permitted, a scheme outlining provision for residents to make green vehicle choices such as facilities for charging plug in and other ultra-low emissions vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation (or use) of the dwelling/building to which they relate and shall be maintained thereafter.

Reason: To ensure that suitable sustainable green vehicle choices are available for future residents offset the impact of the development hereby approved and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

24. **Pre-Occupation Condition:** Prior to the occupation (or use) of any part of the development hereby permitted, visibility splays of 2.4 metres by 43 metres shall have been provided at the approved site vehicular access onto Church Street in accordance with Plan no.S895-1-01 Rev H. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed in writing with the Local Planning Authority.

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

25. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved Plan no.S895-1-01 Rev H. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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).

26. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

27. **Pre-Occupation Condition:** The dwelling at Plot 53 hereby permitted shall not be occupied until the side first floor window, facing south east, on plan no.S895/P51-S3 has been fitted with obscured glazing. No part of that window that is 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 and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of Windacres Cottage in accordance with Policy 33 of the Horsham District Planning Framework (2015).

28. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the new employment units hereby permitted shall be used for Class B1 purposes only and for no other purposes whatsoever, (including those defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the potential impact on the amenity of adjacent properties under Policy 33 of the Horsham District Planning Framework (2015).

29. **Regulatory Condition:** The Class B1 premises shall not be operated, no process carried out, no deliveries taken or dispatched and shall not be open for trade or business except between the hours of 0800 and 1800 hours Monday to Fridays and 0800 to 1300 Saturdays with no working or deliveries on Sundays, Bank or Public Holidays.

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

Notes to Applicant:

1. Please be advised that there are conditions on this notice that will require formal discharge. In order to secure the discharge you will need to submit an "Application for approval of details reserved by condition" application form and pay the appropriate fee, guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms.
2. The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.

3. The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.
4. Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.
5. A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.
6. The applicant is advised to contact Natural England regarding the possibility of a licence for the proposed ecology works. Please refer to Natural England's website: <https://www.gov.uk/government/organisations/natural-england>.
7. Prior to the commencement of any works of demolition or refurbishment all asbestos containing materials shall be removed by an appropriately licensed and competent contractor.
8. The applicant is advised that the planting fronting Church Street shall be indicated as mature planting. Details of the planting are to be submitted with the landscaping plan.

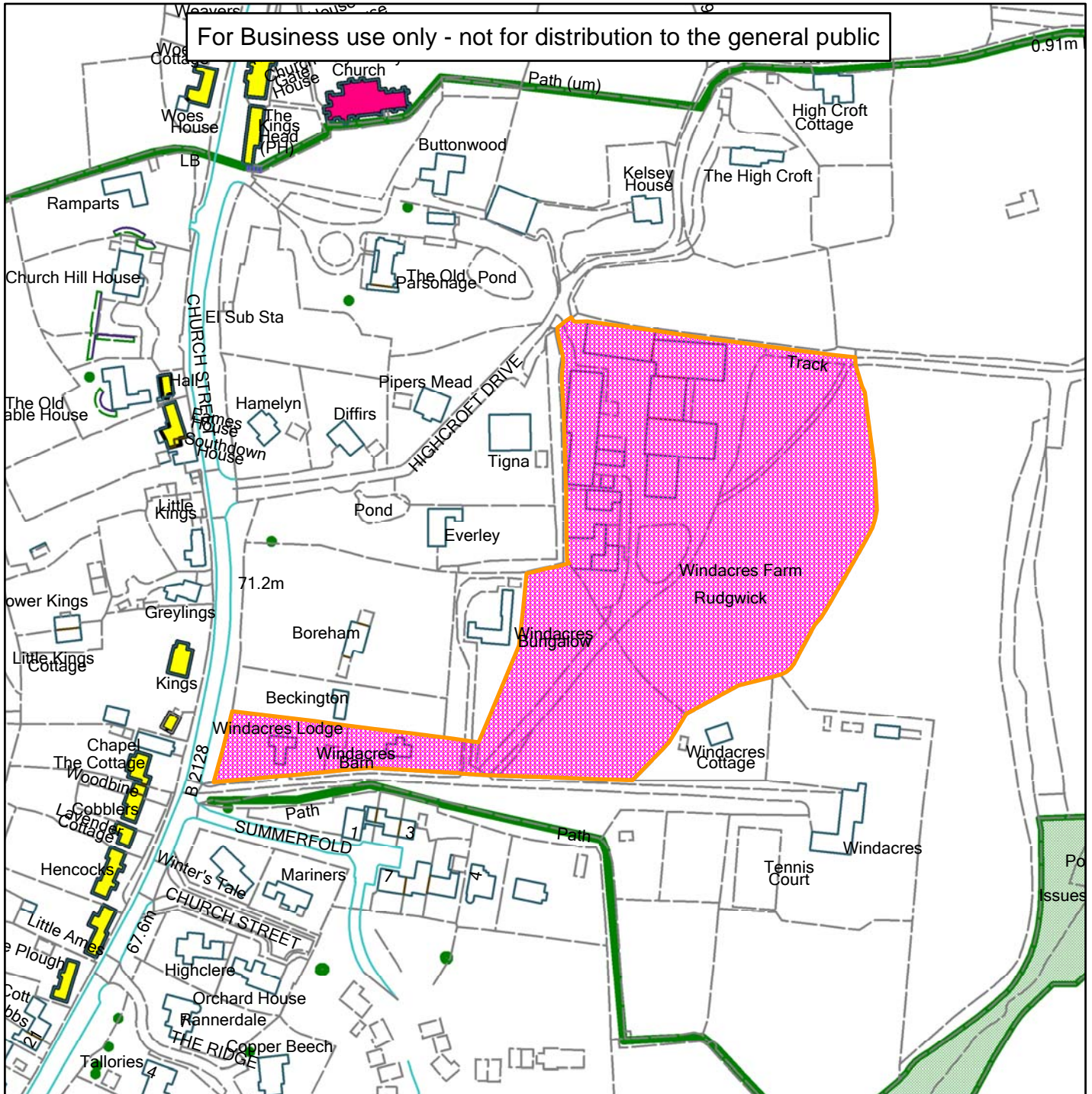
Background Papers: DC/09/1623 & DC/16/2917

This page is intentionally left blank



Rudgwick Metals Ltd

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



Scale: 1:2,500

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
MSA Number	100023865

This page is intentionally left blank



Planning Committee (North) 7th March 2017

Agenda Item 8 DC/16/2917

Rudgwick Metals Ltd, Church Street, Rudgwick

S106 Contributions

Further to Section 6.67 of the committee report, the S106 contributions recommended for this proposal are as follows:

WSCC Contributions:

Education Contribution:

- Primary: £161,523
- Secondary: £173,839
- 6th Form: £40,724

Libraries: £17,970

Fire and Rescue: £5,630

Transport (TAD): £113,949

- Education contribution to be spent on expansion at Rudgwick Metals, funding for MUGA at The Weald School and additional facilities at The Weald School.
- Library contribution to be spent on library space at Billingshurst Library with improved digital access.
- Fire and rescue contribution is to be spent on new technological equipment such as fire lances and thermal imaging cameras for the Northern Division.
- TAD contributions to be spent on traffic management and safety improvements on the A281 to improve pedestrian and cycle movement within the village of Rudgwick.

HDC Contributions:

Amenity Open Space: £3,193

LEAPS: £8,709

Youth Activity Areas: £1,947

Outdoor Facilities: £44,439

Indoor Facilities: £21,335

Community Centres: £18,733

- Amenity Open Space contribution to go towards improvements in the Rudgwick area. Details to be clarified prior to completion of S106.
- LEAPS and NEAPS contribution is to be allocated to an existing LEAP within 350m of the development and a NEAP 1.7km away. There is an overall deficiency in play provision in Rudgwick. The contribution to be spent on new equipment or surfacing at either the Pondfield Road LEAP or the Rudgwick Village Hall NEAP.
- Youth Activity Area contribution is to be spent to address an overall deficiency in youth activity areas in Rudgwick. A contribution is required towards a new MUGA project.

- Outdoor Facilities contribution is also to be allocated towards a new MUGA project.
- Indoor Facilities contribution is to go towards improvements in the Rudgwick area. Details to be clarified prior to completion of S106.
- Community Centres contribution is to go towards improvements at the Jubilee Hall. Details to be clarified prior to completion of S106.

Health Contributions: £31,266

To be spent on improvements at Rudgwick Medical Centre.

S106 to also include the following:

- Provision to secure the 19 affordable units.
- A clause which limits the use of Rudgwick Metals (including the new extension) to the existing hours of use (including delivery times) and also limits the potential noise output to an acceptable level in terms of decibel levels. In line with the noise report, it is suggested that the noise level from the commercial premises should not exceed 35 dB LAeq, 1 hour at the proposed new properties (to be agreed in consultation with the Environmental Health Team). Existing hours of use are 0700 hours and 1800 hours on Monday to Fridays inclusive and 0700 hours and 1300 hours on Saturdays.

Commercial Units

A clause is recommended for the S106 requiring the submission of a phasing plan which shows the construction and completion of the residential and commercial phases of the development. The clause is required to ensure the new commercial units are constructed in accordance with the Policy requirements for this site.

WSSC Rights of Way Comments

WSSC Rights of Team have commented that the applicant should negotiate with third party landowners to secure a new public bridleway between the current bridleway to the east of the site and the applicant's site boundary. The land in question is outside of the ownership of the applicant. Therefore, whilst the link is desirable, it cannot be achieved through this application as it is outside the control of the applicant.

Rewording of Condition 22

In line with the discussions with the applicant, condition 22 is recommended to be reworded as follows:

'No development shall commence until a phasing plan for the construction and occupation of the approved scheme has been submitted to and approved by the Local Planning Authority. Prior to the first occupation of each phase, in accordance with the approved phasing plan, verification reports shall be submitted demonstrating that the SuDS drainage systems have been constructed in accordance with the approved design drawings for each phase for the approval of the Local Planning Authority. The development shall be maintained and constructed in accordance with the approved reports and phasing plan.'

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

Contact Officer: Jason Hawkes

Tel: 01403 215162



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (North)
BY: Development Manager
DATE: 7 March 2017
DEVELOPMENT: Change of use and extension of existing office building to provide 4no. 1-bedroom residential flats and 1no. studio flat
SITE: Landmark House 75 Station Road Horsham West Sussex
WARD: Roffey South
APPLICATION: DC/16/1760
APPLICANT: Mr Dennis Guile

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

RECOMMENDATION: That delegated powers be granted to the Development Manager to approve the application subject to the conditions as set out in paragraph 7 of this report and the completion of a section 106 agreement to secure either an on-site affordable unit or a financial contribution

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

1.1.1 The application seeks full planning permission for a change of use of the existing building from office to 3 self-contained residential units with a two storey extension proposed to form a further 2 units to the north eastern section of the site.

1.1.2 The development would provide one studio unit and four 1-bedroom units. Three car parking spaces are proposed as part of the development with the undeveloped curtilage providing communal outdoor space.

1.2 DESCRIPTION OF THE SITE

1.2.1 The application site comprises a three-storey end-terrace building with a pitched roof featuring front and rear gables, the northern section of the site providing surface parking with soft landscaping to the perimeter. The building was previously in office use (within Class B1a) however it is understood to be currently vacant. The building is located at the junction of Station Road and North Street.

- 1.2.2 Station Road is dominated by two-storey dwellinghouses of a consistent two-storey form arranged in semi-detached pairs or short terraces. This contrasts with the less coherent character of North Street, which is marked by the rear boundary of properties on Station Road and substantial former commercial buildings, two/three storeys in height, which have recently been converted to residential (Horsham Gates).
- 1.2.3 The site is situated in a sustainable location in close proximity to Horsham town centre. The nearest bus stop is 80 metres south west of the site and the train station is a five minute walk. Retail, restaurants, leisure, schools and other amenities are within walking distance.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

- 2.1.1 The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012), hereinafter referred to as the 'Framework', are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

- Section 1: Building a strong, competitive economy
- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality housing
- Section 7: Requiring good design
- Section 14: Presumption in favour of sustainable development

- 2.2.2 National Planning Policy Guidance 2014 (NPPG).

2.3 RELEVANT COUNCIL POLICY

- 2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 1 – Strategic Policy: Sustainable Development
 Policy 3 – Strategic Policy: Development Hierarchy
 Policy 5 – Strategic Policy: Horsham Town
 Policy 9 – Economic Development
 Policy 15 – Strategic Policy: Housing Provision
 Policy 16 – Strategic Policy: Meeting Local Housing Needs
 Policy 24 – Strategic Policy: Environmental Protection
 Policy 32 – Strategic Policy: The Quality of New Development
 Policy 33 – Development Principles
 Policy 35 – Strategic Policy: Climate Change
 Policy 37 – Sustainable Construction
 Policy 40 – Sustainable Transport
 Policy 41 – Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

- 2.4.1 The un-parished part of "Horsham Town" (that being the Forest, Denne and Trafalgar Neighbourhood Council areas) was designated as a Neighbourhood Forum (Horsham Blueprint) on 5 June 2015.

2.5 PLANNING HISTORY

HU/9/91	Erection of 3-storey office block, alterations to vehicular access & car parking Site: 75 Station Rd Horsham	PER
DC/15/2863	Change of use of existing office building, to be converted to 3 residential flats, and construction of 3 new 2 bedroom residential flats	WDN
DC/16/1565	Prior approval change of use of existing three storey office building to be converted to 3 No two bedroom flats. No parking spaces to be included in the development, existing vehicle crossover to be removed and pavement made good	WDN

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.

3.2 INTERNAL CONSULTATIONS

3.2.1 **Environmental Health** – No objection subject to conditions requiring a scheme of works to reduce the intrusion of noise to all habitable rooms to be drawn up which has regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation to habitable rooms and requiring a remediation strategy to be submitted should any contamination be found to be present at the site.

3.2.2 **Economic Development** – Objection to application on the grounds of a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies and the proposal would be contrary to Policy 9 of the HDPF.

3.3 OUTSIDE AGENCIES

3.3.1 **Southern Water** – No objection subject to noting that a public water trunk main lies in the immediate vicinity of the site and its exact position should be determined and all existing infrastructure protected during the course of construction works. Additionally, an informative should be added requiring a formal application to be made to Southern Water for connection to the public sewerage system.

3.3.2 **WSCC Highways** – No objection subject to conditions.

3.3.3 **Horsham District Cycling Forum** – Object on the grounds of an absence of cycle parking, the lack of cycle lanes on either Station Road or North Street and the difficulty for a cyclist travelling north to turn right into Station Road from North Street without needing to change lanes or dismount and using the crossing.

3.4 PARISH COUNCIL

3.4.1 Horsham Forest Neighbourhood Council objects to the application on the following grounds:

- Overdevelopment of the site
- Unsustainable and unsuitable accommodation commensurate with the Horsham area

- Concerned with the level of parking provision and the pressures this under-provision puts on surrounding streets and neighbours
- WSCC standard is for one space per property and this will not be achieved with this proposal
- Positioning of this development between a major road into Horsham and a feeder road usually blocked with traffic

3.5 PUBLIC CONSULTATIONS

3.6.1 16 letters/emails of objection from 9 households have been received which raise the following concerns:

- Lack of car parking provision
- Additional pressure for on-street car parking spaces
- Site currently used as overflow parking
- Not sensible to assume that future residents will use public transport
- Consideration for extension of residents only parking restriction
- Overbearing impact on neighbouring properties
- Loss of trees on the site
- Flooding issues with site
- Impact of construction vehicles on local road network
- Overdevelopment of the site
- Noise concerns for future residents
- Offices should be retained for small start-up businesses
- Size of proposed units

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 consideration of the application are:

- Principle of development
- Impact on character and appearance of the streetscene
- Highway safety and parking provision
- Impact on occupiers of neighbouring properties
- Amenity of future occupiers

Principle of development

6.2 The existing building provides approximately 210sqm of office accommodation. The Council's Economic Development team have raised an objection to the application on the basis that there is a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies and the proposal would be contrary to Policy 9 of the HDPF which seeks to retain employment sites and premises. It is acknowledged that the proposal would result in the loss of commercial floorspace and it is

noted that whilst the building is currently vacant there is no evidence to suggest the premises is no longer or is genuinely redundant for such a use, with no evidence that attempts were made to re-let the premises as a commercial use. Discussions with the agent confirm that the building has been vacant since December 2015 and that at the time the owner undertook discussions with a local agent (believed to be Colyer Commercial Consultant Surveyors) as to the likelihood of re-letting the property. It has been advised that they were not confident that a tenant could be found for the property and that on that basis, and given that the buildings at Horsham Gates were being converted from office to residential, the building was not marketed for commercial use. Given that the applicant did receive some advice on the likelihood of re-letting the building for a commercial use and that that advice was not positive, combined with the limited size of the unit, it is considered that the conversion of the building to residential is acceptable. It is worth noting that subject to certain criteria being met, the conversion of office buildings to residential can be undertaken as permitted development.

- 6.3 Policies within the HDPF seek to direct new development to the main settlements of the District to ensure that the countryside is protected from inappropriate development. The site is located within the built-up area boundary of Horsham, categorised as 'Main Town' in the HDPF and is therefore sited in a settlement that has "*...a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.*" The principle of providing residential accommodation in this location is therefore supported.
- 6.4 Policy 16 of the HDPF states that on sites providing between 5 and 14 dwellings, the Council will require 20% of dwellings to be affordable, or, where on-site provision is not achievable a financial contribution equivalent to the cost of providing the units on site. The proposed development would therefore be expected to provide one affordable unit or an equivalent financial contribution.

Impact on character and appearance of the streetscene

- 6.5 Policy 32 of the HDPF requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. It further requires development to provide an attractive, functional, accessible, safe and adaptable environment which complements locally distinctive characters and heritage of the district. Policy 33 relates to development principles and requires development, amongst other matters, to recognise any constraints that exist, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.6 The existing gable fronted building provides three-storeys of office accommodation, partly within the roof space, which complements the adjacent terrace row of housing in a relatively sensitive manner, reflecting the vertical emphasis of Station Road. The site incorporates a large area of open curtilage which is currently allocated for car parking. It is considered that there is scope to accommodate additional development on this open section of the site subject to the resulting building being of a high standard of design and relating sympathetically to the built surroundings.
- 6.7 Following amendments to the original scheme to reduce the scale and footprint of the extension, it is considered the proposal now reflects the form and detailing of the existing building and neighbouring terrace and would be of a scale and form that would be appropriate in this location. It is therefore considered that the proposed scheme for the conversion and extension of the site is compliant with policies 32 and 33 of the HDPF which seek to conserve and enhance the built environment.

Highway safety and parking provision

- 6.8 Policy 40 of the HDPF states that development will be supported where it, amongst other things, provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.9 The development would create 5 self-contained residential units with limited on-site parking provision. The site is in a sustainable location where other means of transport are available. It is understood that the existing parking area associated with the currently vacant office building may be being used by local residents. While the development would result in increased demand for on-street parking, there is no evidence to suggest that this could not be accommodated in surrounding streets, or that additional parking would create a highway safety hazard, particularly when trip generation from an existing office use is taken into account.
- 6.10 West Sussex County Council, as the Local Highway Authority, have advised that they would not raise highway safety concerns with the level of car parking spaces proposed and that comprehensive parking restrictions in the vicinity would deter any overspill parking in locations that would be deemed a detriment to highway safety. They have further advised that they do not consider that the development will cause a 'severe' residual effect on the safety of the nearby highway network and thus it accords with Paragraph 32 of the National Planning Policy Framework.
- 6.11 While no details of secure cycle parking facilities have been identified, there is sufficient space within the boundary of the site to make such provision, and further details are to be secured through condition.
- 6.12 For the reasons outlined above, it is considered that the proposed development would not have an adverse impact on the local highway network in terms of the level of activity at the site and highway safety. The proposal therefore complies with Policy 40 of the HDPF.

Impact on occupiers of neighbouring properties

- 6.13 Policy 33 of the HDPF requires development, amongst other matters, to not cause unacceptable harm to the amenity of surrounding occupiers.
- 6.14 The siting of the proposed extension, which has been significantly reduced from that as originally submitted, and the remaining separation from adjoining properties would be sufficient to prevent any harmful loss of light or outlook to neighbouring occupants. The introduction of additional residential units into a predominantly residential area would not be expected to generate harmful levels of noise or disturbance, with Building Regulations sufficient to prevent harm to the abutting terraced property, no. 73 Station Road, through noise transference.

Amenity of future occupiers

- 6.15 The development would create five self-contained residential units on the site which would be sited in close proximity to North Street and its junction with Station Road, with North Road in particular being an active noise source. A noise assessment of the site has been undertaken and a report has been submitted which the Council's Environmental Health team are satisfied with subject to a condition requiring a scheme of works to reduce the intrusion of noise to all habitable rooms to be drawn up which has regard to the requirements of BS8233:2014 and includes provision for appropriate alternative ventilation to habitable rooms.

6.16 Other issues

While the representation regarding flooding is noted, the development would create an opportunity to provide increased soft landscaping at ground floor level which would potentially reduce surface water run-off. Further details of landscaping and surface water drainage are recommended to be secured by condition.

Conclusion

- 6.16 For the reasons as set out above, it is considered that the proposal meets the policy requirement to provide a range of housing in the District and will not have a significant adverse impact on the character and appearance of the streetscene, highway safety or the privacy and amenity of occupiers of the neighbouring residential properties sufficient to warrant refusal of the application.

7. **RECOMMENDATIONS**

- 7.1 It is recommended that delegated powers be granted to the Development Manager to approve the application subject to the conditions as set out below and the completion of a section 106 agreement to secure either an on-site affordable unit or a financial contribution:

- 2 **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- a. method of access and routing of vehicles during construction
- b. the parking of vehicles of site operatives and visitors
- c. loading and unloading of plant and materials
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoarding, where appropriate
- f. the provision of wheel washing facilities if necessary
- g. measures to control the emission of dust, dust and noise during construction
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of occupiers of neighbouring residential properties; during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** A scheme of works to reduce the intrusion of noise to all habitable rooms shall be drawn up. The scheme shall have regard to the requirements of BS8233:2014 and shall include provision of appropriate alternative ventilation to habitable rooms where appropriate. The scheme shall be submitted to and approved in writing by the local planning authority. The scheme as approved by the local planning authority shall be fully installed before the development is occupied.

Reason: Reason: In the interests of amenity of future occupiers of the properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement (Slab Level) Condition:** 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) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted 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).

- 7 **Pre-Occupation Condition:** Prior to the first occupation (or use) 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).

- 8 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for that dwelling (or use) in accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan S15/LHH/39 and shall be thereafter retained as such.

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

- 10 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure (and covered) cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and

approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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

- 11 **Regulatory Condition:** The development/use hereby approved shall be carried out in accordance with the Noise Impact Assessment dated 23 January 2017 and prepared by KP Acoustics Ltd.

Reason: In the interests of amenity of future occupiers of the properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

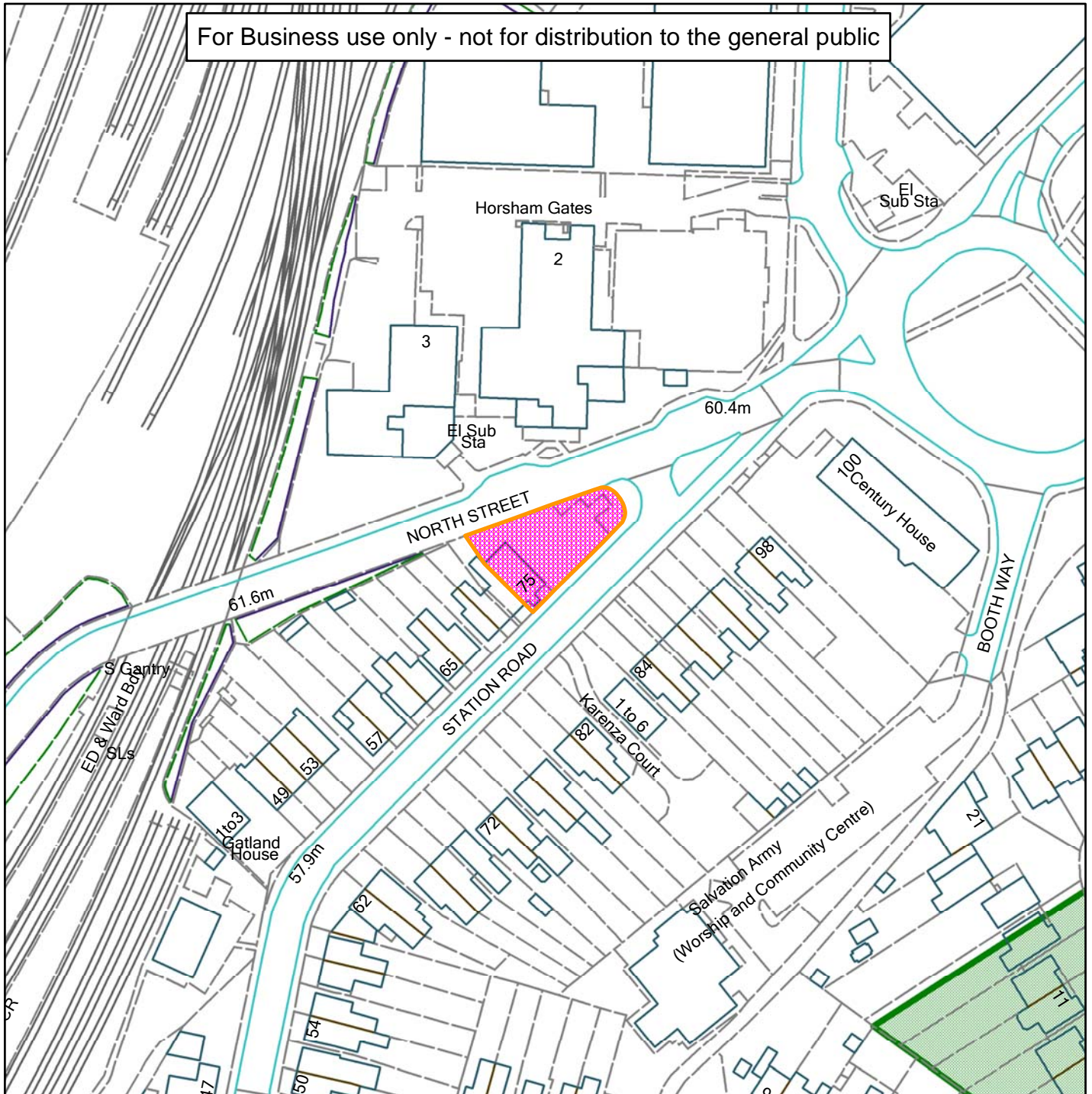
Background Papers: DC/16/1760

This page is intentionally left blank



Landmark House

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



Scale: 1:1,250

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee (North)

BY: Development Manager

DATE: 7 March 2017

DEVELOPMENT: Change of use of land for recreational camping including the siting of 2no. yurts and a facilities block together with access, car parking and associated landscaping

SITE: Holme Farm Orchard Winterpit Lane Mannings Heath Horsham

WARD: Nuthurst

APPLICATION: DC/16/2492

APPLICANT: Delcraven Ltd

REASON FOR INCLUSION ON THE AGENDA: At the request of Councillor Bradnum

RECOMMENDATION: To grant planning permission subject to the conditions set out in paragraph 7

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

1.1 DESCRIPTION OF THE APPLICATION

- 1.1.1 The application seeks planning permission for the change of use of a parcel of land measuring some 0.45 hectares for low key recreational camping. The proposal includes the construction of an access track and car parking area, the siting of two yurts and an amenity shed and associated landscaping.
- 1.1.2 The yurts will be of a traditional design, with a circular footprint, a cone shaped roof and a fabric cover. They will have a diameter of 5.8 metres, an overall height of 2.7 metres and an eaves height of 1.55 metres. The yurts will stand on skids so that they can be moved if and when necessary.
- 1.1.3 The amenity shed will measure some 7 metres by 3.1 metres and provide kitchen, bathroom and washing/drying facilities for the users of the yurts. The building will be 3.8 metres to the ridge and 2.3 metres to the eaves. It will be clad in timber boarding with a lightweight clay tile style roof. The unit will be connected to the water supply and waste water Klargestor by flexible hoses, which can be detached if the unit is moved and the facility can be plugged into the site's electricity supply.
- 1.1.4 A new access track will be formed off the existing access off Winterpit Lane and will utilise an existing gateway. The track and car parking area, providing parking for 4 vehicles, will be formed of a geotextile sheet with a plastic grid, filled with soil and shingle and seeded

with grass. New planting is proposed around the car parking area with a post and rail fence forming the northern boundary.

- 1.1.5 Since the submission of the application, and following concerns raised by the Council's Landscape Officer, the layout of the proposal has been amended to address the landscape impact of the proposal.

1.2 DESCRIPTION OF THE SITE

- 1.2.1 Holme Farm Orchard lies within a rural area on the southern side of Winterpit Lane, approximately 500m (as the crow flies) south east of the built-up area boundary of Mannings Heath. The land to the north of Winterpit Lane lies within the High Weald Area of Outstanding Natural Beauty.

- 1.2.2 The site itself relates to an area of land, some 0.45 hectares, to the east of the access track off Winterpit Lane that provides access to the applicant's property (Holme Farm Orchard) along with a number of other residential properties to the south. The access track is also a bridleway.

- 1.2.3 To the immediate south of the application site lies a number of mature trees and a pond, and beyond this residential properties and land associated with the nearby racing stables. To the east of the site lies 'Brookfield Barn' which hosts weddings and other functions along with having a golf course to the south. To the north and west of the site lies land within the ownership of the applicant (amounting to some 10 hectares) which comprises a stable building adjacent to Winterpit Lane which has been granted permission for conversion to residential, and the applicant's property, garage and storage building to the west.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

- 2.1.1 The Town and Country Planning Act 1990.

2.2 RELEVANT GOVERNMENT POLICY

- 2.2.1 The following sections of the National Planning Policy Framework (2012) (NPPF) are relevant to the consideration of this application (Note: This list is not exhaustive and other paragraphs of the Framework are referred to where necessary within the contents of the report):

- Section 1: Building a strong, competitive economy
- Section 3: Supporting a prosperous economy
- Section 4: Promoting sustainable transport
- Section 7: Requiring good design
- Section 11: Conserving and enhancing the natural environment

- 2.2.2 National Planning Policy Guidance 2014 (NPPG).

2.3 RELEVANT COUNCIL POLICY

- 2.3.1 Horsham District Planning Framework (HDPF) – the following policies are of particular relevance:

Policy 1 – Strategic Policy: Sustainable Development

Policy 2 – Strategic Policy: Strategic Development
 Policy 3 – Strategic Policy: Development Hierarchy
 Policy 4 – Strategic Policy: Settlement Expansion
 Policy 7 – Strategic Policy: Economic Growth
 Policy 10 – Rural Economic Development
 Policy 11 – Tourism and Cultural Facilities
 Policy 24 – Strategic Policy: Environmental Protection
 Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
 Policy 26 – Strategic Policy: Countryside Protection
 Policy 30 – Protected Landscapes
 Policy 31 – Green Infrastructure and Biodiversity
 Policy 32 – Strategic Policy: The Quality of New Development
 Policy 33 – Development Principles
 Policy 35 – Strategic Policy: Climate Change
 Policy 37 – Sustainable Construction
 Policy 40 – Sustainable Transport
 Policy 41 – Parking

2.4 RELEVANT NEIGHBOURHOOD PLAN

2.4.1 The Parish of Lower Beeding was designated as a Neighbourhood Development Plan Area on 30 December 2015.

2.5 PLANNING HISTORY

2.5.1 Various applications have been submitted for development within the wider Holme Farm site over the last 25 years. Such applications include conversion of barns and business uses to residential uses, agricultural storage buildings and access tracks.

2.5.2 Most recently a stable building to the north of the application site was granted permission on appeal for conversion to a dwelling (DC/15/1251) and permission has been granted for an extension to an existing tractor storage building at Holme Farm Orchard (DC/16/2759).

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.

3.2 INTERNAL CONSULTATIONS

3.2.1 **Landscape Officer** – No objections.

3.2.2 **Ecology Consultant** – No objection subject to a condition relating to external lighting.

3.2.3 **Environmental Health** – No objection subject to conditions.

3.2.4 **Drainage Engineer** – No comments.

3.2.5 **Economic Development** – Support the application as it will begin to deliver the Hotel and Visitor Accommodation Study and the Horsham District Economic Strategy priority 5 (promoting the district officer).

3.3 OUTSIDE AGENCIES

3.3.1 **Southern Water** – No objection and advises that the applicant should consult the Environment Agency directly regarding the use of a package treatment plant which disposes of effluent to sub-soil irrigation.

3.3.2 **WSCC Highways** – No objection.

3.4 PARISH COUNCIL

3.4.1 Lower Beeding Parish Council – Object on the grounds that the proposal would result in the overdevelopment and overuse of green field land in an extremely rural area, increased highway traffic into the property and in Winterpit Lane and concerns about drainage, sewerage and plumbing.

3.4.2 Nuthurst Parish Council – Object on the grounds of the site is in the countryside and would increase traffic in Winterpit Lane.

3.5 MEMBER COMMENTS

3.5.1 Councillor Bradnum – Strong objections to the application.

3.6 PUBLIC CONSULTATIONS

3.6.1 9 letters/emails of objection from 6 households have been received to the application as originally submitted which raise the following concerns:

- Greenfield, countryside location, outside of any village
- Use and proposed buildings out of keeping with location
- Single track access off Winterpit Lane which is also a bridleway
- Highway safety concerns
- The site is not used for agricultural purposes and is not therefore farm diversification
- Future redevelopment of the site or expansion of the campsite
- Permission refused by the Caravan Club for the site
- Adverse impact on neighbouring uses (wedding venue, racing stable and riding stables)
- No social, economic or environmental benefits identified
- No operating hours, control mechanisms or on-site management outlined to avoid foreseeable issues
- Issues of noise
- No demand for 'glamping'
- Precedent for other glamping sites in rural areas
- Permanent features proposed – sewerage systems, electricity supply etc

3.6.2 4 letters/emails of objection have been received to the amended scheme which raise the same issues as those outlined above.

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 consideration of the application are:
- Principle of development
 - Impact on character and appearance of the locality
 - Highway safety
 - Impact on occupiers of neighbouring properties

Principle of development

- 6.2 Section 3 of the NPPF requires local and neighbourhood plans to promote a strong rural economy. Bullet point 3 of paragraph 28 of the NPPF requires plans to support sustainable rural tourism developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. The paragraph goes on to say that *“This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres...”*.
- 6.3 The preamble to Policy 11 of the HDPF, which relates to tourism and cultural facilities, sets out that tourism is a source of local employment, and around 5% of those employed in the district work in the sector, whilst although a small proportion of total local employment, is higher than the south east and national average. The policy recognises that there is a need for more accommodation as the District has very few hotels and most of the visitors to the area are day visitors.
- 6.4 Policy 11 sets a number of criteria that needs to be met. Tourism development should 1) reinforce the local distinctiveness and improve existing facilities; 2) focus major tourism and cultural facilities in Horsham town centre; 3) seek to ensure that facilities are available within the towns and villages in the district and are in keeping with their relationship with the urban area and countryside around them especially in and around the High Weald AONB and the South Downs National Park; 4) develop the opportunities associated with rural diversification and rural development initiative, particularly where they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside; and 5) do not result in the loss of a cultural resource.
- 6.5 The Hotel and Visitor Accommodation Study prepared in July 2016 shows that there is potential for a range of hotel and visitor accommodation opportunities in the rural parts of the District including some new touring and caravan and camping sites, eco-camping sites, camping pod developments and glamping sites. The report advises that *“...the demand for glamping in the District shows strong weekend break demand for this type of accommodation from April to September, with glamping operations generally fully booked on Friday and Saturday nights, and turning business away on these nights, especially in the main summer months. Depending on the size and type of glamping unit, weekend break customers are either couples or families travelling from London or Brighton. Midweek demand is not as strong for all glamping operations. Some are fully booked with full week lets for family holidays in the summer school holidays in July and August. Midweek demand is much lower in the summer months. Glamping tends to be largely seasonal, particularly for canvas glamping units. Shepherd’s huts and camping pods with heating attract some winter demand.”*

- 6.6 Concern has been raised by neighbours in respect of the need for such accommodation in the District. The yurts proposed would provide relatively inexpensive basic accommodation for visitors to the area who might not have the equipment or appetite for conventional camping. The yurts would contribute to the range and availability of low-cost accommodation within the District as shown to be required in the Hotel and Visitor Accommodation Study.
- 6.7 Given the findings of the Hotel and Visitor Accommodation Study, the relevant policies of the HDPF which are supportive of tourism facilities and the comments of the Council's Economic Development team, it is considered that the principle of providing a glamping site in this location is acceptable.

Impact on character and appearance of the locality

- 6.8 Policy 32 of the HDPF requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. It further requires development to provide an attractive, functional, accessible, safe and adaptable environment which complements locally distinctive characters and heritage of the district. Policy 33 relates to development principles and requires development, amongst other matters, to recognise any constraints that exist, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.9 Concerns have been raised by neighbours in respect of the impact of the proposal on the character and appearance of the area, and the use of the site for glamping and proposed structures being out of keeping with the rural countryside location.
- 6.10 In this respect and following initial concerns raised by the Council's Landscape Officer, the layout of the site and the proposed scheme of planting have been amended. The plans show the yurts and amenity building repositioned on the site to make best use of the undulating nature of the site to screen the structures. The proposed hedge planting along the northern boundary has been replaced with a post and rail fence more in keeping with the area, the use of a plastic grid filled with soil and shingle and seeded with grass rather than hardcore to create the access and parking area, and an amended landscaping scheme showing more mature planting than that originally proposed.
- 6.11 The Council's Landscape Officer has advised that she is now satisfied with the scheme. Given that the level of activity anticipated on the site and the minimal structures proposed, it is not considered that the development will have an adverse impact on the character and appearance of the locality.

Highway safety

- 6.12 Policy 40 of the HDPF states that development will be supported where it, amongst other things, provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 6.13 Concerns have been raised by neighbours in respect of the impact of the proposal on the existing private access to the site and Winterpit Lane. Neighbours are concerned about the impact an increase in traffic will have on equestrian users and users of the neighbouring public right of way, namely the racing and riding stables in the vicinity. In addition the owners of the neighbouring wedding venue are concerned, amongst other things, that there would be a significant safety risk to guests attending functions that decide to stay in the yurts and will be required to walk some 180m along an unlit section of tree-lined country road to reach their accommodation.

- 6.14 WSCC has raised no concerns in respect of highway safety. It is advised that the NPPF states that development should only be prevented or refused on highway grounds where the residual cumulative impacts of the development are severe. In conclusion, WSCC has advised that they do not consider that this development would result in an impact on the local highway network that could be considered severe.
- 6.15 The application as submitted proposes the siting of two yurts with associated amenity block, which is considered will be self-limiting in terms of the number of people staying on the site and the number of additional vehicle movements associated with the use. Yurts generally provide open plan accommodation for 4-6 people. It is therefore likely that the yurts will be occupied by couples or families the majority of the time, with vehicle movements limited to some 1-2 vehicles per yurt. This is reflected in the number of car parking spaces being proposed.
- 6.16 Therefore given the advice of the Local Highway Authority in respect of the application, it is considered that the proposed development accords with Policy 40 of the HDPF and provides a safe and suitable access.

Impact on occupiers of neighbouring properties

- 6.17 Policy 33 of the HDPF requires development, amongst other matters, to not cause unacceptable harm to the amenity of surrounding occupiers.
- 6.18 Concerns have been raised by neighbours in respect of the impact of the proposal on the neighbouring commercial uses (wedding venue, racing stable and riding stables), no operating hours, control mechanisms or on-site management being identified and the potential for noise nuisance from occupiers of the site.
- 6.19 The nearest non-associated residential properties are some 260 metres to the south west of the site, with Brookfield Barn (wedding venue) is some 120 metres to the north east. Cisswood Racing Stables are located some 1.1 kilometres to the south of the site in Lower Beeding although the gallops extend within approximately 35 metres of the application site. It is understood that Cisswood Racing Stables along with the riding school and livery at Forest Farm (450 metres to the north west of the site on the edge of Mannings Heath) use the private access off Winterpit Lane as it is a public bridleway (ROW1707).
- 6.20 Whilst there are a number of dwellings within the immediate vicinity of the site (some 275 metres to the south east) along with a number of commercial uses, given the type of activity proposed and the minimal vehicle movements likely to be associated with the use, it is considered that there would be no detrimental impact upon the amenities of the occupiers of the neighbouring residential and the neighbouring commercial uses.

Conclusion

- 6.21 For the reasons as set out above, it is considered that the proposal would provide relatively inexpensive basic accommodation for visitors to the area who might not have the equipment or appetite for conventional camping and would contribute to the range and availability of low-cost accommodation within the District as shown to be required in the Hotel and Visitor Accommodation Study. It is not considered that there would be an significant adverse impact on the character and appearance of the rural location, highway safety or the privacy and amenity of occupiers of the neighbouring residential properties or nearby commercial uses sufficient to warrant refusal of the application.

7. RECOMMENDATIONS

7.1 It is recommended that planning permission be granted 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. No development shall commence until a drainage strategy detailing the proposed means of surface water disposal has been submitted to and approved in writing by the Local Planning Authority. 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 to comply with Policy 38 of the Horsham District Planning Framework (2015).

3. Notwithstanding the details submitted, details of the colour of the yurts shall be submitted to and approved in writing by the Local Planning Authority prior to their siting on the site. The development shall be carried out in accordance with the approved details and none of the yurts shall be altered or amended in any way or replaced with any other structures or caravans without the prior written consent of the Local Planning Authority.

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

4. The landscaping scheme submitted with the application (drawing no's 1423.30/04B and 1423.30/05 received 07.02.2017) shall be carried out prior to the occupation of any part of the development unless agreed in writing by the local planning authority. Any trees or plants/grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size, species and quality, unless the local planning authority gives written consent to any variation.

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

5. Neither of the units hereby permitted shall be occupied unless and until provision for the storage of refuse/recycling has been made for that use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. 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).

6. Prior to the first occupation (or use) of any part of the development hereby permitted, the parking turning and access facilities shall be implemented in accordance with the approved details as shown on plan (1423.30/04B) and shall be thereafter retained as such.

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

7. No more than two yurts and one amenity shed shall be sited on the site at any one time.

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

8. The yurts and amenity shed shall be sited as per drawing no. 1423.30/04B received 07.02.2017.

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

9. No external lighting shall be installed unless details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015) and to provide ecological protection and enhancement in accordance with the National Planning Policy Framework and Policy 31 of the Horsham District Planning Framework (2015).

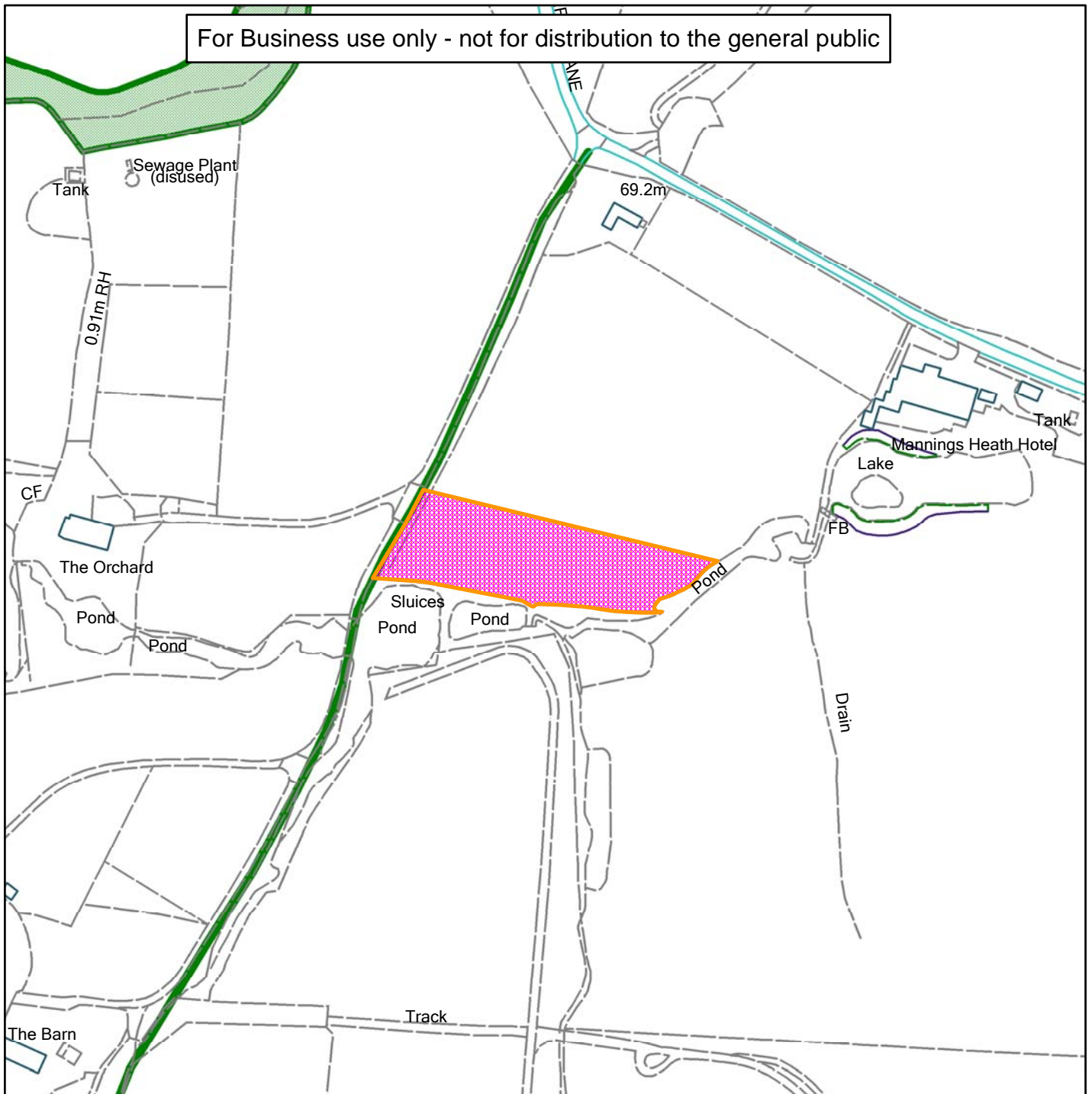
Background Papers: DC/16/2492

This page is intentionally left blank



Holme Farm Orchard

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



Scale: 1:2,500

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
MSA Number	100023865

This page is intentionally left blank



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 March 2017

DEVELOPMENT: Subsidiary gates to support previously approved cattle grid in order to finalising Grazing by sheep of the Historic Parkland in an Area of Article 4 Designation, in order to satisfy Conservation Management Plan

SITE: Sedgwick Manor Sedgwick Park Horsham West Sussex

WARD: Nuthurst

APPLICATION: DC/16/2727

APPLICANT: Mr and Mrs John Davison

REASON FOR INCLUSION ON THE AGENDA: Over 8 representation letters received contrary to the officer recommendation.

RECOMMENDATION: Grant planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for subsidiary gates, to support the previously approved cattle grid, at the western end of the West Drive nearest Broadwater Lane. The application also includes details of fencing and gates within the parkland. The proposal has been submitted in order to facilitate sheep grazing within the Historic Parkland.
- 1.3 At the western end of the West Drive the finished height of the timber gates and the chestnut rail fencing (with stock wire) is approximately 1.2 metres. The timber kissing gate is approximately 1.2 metres high with a 1.2 metre opening, with the timber access gate approximately 3 metres wide, with the cattle grid measuring 3.6m x 2.4m.
- 1.4 Original Estate Fencing is proposed to the boundary in front of Sedgwick Manor either side of the pond and joins post and rail fencing either side. The fencing extends around the perimeter of the area where grazing sheep will be kept and includes a short length of temporary 12V electric fence near to an old air strip.
- 1.5 A further electronic timber gate across West Drive nearest Sedgwick Manor and surrounding properties is 3.6m wide and the timber pedestrian gate is 600mm wide. There is a remote access automatic opening button on a post 6.6m before the gate.

DESCRIPTION OF THE SITE

- 1.6 The application site lies within a rural area approximately 3.5 km south of the town of Horsham, on the western edge of the Weald. The land subject to this application is accessed off of Broadwater Lane along the West Drive, which serves residential properties known as Castle Lodge and Badgers to the western end of the drive, leading to Sedgwick Manor, Fox Cottage, The Laurels, The Coach House and West Sedgwick Park.
- 1.7 The land is within the registered Grade II Sedgwick Park which covers 162 hectares, within which lie the Grade II Listed Sedgwick Manor and the Scheduled Ancient Monument known as the Moated Medieval Site of Sedgwick Castle. The land is subject to an Article 4 Direction which removes permitted development rights across the Park.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework: Sections 11 & 12

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework (2015)
 Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
 Policy 33 – Development Principles
 Policy 34 - Cultural and Heritage Assets

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Nuthurst Neighbourhood Development Plan 'Made' - (Regulation 19) 22nd October 2015, and was modified on the 20th January 2017.

PLANNING HISTORY

DC/14/2365	Fencing for grazing by sheep of the Historic Parkland in an Area of Article 4 Designation, in order to satisfy Conservation Management Plan	PER
DC/16/0665	Subsidiary gates to support previously approved cattle grid in order to finalising Grazing by sheep of the Historic Parkland in an Area of Article 4 Designation, in order to satisfy Conservation Management Plan	WDN

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 Conservation Officer: No objection.

OUTSIDE AGENCIES

3.3 Nuthurst Parish Council: Object, for the following reasons:-

- The application is retrospective;
- Do not believe the cattle grid has been previously approved (ref: DC/16/2635);
- The proposal removes residents rights of way.

3.4 The Garden Trust: Neither Objects or Supports

3.5 Natural England: No objection.

3.6 Historic England: No comments to make.

PUBLIC CONSULTATIONS

3.8 9 representations have been received objecting to the proposal for the following reasons:-

- Ownership of Rights of Way;
- Permanent fencing not required;
- Cattle grid on the West Drive;
- Safety issues;
- Requirements of the Conservation Management Plan;
- Restricted Access.

3.9 9 representations have been received supporting the proposal for the following reasons:-

- The grazing would benefit the parkland;
- The fencing and gates are in keeping with the setting;
- The cattle grid and adjacent kissing gate allows adequate access;

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 fencing, to enable grazing by sheep, was approved on 16 February 2015 under planning ref: DC/14/2365. The approved plans included a cattle grid (in its current position) and this therefore forms part of the existing planning permission. The cattle grid was originally installed in the wrong location; however, following an investigation by the Compliance Team the grid was relocated to the approved location near to the western end of the West Drive. While this aspect of the original planning permission has been implemented in accordance with the approved drawings a condition required further details of respect of the gates. This current application provides details of the

subsidiary gates and provides clarification on matters relating to the position and height of the fencing, as well as details relating to the cattle grid.

Principle

- 6.2 The Sedgwick Park Historic Parkland encompasses the ‘Sedgwick Park and Castle Conservation Management Plan’ (dated June 2014) which was prepared as part of a Higher Level Stewardship scheme (HLS) and funded by Natural England. The plan provides management prescriptions for approximately 20 hectares which are within the HLS agreement.
- 6.3 The aim of the Conservation Management Plan is to increase understanding of the site, including the archaeological features and vegetation, in order to inform the sites future management and help safeguard its historic assets. The plan establishes a conservation vision and conservation policies against which management decisions can be measured, and applies those principles to conserve and enhance the significance of the site both in terms of its heritage value and its nature conservation interest.
- 6.4 A number of policies within the Plan are relevant to this application, including:-
- Policy 18: Reintroduce active management of both the woodland and parkland by re-instigating coppicing and grazing;
 - Policy 33: Re-instigate management of the grassland by taking a hay crop and grazing; and
 - Policy 36: Seek sustainable solutions, and partners, to ensure maintenance of the landscape in line with its traditional and historic management.
- 6.5 The current application, and existing planning permission, would contribute to the fulfilment of these policies through the introduction of appropriate gates, fencing and a cattle grid which would facilitate and allow grazing of the land by sheep. The proposal is therefore considered to be essential to the countryside location and would support the needs of agricultural. The proposal is therefore considered to be acceptable in principle, and would accord with policy 26 of the HDPF, subject to compliance with other relevant policies.

Character and Appearance

- 6.6 Policy 25 of the HDPF seeks to protect the natural environment and landscape character of the District, and states that development will be supported where it conserves and enhances the landscape and townscape character and individual settlement characteristics. This is supported by Policy 34 of the HDPF which states that the historic environment will be enhanced through positive management of development affecting heritage assets.
- 6.7 The character and appearance of the Sedgwick Park Area has evolved historically over many years, and is now multi-faceted comprising many different character areas, including gardens with views of the South Downs, parkland and woodland, a Listed Building (Sedgwick Manor) and a Scheduled Ancient monument (the Moated Medieval Site of Sedgwick Castle).
- 6.8 The fencing, gates and cattle grid introduce a more permanent form of enclosure than has previously been present. The resulting appearance is typical of those found in similar parkland settings where grazing supports conservation management, and is considered to be appropriate to the location and setting. Historic England has raised no concerns with the proposal, which are considered to preserve the parkland and neighbouring ancient monument.
- 6.9 The relationship between the gates, fencing and cattle grid and Sedgwick Manor, a Listed Building, would not be significantly altered with considerable visual separation retained.

The nearest fencing and gates to the listed building would be traditional estate fencing, which in this case is being reused, having formerly and historically been used at some point within the curtilage of the listed building, and is therefore considered acceptable. No objection has been raised by the Conservation Officer, and the proposal would preserve the setting of the listed building.

- 6.10 It is noted that the proposals were previously considered to be acceptable as part of the existing planning permission on the site, ref: DC/14/2365. There are no reasons, as set out above, to take a different view as part of the current application. It is therefore considered that the proposal would have no significant or harmful impact on the visual amenities of the area, and therefore complies with policies 25 and 33 of the HDPF.

Other considerations

Private Rights of Way

- 6.11 A number of representations have been received regarding private rights of way across Sedgwick Park, with four households using West Drive to access their properties. The representations consider that the cattle grid, which requires diverting access over an area of adjacent parkland, though the kissing and access gates, restricts access.
- 6.12 Issues relating to private rights of way are not a material planning consideration and are instead a civil matter. There are various cases on the extent to which interference with an existing easement can be neutralised by providing alternative means of exercising the right. Generally, it may be possible, bearing in mind the configuration of the servient land, to redefine the right of way along a new route. This has to be negotiated with the owner of the dominant land before a Deed of Variation can be drawn up by a solicitor. This would though take place outside of the planning process.
- 6.13 The planning system does not exist to protect the private interests of one person against the activities of another. In this instance the works which have taken place to the private right of way would not be contrary to national or local planning policy.

Public Rights of Way

- 6.15 The proposed fencing and gates crosses public rights of way in places. The WSCC Public Rights of Way Team has previously advised that as the gates are needed for stock control, which is allowed under the Highways Act, there would be no objection to the proposal provided provision is made for walkers, with separate consent needed from the WSCC PROW Team. This process, which is separate to planning, would ensure the public right of way would be maintained. The PROW Team has been consulted on this current application and any comments will be reported at Planning Committee.

Impact on neighbouring amenity

- 6.14 The nature of the proposal does not raise any concerns relating to loss of light, outlook or privacy.

7. RECOMMENDATIONS

- 7.1 That Planning Permission is granted subject to the following condition:-

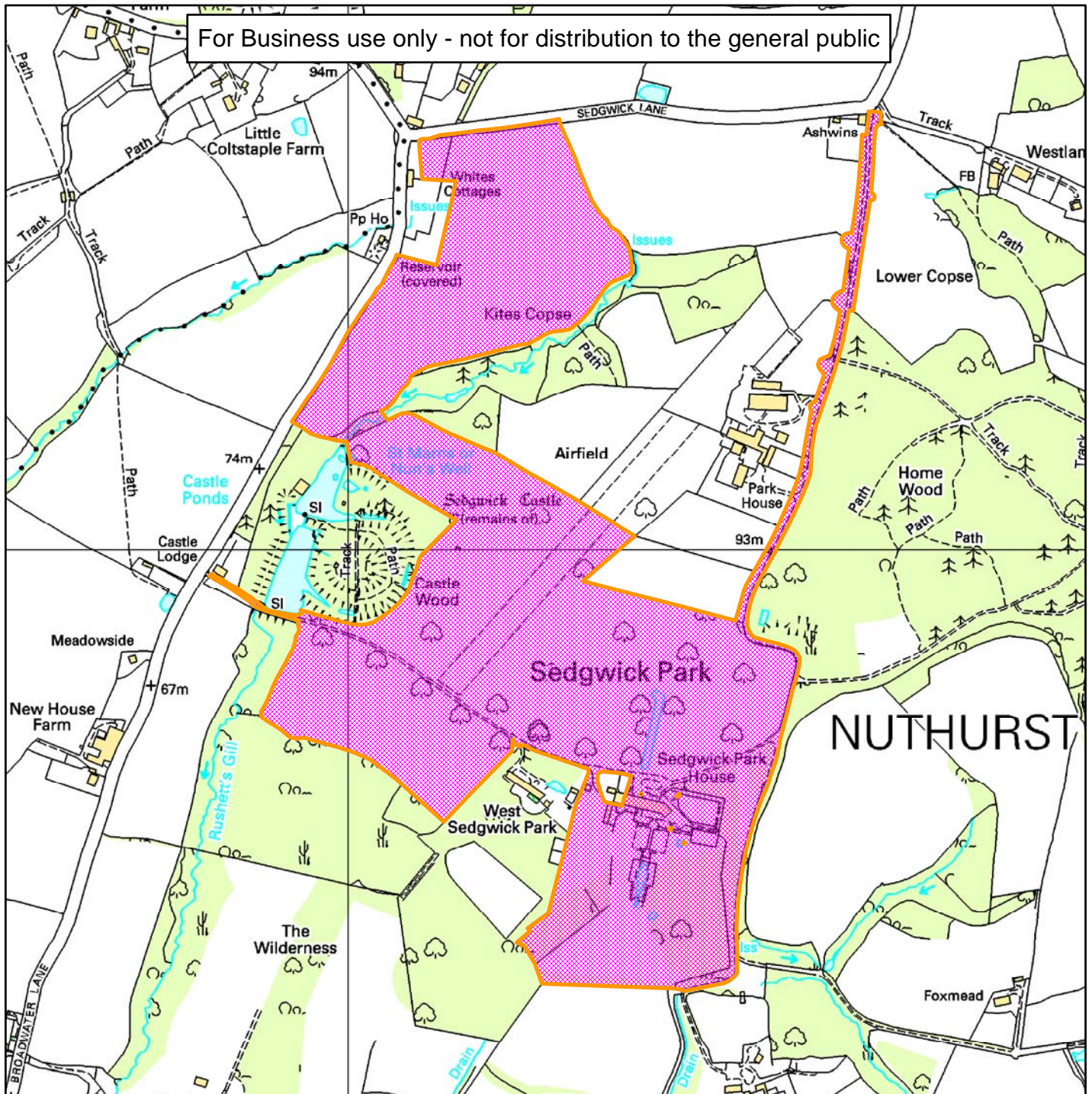
1. A list of the approved plans

This page is intentionally left blank



Sedgwick Manor

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



Scale: 1:7,172

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

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

Organisation	Horsham District Council
Department	
Comments	
Date	22/02/2017
MA Number	100023865

This page is intentionally left blank