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Development Management (South) Committee

Tuesday, 16th August, 2016 at 2.30 pm

Main Conference Room, Parkside, Chart Way, Horsham

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

You are summoned to the meeting to transact the following business

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 12
To approve as correct the minutes of the meetings held on 5 th July and 19 th July	
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	13 - 14
Applications for determination by Committee:	
6. DC/16/0728 - Land adjacent to Railway Cottages and Pulborough Railway	15 - 50

**Station, Stopham Road, Pulborough (Ward: Pulborough & Coldwaltham)
Applicant: Willowmead and Network Rail**

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|-----|---|----------|
| 7. | DC/14/1695 - Land South of Ashington House, London Road, Ashington
(Ward: Chanctonbury) Applicant: Kler Group | 51 - 86 |
| 8. | DC/16/1091 - Land adjacent to Buckmans, Stane Street, Five Oaks
(Ward: Billingshurst & Shipley) Applicant: Mr Clarke | 87 - 96 |
| 9. | DC/16/0240 - Paddock Green Farm, Goose Green Lane, Goose Green
(Ward: Chanctonbury) Applicant: Mr G Lambert | 97 - 104 |
| 10. | Urgent Business | |

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

Development Management (South) Committee
5 JULY 2016

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Roger Clarke, David Coldwell, Ray Dawe, Brian Donnelly, Liz Kitchen, Gordon Lindsay, Tim Lloyd, Paul Marshall, Mike Morgan, Kate Rowbottom, Claire Vickers and Michael Willett

Apologies: Councillors: Jonathan Chowen, Philip Circus, David Jenkins, Nigel Jupp, Jim Sanson and Ben Staines

DCS/17 **DECLARATIONS OF MEMBERS' INTERESTS**

Councillor Tim Lloyd	DC/16/0884	Personal – he knows one of the Parish Councillors and lives near the site in Coxham Lane
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DCS/18 **ANNOUNCEMENTS**

There were no announcements.

DCS/19 **DC/16/0884 - STEYNING FOOTBALL CLUB, SHOOTING FIELD, STEYNING (WARD: STEYNING) APPLICANT: MR RICHARD WOODBRIDGE**

The Development Manager reported that this application sought permission to replace a grass football pitch with an artificial 3G pitch, which would be below the existing level. The one metre high fencing which enclosed the area would be replaced with a fence of the same height.

The application site was located East of Coxham Lane and South and West of Shooting Field, within the built-up area of Steyning. The site included a football pitch, clubhouse and spectator stand. The rear gardens of nearby detached and semi-detached dwellings backed onto the site.

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

The response from Environmental Health & Licencing, as contained within the report, was considered by the Committee.

The Parish Council had not commented on the proposal. Ninety letters of support from 80 households, and eleven letters of objection from nine households, had been received. Three members of the public spoke in objection to the proposal and the applicant addressed the Committee 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 the development; the amenity of nearby residents; and the landscape character and visual amenities of the street scene.

Members were advised that the artificial pitch surface would be permeable and mitigate drainage issues. It was noted that existing restrictions on the use of floodlighting would still apply.

Members were mindful of neighbouring residents' concerns regarding increased noise, traffic movements and parking issues, and weighed these against the significant community benefits of the proposal.

Members concluded that any detrimental impact caused by increased activity resulting from the proposal would not be significant enough to warrant refusal, and agreed that the proposed enhanced use of the existing facilities was acceptable.

RESOLVED

That planning application DC/16/0884 be granted subject to the conditions and reasons as reported.

The meeting closed at 4.26 pm having commenced at 4.00 pm

CHAIRMAN

Development Management (South) Committee
19 JULY 2016

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), David Coldwell, Philip Circus, Roger Clarke, Ray Dawe, Brian Donnelly, David Jenkins, Nigel Jupp, Liz Kitchen, Gordon Lindsay, Paul Marshall, Mike Morgan, Jim Sanson, Kate Rowbottom, Claire Vickers and Michael Willett

Apologies: Councillors: John Blackall, Jonathan Chowen, Tim Lloyd and Ben Staines

Also Present:

DCS/20 **MINUTES**

The minutes of the meeting of the Committee held on 21st June were approved as a correct record and signed by the Chairman.

DCS/21 **DECLARATIONS OF MEMBERS' INTERESTS**

S106/16/0005 Councillor Jupp declared a personal interest, as he knew the applicant.

DCS/22 **ANNOUNCEMENTS**

There were no announcements.

DCS/23 **APPEALS**

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

DCS/24 **DC/16/0642 - LAND WEST OF MILL STRAIGHT, WORTHING ROAD, SOUTHWATER (WARD: BILLINGSHURST AND SHIPLEY) APPLICANT: MILLER HOMES LTD SOUTH AND WATES DEVELOPMENTS LTD**

The Development Manager reported that this application sought approval of reserved matters relating to outline permission DC/14/2582 for the erection of 193 dwellings, including 40% affordable housing (78 units), which had been approved in September 2015 (Minute No. DSC/8 (21.5.15) refers). There would be ten separate parcels of housing in an informal street layout. The reserved matters related to: layout; scale and appearance of each building; and landscaping.

The application had been deferred by the Committee in June 2016 in order to address concerns regarding: the housing mix; the separation distance on the northern border; and to seek the inclusion of an on-site half basketball court (Minute No. DCS/8 (21.06.16 refers)).

Since publication of the report an addendum had been circulated advising that the Secretary of State was considering whether to call-in the application following a request, and that in response to re-consultation there had been six further objections from four addresses and further comments from the parish council.

It was also reported to committee that recent amendments had been received since the addendum was printed. The amendments moved the proposed property to the south of Doneechka (in the north east corner of the site) further away from northern boundary. This property is now 15m away from the boundary with Doneechka. The applicant also amended the scheme so to remove a pathway linking the development to the existing public right of way along the northern boundary, which would have resulted in the loss of a tree. The tree is now to be retained.

The application site was located in a countryside location to the South-West of Mill Straight within the Parish of Shipley, but adjacent to The Fieldings on the southern boundary of the built up area of Southwater. It comprised mostly open arable land, with ancient woodland to the western side where a tributary of the River Adur ran. There were mature trees along the northern edge of the site where there was a public footpath. There was a substantial hedgerow adjacent to Mill Straight with an avenue of poplar trees parallel to this within the site.

Members were referred to the previous report which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

Three members of the public spoke in objection to the proposal, along with Southwater Parish Council, and the applicant addressed the Committee in support of the application.

Members considered the revised housing mix that had been submitted by the applicant, which included an additional 11 3-bedroom houses. It was noted that the Highways Authority raised no objection to the revised parking layout which had been required to enable the proposed changes to the housing mix.

It was noted that the proposed revisions had increased the separation distance from parts of the Northern Boundary. The applicant's comments regarding the half basketball court were considered by the Committee.

RESOLVED

That planning permission be delegated to the Development Manager for approval subject to confirmation from the Secretary of State that the application is not to be called-in, and subject to appropriate

conditions and the amended layout plan, and the additional condition to remove permitted development rights to properties along the northern boundary.

DCS/25 **DC/16/0274 - LAND SOUTH OF MARRINGDEAN ACRES, MARRINGDEAN ROAD, BILLINGSHURST (WARD: BILLINGSHURST AND SHIPLEY)**

The Development Manager reported that this application, which had originally sought permission for 45 dwellings together with associated access road, car parking, landscaping and open space, had been amended to seek permission for 51 dwellings comprising: two 1-bedroom and 15 2-bedroom houses; four 2-bedroom bungalows; 17 3-bedroom houses and 13 4-bedroom houses. The dwellings would be of traditional design and accessed from the development to the east, and the dwellings would be set around four cul-de-sacs. The footprint of the scheme remained the same.

A small play area to the North was proposed within an open space that continued around the Western boundary adjacent to the railway line. This open space would include two attenuation basins and a pumping station. A hedgerow running across the site would be retained. A substantial belt of open space and new planting was also proposed along the Southern boundary. Housing would be denser to the North of the site with bungalows closest to the Southern boundary.

The application site, which was allocated for development within the Horsham District Planning Framework, was located 1.2 kilometres South of Billingshurst and was adjacent to residential development under construction to the North and East.

There was open countryside to the South, and a railway embankment above the site to the West. A public right of way ran along the Southern boundary.

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

The responses from internal and external consultees, as contained within the report, were considered by the Committee. The Environment Agency had no comments regarding the flooding issue.

The Parish Council had strongly objected to the proposal. Eleven letters of objection, and one letter of support, to the original proposal had been received. The agent 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 the development; design and layout and its impact on the surrounding streetscene; landscape; noise and vibration; highways and parking; drainage

and flooding; affordable housing provision; infrastructure contributions; neighbouring amenity; and ecology.

The local Members expressed their concerns regarding the access to the site; in particular, the width of Honeysuckle Drive.

RESOLVED

- (i) That a legal agreement be entered into to secure the required affordable housing and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/16/0274 be determined by the Development Manager. During determination an additional condition be included to ensure that development shall not commence until full details of the maintenance and management of the SuDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs. The view of the Committee was that the application should be granted.

DCS/26 **DC/15/2810 - LAND AT STEELE CLOSE AND AT SINNOCKS, WEST CHILTINGTON (WARD: CHANCTONBURY)**

The Development Manager reported that this application sought permission for the erection of 15 dwellings. Fourteen affordable housing units comprising seven 2-bedroom, five 3-bedroom and two 1-bedroom units were proposed on a parcel of land accessed from Steele Close. One 4-bedroom open market unit was proposed on a parcel of land to the North-East, accessed from Sinnocks. The applicant had stated that the provision of the affordable units was dependent on permission being granted for the open market unit.

Both sections of the application site were located outside but adjacent to the built-up area boundary of West Chilton. The part of the site proposed for affordable housing was well screened from much of the surrounding land.

The surrounding properties included a variety of spacious dwellings outside the village and more densely developed village properties. The adjacent housing in Steele Close and The Juggs comprised largely semi-detached units.

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

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

The Parish Council had strongly supported the proposal. Fifty-two letters of objection, and one letter of support, had been received. An additional seven letters of objection had been received since publication of the report, and a letter of concern had also been received from the Sussex Badger Trust. Two members of the public spoke in objection to the proposal and the agent and the applicant addressed the Committee 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 the development; its design; affordable housing provision; impact on the amenity of neighbouring occupiers; ecology; highways; and the impact on the surrounding countryside.

RESOLVED

- (i) That a legal agreement be entered into to secure the required affordable housing and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/15/2810 be determined by the Development Manager. During determination of the application additional conditions to be added to those as reported regarding:
 - 1. Pre-commencement submission of a badger mitigation plan
 - 2. Upgrading of the woodland
 - 3. Provision of broadband connection
 - 4. Restricting hours of construction, following consultation with the parish council
 - 5. Amendment to Condition 18 regarding an Ecological Mitigation and Management Plan
 - 6. Removal of permitted development rights on the house and garden on the single open market unit

The view of the Committee was that the application should be granted.

DCS/27 **DC/16/1009 - 4 GORSE BANK CLOSE, STORRINGTON, PULBOROUGH** **(WARD: CHANTRY)**

The Development Manager reported that this application sought permission for the construction of a detached, L shaped, three bedroom dwelling with integral garage. The proposed dwelling would be larger than the previously approved permission DC/15/1224, which had included a detached garage instead of an

integral one. The application had been submitted due to the presence of a sewer on the land that prevented the construction of the garage in the approved location.

The application site was located within the built-up area of Storrington and had been part of the garden area 4 Gorse Bank Close. The rear boundary backed onto Melrose Place. Properties within Gorse Bank Close were of similar design and were set back from the front boundary.

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

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

Since the report, an updated comment from the Council's drainage engineer had been received, regarding the need to confirm the exact location of any sewers/mains across the site and requiring details of a surface water drainage system (designed in accordance with BRE guidance and informed by infiltration testing) to be submitted and implemented, through an appropriate condition.

The Parish Council had objected to the proposal. Six letters of objection (including one from the Melrose Place Residents Association) had been received. One member of the public spoke in objection to the proposal and the agent addressed the Committee 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 the development; the design and siting of the proposal; its impact on the amenity of neighbouring properties; drainage; and highways.

RESOLVED

That planning application DC/16/1009 be granted subject to the conditions and reasons as reported.

DCS/28 **S106/16/0005 - LAND AT FALCONERS FARM, SINCOX LANE, SHIPLEY**
(WARD: BILLINGSHURST AND SHIPLEY)

The Development Manager reported that this application sought to discharge the legal agreement attached to planning permission SP/32/92 for a two storey extension to provide a granny annexe. The legal agreement required:

- That the development shall not be occupied as a separate dwelling or unit of accommodation from the dwelling house known as Falconers Farm edged blue on the plan

- That the owner shall not dispose of any interest in the land or buildings edged red on the plan except as a whole without consent in writing by the council.

The applicant considered that these requirements were no longer relevant nor served a planning purpose.

The application site was located to the south of the settlement of Shipley, south east of Sincox Lane, in a countryside location.

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

The response from the Council's Legal Department, as contained within the report, was considered by the Committee.

The Parish Council had not commented on the proposal. There had been no representations from members of the public.

Members considered the officer's planning assessment and concluded that the legal agreement no longer served a useful purpose, given that there were planning permissions for additional buildings on the site.

RESOLVED

That the legal agreement dated 21st July 1993 attached to planning permission SP/32/92 be discharged and the entry relating to it be removed from the local land charges register maintained by the Council.

The meeting closed at 4.48 pm having commenced at 2.30 pm

CHAIRMAN

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Development Management Committee (South)

Date: 16th August 2016



**Horsham
District
Council**

Report by the Development Manager: APPEALS
Report run from 06/07/16 to 03/08/16

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/16/0915	Land South West of Catholic Cemetery School Lane Storrington West Sussex	14/07/2016	Case Invalid	
DC/16/0572	Land at Fryern Road Storrington West Sussex	22/07/2016	Refusal	Refusal
DC/16/0986	Stables Land To The South of Littleworth Lane Partridge Green West Sussex	29/07/2016	Refusal	

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/16/0292	Brackenburn Spinney Lane West Chiltington Pulborough West Sussex	Fast Track	22/07/16	Refusal	
DC/16/0530	99 Acorn Avenue Cowfold Horsham West Sussex	Fast Track	21/07/16	Refusal	
DC/16/0710	Barley Cottage London Road Henfield West Sussex	Fast Track	12/07/16	Refusal	
DC/16/0744	St Raphaels Lower Station Road Henfield West Sussex	Fast Track	14/07/16	Refusal	

DC/16/0235	Ling Heath Common Hill West Chiltington Pulborough West Sussex	Written Reps	26/07/16	Refusal	
DC/16/0272	Bramble Barn The Street Thakeham West Sussex	Written Reps	11/07/16	Refusal of Prior Approval	

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/15/2442	11 Hillcrest Drive Ashington Pulborough West Sussex	Written Reps	Dismissed	Refusal	
DC/14/0921	Old Clayton Boarding Kennels Storrington Road Washington Pulborough West Sussex	Public Inquiry	Dismissed	Refusal	Refusal



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 16 August 2016

DEVELOPMENT: Development of the site to provide 23 dwellings and 6 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road. Construction of private parking bays to serve existing dwellings on Stopham Road served by new access from Stopham Road.

SITE: Land Adjacent Railway Cottages and Pulborough Railway Station Stopham Road Pulborough West Sussex

WARD: Pulborough and Coldwaltham

APPLICATION: DC/16/0728

APPLICANT: Willowmead & Network Rail

REASON FOR INCLUSION ON THE AGENDA: (1) The application, if permitted, would represent a Departure within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999
 (2) The Parish Council have requested the opportunity to address the Committee.
 (3) More than 5 representations contrary to the Officers' recommendation have been received.

RECOMMENDATION: To refuse the application

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application follows refusal of DC/15/1025 which proposed development of 24 dwellings and 4 flats with a 106 space station car park. The application proposes the erection of 29 dwellings, comprising 23 houses and 6 flats, of which 10 would be affordable. Also proposed is the construction of a car park to serve Pulborough Rail Station and highway works to Stopham Road, including the erection of bollards to prevent parking on certain stretches of verge, creation of surfaced parking laybys intended for use by existing residents of Stopham Road, erection of speed limit signage and a traffic light system to allow pedestrians to cross beneath the railway bridge. Most of the highway works are not within the red edge of the application site and require the consent of the Highway Authority and not the Local Planning Authority, they therefore do not form part of the description of development. They do however form part of the package of works put forward as part of

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the overall proposal. The creation of access to the proposed Stopham Road resident's parking bays does require planning permission.

- 1.3 The proposed development would be served by a new access onto Stopham Road. The access would continue north of the residential development to serve a new public car park on the western side of the tracks at Pulborough Station. The Applicant has indicated in their email of 1st July that they intend for the proposed roads within the development to be un-adopted and remain in private ownership. The proposed car park to the west of the railway line would have 106 spaces. Those dwellings facing the main access road have very short front gardens, or in the case of Plots 20, 22 and 23, are hard up to the edge of the footway. The dwellings located on a spur off of the main access (plots 1-5) are set further back in their plots, allowing for parking to the front of the dwellings.
- 1.4 The residential element comprises a mix of detached, semi-detached and terraced dwellings, as well as 6 flats. The proposal would provide five 4-bedroom houses, ten 3-bedroom houses, eight 2-bedroom houses (2 of which also have a study at first floor), four 2-bedroom flats and two 1-bedroom flats. Most of the houses are provided with at least two parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 12-space parking court, including undercroft parking, is proposed to serve units 12a-18 (eight units, although two of these are 1-bedroom flats). The flats are also served by a detached building providing storage for six bicycles and two 1100 litre bins.
- 1.5 The house types incorporate a variety of gabled and hipped roof forms, and dwellings vary in orientation, with some being wider than they are deep and vice versa. The height of buildings ranges from 5.5m in the case of the single storey dwelling at Plot 20 to 10m in the case of the flats. However, most of the dwellings have a height in the region of 8.6 metres.
- 1.6 The Design and Access Statement sets out that the buildings would be constructed with brick facing walls to the lower half and hanging tile to the upper half, and plain clay tiles to the roofs, although some of the elevations also show large areas of render.
- 1.7 The application is accompanied by a number of supporting documents including:
 - Planning, Heritage, Design and Access Statement
 - Landscape Visual Impact Assessment
 - Drainage Strategy and Flood Risk Assessment
 - Transport Statement
 - Code for Sustainable Homes Report
 - Phase 1 Desk Study (land quality)
 - Arboricultural Implications Assessment
 - Light Impact Assessment
 - Acoustic Report
 - Sustainability and Renewable Energy Report
 - Ecological Appraisal Report
- 1.8 The proposed drawings are virtually identical to those previously considered under DC/15/1025. The main differences are the splitting the dwelling formerly proposed at Plot 12 into two flats, addition of single storey rear sections to plots 20-26, addition of a single storey side section to plot 9, replacement of a detached double garage serving plot 12 with two surface parking spaces and addition of a flat crown roof to the building comprising flats.

DESCRIPTION OF THE SITE

- 1.9 The part of the site proposed for residential development lies outside of the built-up area boundary of Pulborough. The part of the site proposed for a car park lies within the built-up area boundary. The land in the vicinity of the site slopes down towards the river Arun to

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the south, on the opposite side of Stopham Road. The South Downs National Park boundary is the opposite side of the river, about 62m south of the site. To the west, the SDNP boundary is about 138m from the site boundary. The signal box to the north of the proposed car park site is a listed building. There is a row of 11 dwellings on the opposite side of Stopham Road, but these only extend for less than half the width of the application site. North of the site lies a field, which slopes up to a group of farm buildings and an area of woodland towards the crest of the hill. An archaeological notification area, Park Mound, lies towards the top of the hill, about 400m north west of the site.

- 1.10 The proposed residential site is set at a higher level than Stopham Road, with the difference in levels most pronounced towards the eastern end of the site. Nos. 1 and 2 Railway Cottages have a high retaining wall to their front boundary, and this difference in levels continues west, with a steep bank (which is currently covered by a mix of trees and shrubs) rising from Stopham Road up to the application site. The existing access is gated and surfaced. The rear and western boundaries of the site are demarked by hedging and a few larger trees. The boundary with No. 2 Railway Cottages is demarked by close boarded fencing.
- 1.11 There is an existing access immediately to the west of the railway bridge which serves Railway Cottages and also provides maintenance access to the western side of the railway line. There is a layby off the access track which is used for parking by occupiers of Nos. 1 and 2 Railway Cottages, but which is understood to be within Network Rail's ownership. The existing access road to the north of Railway Cottages would be widened to allow public access to the proposed car park. The land proposed for car park use includes an area of roughly surfaced land immediately adjacent to the western platform, and encroaches into an area of disused railway sidings, which had been covered by self-seeded vegetation, although this has recently been partly cleared.
- 1.12 There is pavement in front of Nos. 1-11 Stopham Road, but none beyond this. The narrow width of the railway bridge means that there is insufficient space for pavement and there is no demarked pedestrian area under it.

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.

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), 4 (Settlement Expansion), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 25 (The Natural Environment and Landscape Character), 26 (Countryside Protection), 30 (Protected Landscapes), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Cultural and Heritage Assets), 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 The Submission (Regulation 16) version of the Pulborough Parish Neighbourhood Plan (PPNP) was subject to public consultation from 23 November 2015 to 08 January 2016. Having considered the representations received in response to the consultation, the Council has decided that the plan should not proceed to examination at the current time. Policy 10 of the Submission version of the PPNP allocates the site for residential development of approximately 28 dwellings fronting Stopham Road and a public car park of approximately 100 spaces adjoining the railway station.

PLANNING HISTORY

DC/15/1025	Development of the site to provide 24 dwellings and 4 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road	Refused
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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 HDC Collections Supervisor (refuse and recycling): No objection.
- 3.2 HDC Ecology Consultant: No objection, subject to conditions requiring approval of an ecological mitigation and management plan prior to commencement and preventing installation of external lighting, unless approved by the LPA.
- 3.3 HDC Drainage Engineer: No objections, subject to conditions requiring approval of detailed drainage design and securing the implementation and maintenance of any sustainable drainage features.
- 3.4 HDC Environmental Co-ordination Manager:
- The Sustainable and Renewable Energy Statement submitted does not make reference to current planning policy and contains no detail on if the proposal will meet the 100 litres per person per day water use target contained in Policy 37.
 - No data is provided for baseline and predicted energy demand and the energy that will be saved. A figure should be provided for the reduction in energy use that will be achieved for each of the energy saving measures used, as well as any renewable technology that is installed.
 - Little information has been given to justify why solar thermal and PV have not been included and why heat pumps have been opted for.
- 3.5 HDC Landscape Architect: Objection. Comments include the following points:
- Concur with the majority of comments made on the previous application by previous Landscape Architect.
 - Extensive loss of existing vegetation which collectively makes a valuable contribution to the landscape character of the site and immediate surrounds.
 - Proposed new boundary planting is within very narrow buffer strips insufficient to provide appropriate screening and softening of the development.

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- Removal of existing parking on verges of the A283 is a landscape benefit, but the proposals are undermined by formalising with hardsurfacing of existing residents parking in the immediate vicinity of the site in addition to the footpath which adds to the need for existing planting to be removed.
- The dense development of the site of an urban character is likely to have a moderate-adverse impact.
- Development would relate poorly to settlement boundary, extending residential dwellings a long way westwards into very open countryside on a visually prominent site.
- The layout would be perceived as 'ribbon' development, although the existing buffer west of the site access would somewhat help reduce this effect.
- There would be no meaningful transition in the height and scale of the development extending westward.
- The three dwellings at the western end of the development would create a 'wall' of development, uncharacteristic of the countryside.
- Development would erode the immediate setting of the SDNP and intrude on views of the Arun/Rother floodplain landscape and the backdrop of the downland escarpment.
- There are some views from public footpaths where no existing view of the site is or is likely to be available, but the principle concerns are in respect of the visual impact of the development from near distance views to the north, south and west of the site.
- Proposed gardens are of very small proportions and in close proximity to existing trees/hedgerows, so will suffer from shading and overhang. This will result in immediate post-development pressures on the removal and/or reduction in size of this buffer as they screen and shade out much desired afternoon and evening sun to plots 4-6 and 9-12, in addition to improving views to countryside to plots 21-27.
- Development cannot be supported in its current form on landscape and visual grounds due to the adverse effects on the open and rural landscape lying immediately north and north-west of the development.
- The development will extend built form further into the countryside and reduce the existing open transition from urban to rural leading to an urbanising effect on the setting of the SDNP.
- The development is not of an appropriate scale for its countryside location and fails to integrate successfully into the wider landscape.
- The proposal is in conflict with HDPF Policies 2, 25, 26, 27 and 33.
- Recognise that some development could be successfully implemented with an acceptable level of adverse effect, but with a significantly reduced number of units to allow for a more harmonious design transition to open countryside.

3.6 HDC Strategic Planning: Objection. The consultation response includes the following points:

- The latest Authority Monitoring Report demonstrates a 114% 5-year housing land supply.
- The Sustainability Appraisal produced in support of the HDPF concluded that growth beyond 750-800 dwellings per annum would have an impact on sustainability due to a lack of available infrastructure to support new development which cannot be delivered in the short term.
- Over 1,000 dwellings per annum are being delivered in the first 5 years of the plan. Therefore the sustainability threshold is already being challenged.
- Any development beyond that already allocated in accordance with HDPF Policies 3 and 4 would be unsustainable, particularly in the short term while the District has such a high 5-year supply.
- Proposal does not comply with Policy 2 as it does not comply with the development hierarchy and does not protect the rural character and landscape around the edges of the existing settlement of Pulborough.
- Proposal does not comply with Policy 3 as it is outside of the settlement boundary.
- Proposal does not comply with Policy 4 as it is not allocated for settlement expansion in the HDPF or Neighbourhood Plan, does not demonstrate that it meets identified local housing

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need as there is a 5-year housing land supply and does not protect or enhance landscape character features.

- Proposal does not comply with Policy 26 as it is not essential to the countryside location.
- An objection to the proposal at this stage does not preclude the site from coming forward as part of an allocation in a Neighbourhood Plan.
- Although the site is included in the Draft Pulborough Neighbourhood Plan, this is not Made and therefore cannot be a material consideration.
- For the off-site highway works and additional station car park to be considered as benefits of the development, the need for these facilities should be supported by evidence and whether this is the best solution to meet an identified need.
- The Strategic Planning comments on previous application DC/15/1025 commented that there was insufficient evidence to support the proposal on the basis of works being put forward as 'benefits'.
- The 2016 Infrastructure Delivery Plan update does not include a station car park and as such, there is no HDC evidence to support the need for these facilities.
- Proposal is therefore in conflict with the adopted Development Plan.

OUTSIDE AGENCIES

3.7 WSCC Highways: No objection subject to conditions and legal agreement. Original consultation response of 3rd May raised a number of concerns, mainly relating to insufficient information being submitted to demonstrate that acceptable off-site highway works could be delivered. The Applicant has continued discussions with the Highway Authority and submitted additional and amended information. The Highway Authority now raise no objection, subject to conditions and a legal agreement including the following:

- Construct the vehicle access pre-commencement
- Create the visibility splays and implement means by which to ensure these remain clear pre-commencement
- Provide the resident's parking bays pre-commencement.
- Provide the traffic signals and footway beneath and on the approach to the railway bridge pre-first occupation or first use of the car park.
- Have the car park available for use prior to initial occupation of the dwellings
- Ensure each dwelling is provided with its allocated parking prior to occupation
- Ensure the internal access road is constructed to an acceptable standard.
- Approve a construction management plan
- Secure a TRO payment for moving the speed limit signs
- Secure a TRO payment for the new traffic signals
- Prevent commencement of development until residents parking bays, site access and works in the vicinity of the railway bridge are completed.
- Ensure a management company is in place to enforce residents parking only within the development and within the Stopham Road residents' parking bays
- Ensure access to the car park is available through the development's private road in perpetuity.
- Fund initial maintenance of the bollards along Stopham Road.

3.8 WSCC Strategic Planning: No objection, subject to Legal Agreement requiring financial contributions towards education, libraries, fire and rescue and transport.

3.9 WSCC Flood Risk Management (as Lead Local Flood Authority): No objection, subject to conditions requiring full details of surface water drainage design and management/maintenance to be approved prior to commencement.

3.10 WSCC Rights of Way team: No objection.

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3.11 South Downs National Park Authority: Comment

- Site is about 100m north and east of the boundary with the SNDP and is seen from elevated viewpoints along the Wey-South Path national trail.
- SDNPA are concerned about the extension of the built-up area west of the railway line into open countryside and closer to the boundary of the SNDP, leading to an urbanising effect on its setting including through infrastructure and light pollution.
- On balance, a limited development does provide opportunities for substantial benefit through the provision of station parking to address the problem of unmanaged parking on grass verges along Stopham Road and will in turn provide a safer and more attractive entry into the SDNP.
- Should this allocation be retained within the Pulborough Neighbourhood Plan, the SDNPA would expect to see clear requirements that any development must be part of a comprehensive proposal to address the unmanaged parking on Stopham Road, improve the entrance to the village/SDNP and minimise any impact on the setting of the SDNP.
- External and street lighting should be designed to minimise the impact on the Dark Night Skies objective of the National Park.
- Urban expansion of Pulborough to the west would significantly erode the important open countryside transition from urban to rural and in particular upon the setting and special qualities of the National Park.
- Reduction in the green and open space closer to the boundary of the SDNP would erode the natural green space protection currently afforded by the countryside that the site would occupy.
- A greater degree of transitional buffer land between the development and the boundary of the SDNP would be appropriate and would help reduce the impact of the new housing scheme on the setting of the SNDP and allow for a more natural transition from urban form to the SDNP.
- Proposal would introduce noise and disturbance closer to the boundary of the SDNP.
- External materials should be of a type and quality to fit into the local vernacular.

3.12 Southern Water: No objection subject to condition. Advise the development will need to provide additional infrastructure as a result of increased flows into the wastewater sewerage system, which can be secured by S98 of the Water Industry Act 1991. Conditions requiring approval of foul and surface water drainage disposal are requested to ensure that the development does not result in an increased risk of flooding in and around the site.

3.13 Sussex Police: No objections

PUBLIC CONSULTATIONS

3.14 Pulborough Parish Council: No objection, but raise the following concerns:

- The road servicing the proposed car park goes through an area of houses.
- A form of hedge along the northern boundary should be agreed.
- The 30mph speed limit sign is not far enough to the west, and should be placed west of the Park Farm driveway.
- The proposed new car park of 100 spaces is not enough.

3.15 16 Letters of support from 12 households have been received by the Council. The points raised can be summarised as follows:

- The houses are well designed.
- Proposal will bring some life back to this part of the village.
- Most development has taken place at the north of the village, and this proposal will balance this with some development to the west.
- Additional houses will provide closure to the edge of the village.
- Existing parking on Stopham Road is messy and an eye-sore.
- Coupled with highway improvements, the approach to Pulborough will be improved.

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- Cars often have to park on Stopham Road as the station car park is full.
- Inclusion of affordable units is supported, as there is a need for this locally.
- It is not safe to walk through the railway tunnel, so residents to the west must feel cut off from the village.
- Proposal will allow residents to walk under the railway bridge.
- Proposal will provide better disabled access to the platform.
- 28 dwellings will not have a significant effect on traffic.
- Doubt that the District or County Councils will ever have the funds to implement the proposed scheme of improvements.

3.16 17 Letters of objection from 11 households have been received by the Council. The points raised can be summarised as follows:

- Proposal will exacerbate parking on Stopham Road.
- Proposal will result in loss of views of the countryside from nearby dwellings and public footpaths.
- Commuters park on Stopham Road as it is free. The new car park will not change habits.
- Commuters start parking on Stopham Road from 0530am, when there is ample parking available at the station.
- Proposal will push parking on Stopham Road elsewhere.
- The A283 becomes congested at the railway bridge, and the proposed pedestrian controlled crossing will add to this.
- Traffic from the 100-space car park will add to traffic flow problems and will be a safety hazard.
- This part of Pulborough is a buffer to the SDNP.
- Overlooking and loss of privacy to occupiers of 2 Railway Cottages and houses on the opposite side of the road.
- Gateway to Pulborough should be kept green.
- There is no market for these, as there are sufficient houses currently on the market in Pulborough.
- Access remains unsafe- the narrow railway bridge is a hotspot for HGVs becoming stuck, with regular scrapes and near misses.
- This area commonly floods.
- Lighting will damage views across the downs.
- Village school is already at capacity.
- Development is located outside of the built-up area.
- This is a ribbon development which encroaches on the SDNP.
- Insufficient sight lines from the access onto Stopham Road.
- Doubtful whether the current sewerage system could cope.
- Proposal is a dense, ribbon development and would be a blot on the landscape.
- Proposal would set precedent for further building.
- Nothing to warrant a different decision from the previous refusal.
- There is insufficient infrastructure to support new residents.
- Disabled bays have been provided within the new car park, but it is not feasible for anyone who cannot walk well to gain access to or from the railway station.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application follows the refusal of DC/15/1025. 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 any 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/15/1025.
- 6.2 The previous application DC/15/1025 was considered by Members at the 17th November 2015 meeting. At that time, the Examiner's report of the HDPF had been received and the HDPF was due to be adopted at the 27th November Council meeting (it was adopted as planned). Given the stage at which the HDPF was at when DC/15/1025 was determined, it was given considerable weight in the Officers' report and in Member's discussion of the application. Therefore, although there has been a material change to the adopted Development Plan since the previous refusal, the previous application was considered against the new Development Plan, and the previous reasons for refusal included reference to the relevant Policies of the HDPF.
- 6.3 Pulborough Parish are preparing a Neighbourhood Plan (the PPNP). The previous draft of the PPNP which was published at the time of determination of DC/15/1025 included land subject of the application as an extension of the built-up area boundary, but the draft plan did not include a specific allocation for the site explaining what should be delivered there (i.e. use, amount etc.). The current draft of the PPNP proposes to allocate the site to the west of the railway for residential development to facilitate access to the western side of the railway line and creation of a carpark of about 100 spaces. Having considered the representations received in response to the PPNP Regulation 16 consultation, HDC has decided that the plan should not proceed to examination at the current time. The representations from the Regulation 16 consultation included objections to Policy 10, which relates to the application site. Given that there are a number of outstanding objections to the PPNP, and as it has not been through the process of examination or referendum, it is considered that the PPNP can be afforded only little weight in decision making. Furthermore, it is understood that the Parish intend to revise the draft PPNP and revert back to the early consultation stage, i.e. collecting additional evidence base to feed into a new Pre-Submission (Regulation 14 stage) draft. In determining the previous application, the Council also gave little weight to the draft PPNP, given the early stage it was at. The new draft Policy 10 is a material change since the previous refusal, albeit one which can still only be given little weight as a result of the stage that the draft plan is at.
- 6.4 The previous application was assessed for compliance with the HDPF, little weight was given to the PPNP in assessing the previous application, and the proposed plans are virtually the same as previously submitted. As such, the previous Officers' report (appended) sets out the main issues and Policies for consideration of this proposal. The main consideration now is therefore whether the previous reasons for refusal have been addressed.

Consideration of the First Reason for Refusal of DC/15/1025

- 6.5 The first reason for refusal of DC/15/1025 related to the principle of development and stated:

“The application site is located outside of the built-up area boundary and is not allocated for residential development in a Made Neighbourhood Plan. The development of the site is therefore contrary to the emerging spatial strategy for growth in Horsham District and is contrary to Policies 2, 3, 4 and 15 of the emerging Horsham District Planning Framework.”

- 6.6 As set out above, although Policy 10 of the PPNP seeks to allocate the site for residential development and a car park, there are outstanding objections to the draft PPNP and it has not been through Examination or referendum. Therefore, although the draft PPNP provides an indication of local aspirations and which sites may be acceptable for development locally, it can only be afforded little weight and this is confirmed in the Strategic Planning Officer’s consultation response. Given this limited weight, the PPNP does not amount to a material change to the Policy context in which this application is considered. Although it is noted that Policy 4 does not state that a site must be allocated in a ‘made’ Neighbourhood Plan in order for development to comply with the Policy, a document can only be formally recognised as a ‘Neighbourhood Plan’ once it has been ‘made’ by the District Council and therefore forms part of the Development Plan. The site therefore is not ‘allocated for residential development in a Made Neighbourhood Plan’ and the first reason for refusal remains applicable to the current application.

Consideration of the Second Reason for Refusal of DC/15/1025

- 6.7 The second reason for refusal of DC/15/1025 related to landscape harm and stated:

“The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies CP1 and CP3 of the Horsham District LDF Core Strategy and Policies DC1, DC2 and DC9 of the Horsham District LDF: General Horsham District Local Development Framework General Development Control Policies (2007), to the Facilitating Appropriate Development SPD and to Policies 4, 25, 27 and 30 of the emerging Horsham District Planning Framework.”

- 6.8 The proposal has not materially changed in terms of scale, appearance and layout since the previous application. The SDNPA position has changed slightly since the previous refusal, and although they still raise concern ‘about the extension of the built-up area west of the railway line into open countryside and closer to the boundary of the SDNP’ and the urbanising effect on the setting of the SDNP, they acknowledge that a ‘limited development does provide opportunities for substantial local benefit through the provision of greater station parking and addressing the problem of unmanaged parking on the grass verges of Stopham Road which will provide a safer and more attractive entry into the National Park. The consultation response identifies the need for a greater degree of green transitional buffer land between the development and the boundary of the National Park, and allowing for a more natural transition from the urban form. Therefore, although the SDNPA acknowledge some of the benefits that could be delivered from a ‘limited’ development here, they advocate a larger area of green space to create a better transition from urban area to countryside.

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- 6.9 The HDC Landscape Architect has reviewed the proposal and advises that, although some development of a significantly reduced number of dwellings could potentially be accommodated within the site, concern is raised regarding the scale, amount and layout of development as proposed. The Landscape Architect assesses the development as having an urbanising impact on the setting of the SDNP and as not being an appropriate scale for the countryside location. The areas for buffer planting are considered to be too narrow and the layout of development, and its extent beyond the existing built-up area, is considered to be harmful to landscape character. Therefore, the landscape harm arising from the proposal remains as previously assessed and the second reason for refusal remains applicable.

Consideration of the Third Reason for Refusal of DC/15/1025

- 6.10 The third reason for refusal related to the absence of a legal agreement to secure affordable housing provision and financial contributions to infrastructure. It stated:

“Policy CP12 requires provision of 40% affordable units on developments involving 15 units or more, while the emerging HDPF Policy 16 requires 35% affordable housing provision on developments of this size. Policy CP13 and Policy HDPF 39 require new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policy CP12 and CP13 of the Horsham District Local Development Framework Core Strategy (2007), to the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document, the emerging HDPF Policies 16 and 39 and to the NPPF, in particular paragraph 50.”

- 6.11 Policy 16 of the HDPF sets out that the Council will seek for at least 35% of units on a development of this scale to be affordable, with the preferred tenure mix being 70% rented, and 30% shared ownership. This equates to 10 units on this scheme of 29 units. Application DC/15/1025 originally did not propose any on-site affordable housing or financial contribution towards off-site provision. Negotiations involving the Council's and Applicant's financial consultants led to an agreement to provide 10 affordable units in a 50/50 rented/shared ownership tenure split. The current application also proposes 10 affordable units in a 50/50 rented/shared ownership tenure split. The provision of the affordable units must be secured by way of a Legal Agreement.
- 6.12 The County Council have requested infrastructure contributions to education (primary, secondary and sixth form), libraries, fire and rescue services and a total access demand contribution (separate to the specific highway works and traffic regulation order contributions required in connection with the proposed development). The Council's Parks and Countryside Team have highlighted that the development does not make on-site provision for open space, sport or recreation facilities and that a contribution to off-site provision would be necessary. Subject to identification of suitable projects that meet the relevant CIL-compliance tests, such contributions can be included in a Legal Agreement. The Applicant's Planning, Design and Access Statement indicates their intention to provide these contributions. However, no Legal Agreement is in place to secure affordable housing provision and infrastructure contributions at the current time and therefore, the proposal remains contrary to Policies 16 and 39 of the HDPF and the third reason for refusal remains applicable.

Matters Not Previously Objected To

- 6.13 In the assessment of the previous application other matters including the amenity of neighbouring residents, the impact on heritage assets (including the setting of the listed signal box), the amenity of future occupiers, biodiversity, ecology and drainage, were

considered to be satisfactorily addressed. Given the minimal changes to the scheme since the previous refusal, no objections are raised in these respects.

Other Material Considerations

- 6.14 As set out above, the previous reasons for refusal of DC/15/1025 have not been addressed, and the policy context has not changed materially. The proposal therefore remains contrary to the Development Plan. However, in determining a planning application, consideration must also be given to whether there are any other material considerations which would warrant permitting the proposal as a Departure from the Development Plan. In this case, there are off-site highway works and provision of an additional station car park put forward by the applicant as benefits of the application.
- 6.15 The Officers' report of DC/15/1025 assessed whether there was sufficient evidence to support the proposal as a Departure from the Development Plan on the basis of works being put forward by the applicant as 'benefits' of the proposal. As well as the proposed station car park, this includes off-site highway works to deter parking on the verges on Stopham Road in the vicinity of the site (comprising erection of bollards and waiting restrictions), relocation of the 30mph speed limit change further west along Stopham Road, additional footway to allow pedestrian access to the site, construction of laybys to provide parking for existing dwellings on Stopham Road and the installation of pedestrian controlled signals under the railway bridge. The Applicant has previously advised that the proposed car park of 106 spaces would be operated by Network Rail as part of their parking provision at the station. However, it is understood that the car park land could potentially be disposed of by Network Rail to the Applicant or other third party. Therefore, if this application were to be permitted, it would be necessary to ensure the effective management and maintenance of the car park.
- 6.16 Although the text following Policy 10 of the draft PPNP refers to the need for a new station car park being identified in the Pulborough Community Action Plan and the Village Transport Plan (2010), these documents and the recommendations contained therein were considered in the previous Officers' report. In summary, the Village Transport Plan did not include the provision of additional station parking in the lists of long-term and short-term improvement projects. While the Community Action Plan made reference to a need to improve access to the northbound platform (the platforms are currently linked only by steps), the proposal does not deliver level access within the station itself, and disabled travellers who have parked on one side of the station would still need to take a relatively long and convoluted route to return to their cars on the return journey. It was set out in the previous Officers' report that the new car park was not listed as a Policy objective in the HDPF, the May 2014 HDC Infrastructure Delivery Plan, the Network Rail Sussex Route Plan (2014-2019) or the Network Rail Strategic Business plan (2014-2019). The HDC Infrastructure Delivery Plan (IDP) has been updated following consultation in summer 2015. The 2016 IDP does not include a station car park amongst the projects identified through the consultation process. The text following PPNP Policy 10 also makes reference to application DC/15/1025 carrying considerable support from the local community. However, while that application attracted 11 letters of support, it also attracted 8 letters of objection. In the context of the size of the settlement of Pulborough, 11 letters of support is not considered to amount to 'considerable' support.
- 6.17 Given the absence of Policy support for the proposed car park in an Adopted Local or Neighbourhood Plan or in the latest Infrastructure Delivery Plan, it is considered that there is insufficient evidence to attribute significant weight to the proposed car park as a benefit of the development to warrant permitting residential development of a major scale in the countryside as a Departure from the Development Plan.
- 6.18 The Infrastructure Delivery Plan (2016) does however refer to pedestrian improvements in the village comprising "*Provision of pedestrian in road warning signs and vehicle activated*

sign to manage traffic speeds in conjunction with possible minor amendments to the speed limit to improve pedestrian safety in the vicinity of A283 Stopham Road railway bridge". There is therefore policy support for improvements to pedestrian safety in the vicinity of the railway bridge. However, the IDP indicates that these works would cost in the region of £35,000 to be funded from CIL receipts. Given the scale of the proposed residential element (29 dwellings), it is considered that the development is too large a scale to be proportionate to the cost of the works identified in the IDP, and does not warrant permitting the scheme as a Departure to the Development Plan. It is noted that the current application proposes additional works over and above those identified in the IDP, namely pedestrian controlled traffic signals to address pedestrian safety, which would exceed the cost of the more limited works identified in the IDP.

- 6.19 WSCC have advised that it would only be reasonable to require bollards to prevent parked vehicles obstructing the visibility splays, and not to solve an existing parking issue on Stopham Road, as a proposed development should not be required to solve an existing issue, only to mitigate any deficiencies or harm arising from the development itself. The Highway Authority has also raised concern regarding the longer term maintenance of the bollards, and whether this would place an unreasonable burden on the Authority.
- 6.20 The WSCC Highways Consultation highlights a number of legal and technical issues which result in there being no certainty that the off-site highway works proposed by the Applicant will be delivered. In summary, the installation of waiting restrictions (yellow lines) on Stopham Road, the installation of pedestrian controlled signals under the railway bridge and the Stopping Up of highway land to allow construction of parking bays on Stopham Road are all subject to separate public consultation processes, the outcome of which is not known and therefore there is no guarantee that these works would be delivered. WSCC also highlight that there are issues of land ownership to be resolved in order to deliver the proposed parking bays and parts of the proposed new footway. However, if the application were to be considered acceptable in all other respects, conditions and a Legal Agreement could be used to ensure that these works which are reliant on other consents processes are carried out prior to the commencement of the development. Should these other consent processes not be successful, the development could not be carried out without a further application to vary or remove the relevant conditions/planning obligations, and therefore allowing the Council to review the proposal in light of any change to off-site works that might be necessary.
- 6.21 Although the site is not far from the village, sustainable transport choices rely on the nature of the route taken, as well as the distance. If this development were permitted without the associated improvements to pedestrian access under the railway bridge, the residential element of this proposal would remain poorly connected to the village and therefore with a greater reliance on the car even for short journeys. Therefore if permission were forthcoming it would need to be subject to controls preventing commencement of development before the pedestrian improvement works are carried out.
- 6.22 Overall therefore, there have been no material changes to the proposed off-site highway works and proposed car park which would warrant increasing the weight afforded to these as benefits of the development.

Conclusion

- 6.23 The NPPF sets out the presumption in favour of sustainable development, which is described at paragraph 7 has involving three dimensions: economic, social and environmental roles. Paragraph 8 of the NPPF states that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. In this case, there is an in-principle objection to the proposal as it is contrary to the spatial strategy set out in the HDPF. The plan-led system, which is based on consideration of development against Local Plan policies

formulated through consultation with the public and Adopted through a democratic process reflects the social element of sustainable development. The HDPF's strategy of delivering growth within built-up area boundaries or on sites that have been allocated in a Neighbourhood Plan or Local Plan ensures that any allocations document is subject to the Sustainability Appraisal process to ensure that the allocations are made in accordance with the provisions of the NPPF and that any additional infrastructure requirements arising from the allocations are identified and planned for. This is in line with the environmental element of sustainable development. The identified in-principle objection to the proposal would require significant benefits to be delivered in order to outweigh this harm, when considering the overall planning balance. Added to this in-principle objection is the landscape harm identified by the SNDPA and the Council's Landscape Architect, which is an impact of moderate weight against the environmental element of sustainable development.

- 6.24 The provision of affordable housing is a benefit of the proposal but the tenure split is not policy-compliant tenure (i.e. it is not weighted towards rented accommodation), and the 35% provision put forward is not over and above what would normally be delivered by Policy 16. As such, the affordable housing offer is a benefit of moderate weight in favour of the proposal. The highway safety benefits put forward by the Applicant are not identified in Policy or forward planning documents as a local need, other than the improvement of pedestrian safety under the railway bridge. While addressing this would be a significant benefit in favour of the proposal, given the scale of the development in comparison to the cost of the pedestrian safety works identified in the IDP, the proposed development is not proportionate in scale to the works sought and this reduces the weight afforded to this benefit.
- 6.25 It is therefore considered that, in the overall balance of issues in this case, the benefits put forward by the applicant in this case do not outweigh the harm arising from the proposal and the proposal does not represent sustainable development as defined in the NPPF and the HDPF. In addition, there are no material considerations which would warrant granting permission as a Departure from the Development Plan. The proposal is therefore contrary to the strategy for growth set out in the HDPF.

7. RECOMMENDATIONS

To refuse the planning application for the following reasons:

- 1 The application site is located outside of the built-up area boundary and is not allocated for residential development in a Local Plan or a Made Neighbourhood Plan. The development of the site is therefore contrary to the spatial strategy for growth in Horsham District and is contrary to Policies 1, 2, 3, 4 and 15 of the Horsham District Planning Framework (Adopted November 2015).
- 2 The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies 2, 25, 26, 27, 30 and 33 of the Horsham District Planning Framework (Adopted November 2015).
- 3 Policy 16 requires 35% affordable housing provision on developments of this size. Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to

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infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policies 16 and 39 of the Horsham District Planning Framework (Adopted November 2015).

Note to Applicant:

The reason for refusal (above) in respect of affordable housing provision and infrastructure contributions could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.

Background Papers: Officers report of DC/15/1025



Horsham
District
Council

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management (South) Committee

BY: Development Manager

DATE: 17 November 2015

DEVELOPMENT: Development of the site to provide 24 dwellings and 4 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road

SITE: Land To The West and North of Railway Cottages Stopham Road Pulborough West Sussex

WARD: Pulborough and Coldwaltham

APPLICATION: DC/15/1025

APPLICANT: Willowmead (Pulborough) Limited and Network Rail Infrastructure Ltd

REASON FOR INCLUSION ON THE AGENDA: (1) This application is a Departure within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999
(2) More than 5 different households have made written representations which is inconsistent with the Officers' recommendation

RECOMMENDATION: To refuse the application

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes the erection of 28 dwellings, comprising 24 houses and 4 flats, of which 10 would be affordable. Also proposed is the construction of a car park to serve Pulborough Rail Station and highway works to Stopham Road, including the erection of bollards to prevent parking on certain stretches of verge, creation of surfaced parking laybys intended for use by existing residents, erection of speed limit signage and a traffic light system to allow pedestrians to cross beneath the railway bridge. Given that the highway works are not within the red edge of the application site and therefore require the consent of the Highway Authority and not the Local Planning Authority, they do not form part of the description of development. They do however form part of the package of works put forward as part of the overall proposal.
- 1.2 The proposed development would be served by a new access onto Stopham Road. The access would continue north of the residential development to serve a public car park on the western side of the tracks at Pulborough Station. The car park would have 106 spaces and it is proposed to be operated by Network Rail as part of their parking provision at the

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station. Those dwellings facing the main access road have very short front gardens, or in the case of Plots 20, 22 and 23, are hard up to the edge of the footway. The dwellings located on a spur off of the main access (plots 1-5) are set further back in their plots, allowing for parking to the front of the dwellings.

- 1.3 The residential element comprises a mix of detached, semi-detached and terraced dwellings, as well as 4 flats. The proposal would provide five 4-bedroom houses, eleven 3-bedroom houses, eight 2-bedroom houses (2 of which also have a study at first floor), two 2-bedroom flats and two 1-bedroom flats. Most of the houses are provided with at least two parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 10-space parking court, including undercroft parking, is proposed to serve units 13-18 (six units, although two of these are 1-bedroom flats). The flats are also served by a detached building providing storage for six bicycles and two 1100 litre bins.
- 1.4 The house types incorporate a variety of gabled and hipped roof forms, and dwellings vary in orientation, with some being wider than they are deep and vice versa. The height of buildings ranges from 5.5m in the case of the single storey dwelling at Plot 20 to 10m in the case of the flats. However, most of the dwellings have a height in the region of 8.6 metres.
- 1.5 The Design and Access Statement sets out that the buildings would be constructed with brick facing walls to the lower half and hanging tile to the upper half, and plain clay tiles to the roofs, although some of the elevations also show large areas of render.
- 1.6 The application is accompanied by a number of supporting documents including:
 - Planning, Heritage, Design and Access Statement
 - Acoustic Testing Report (assesses existing noise levels at the site)
 - Affordable Housing Viability Report
 - Arboricultural Implications Assessment
 - Code for Sustainable Homes Report
 - Phase 1 Desk Study (land quality)
 - Highway Statement and additional highway information.
 - Landscape Visual Impact Assessment and further response from the Applicant's Landscape Consultant
 - Light Impact Assessment
 - Preliminary Ecological Appraisal and Phase II Survey (Bats and Reptiles)
 - Drainage Strategy and Flood Risk Assessment
 - Sustainability and Renewable Energy Statement

DESCRIPTION OF THE SITE

- 1.7 The part of the site proposed for residential development lies outside of the built-up area boundary. The part of the site proposed for a car park lies within the built-up area boundary. The land in the vicinity of the site slopes down towards the river Arun to the south, on the opposite side of Stopham Road. The South Downs National Park boundary is the opposite side of the river, about 62m south of the site. To the west, the SDNP boundary is about 138m from the site boundary. The signal box to the north of the proposed car park site is a listed building. There is a row of 11 dwellings on the opposite side of Stopham Road, but these only extend for less than half the width of the application site. North of the site lies a field, which slopes up to a group of farm buildings and an area of woodland towards the crest of the hill.
- 1.8 The proposed residential site is set at a higher level than Stopham Road, with the difference in levels most pronounced towards the eastern end of the site. Nos. 1 and 2 Railway Cottages have a high retaining wall to their front boundary, and this difference in levels continues west, with a steep bank rising from Stopham Road up to the application site, which is currently covered by a mix of trees and shrubs. The existing access is gated

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and surfaced. The rear and western boundaries of the site are demarked by hedging and a few larger trees. The boundary with No. 2 Railway Cottages is demarked by close boarded fencing.

- 1.9 There is an existing access immediately to the west of the railway bridge which serves Railway Cottages and also provides maintenance access to the western side of the railway line. There is a layby off the access track which is used for parking by occupiers of Nos. 1 and 2 Railway Cottages, but which is within the Applicant's ownership. The existing access road to the north of Railway Cottages would be widened to allow public access to the proposed car park. The land proposed for car park use includes an area of roughly surfaced land immediately adjacent to the western platform, and encroaches into a wooded area, which appears to have been self-seeded over time, as former railway structures including what appears to be part of a former platform are just visible amongst the vegetation. The wooded area is not entirely flat and there are banks of land visible amongst the vegetation.
- 1.10 At the time of the Officer's site visits, there were a number of cars parked on the un-made verge along Stopham Road, and it is understood that this is a regular occurrence. There is pavement in front of Nos. 1-11 Stopham Road, but none beyond this. The narrow width of the railway bridge means that there is insufficient space for pavement and there is no demarked pedestrian area under it.

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.

RELEVANT COUNCIL POLICY

- 2.3 The development plan consists of the Core Strategy (CS) (2007), the General Development Control Policies (2007) DPD, the Site Specific Allocations of Land (2007) DPD and the Proposals Map (2007). Other relevant local development documents are the Facilitating Appropriate Development (FAD) SPD (May 2009) and the Planning Obligations SPD.
- 2.4 Policies CP1, CP2, CP3, CP4, CP8, CP12, CP13 and CP19 of the Core Strategy and Policies DC1, DC2, DC5, DC6, DC7, DC8, DC9, DC13, DC18 and DC40 of the General Development Control Policies are relevant to the determination of this application.
- 2.5 The Proposed Submission version of the Horsham District Planning Framework (HDPF) was approved by Council in April 2014 as the Council's policy for planning the future of the District for the period 2011-2031, and was submitted to the Planning Inspectorate in August 2014. The Examination of the HDPF has been undertaken by an independent Planning Inspector who has found the HDPF sound in his report published on 8th October. The HDPF is expected to be formally adopted by Council in November. Given the Inspector's conclusions the emerging plan is therefore considered to be a material consideration of significant weight in terms of the overall strategy.
- 2.6 It should be noted that the whilst the required number of dwellings in the HDPF has been increased from 750pa to 800pa, the most recent trajectory for the plan period (2011-2031)

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clearly demonstrates that the HDPF will provide a sufficient housing land supply from existing allocations and commitments to meet this requirement until at least 2021. The early review mechanism will enable the Council to ensure sufficient land supply is secured to meet the needs after this period.

- 2.7 Therefore, upon adoption in November, the HDPF will be able to formally demonstrate a full 5-year housing land supply, including flexibility, as acknowledged by the Inspector in paragraph 49 of his Final Report: *'the projected supply represents about 116% of the requirement (including the 5% buffer), ensuring the Council has a 5 years supply with a considerable degree of flexibility to take account of any slippage on major sites. Even without the NP sites, the five year supply requirement is just met.'*
- 2.8 The relevant Policies of the HDPF are 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 4 (Settlement Expansion), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 25 (The Natural Environment and Landscape Character), 26 (Countryside Protection), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Cultural and Heritage Assets), 35 (Climate Change), 36 (Appropriate Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision), 40 (Sustainable Transport) and 41 (Parking).

NEIGHBOURHOOD PLAN

- 2.9 The pre-submission version of the Pulborough Parish Neighbourhood Plan (dated June 2015) was out to public consultation between 19th June and 3rd August 2015.

PLANNING HISTORY

- 2.8 None relevant

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 Technical (Drainage): No objection subject to conditions
- 3.3 HDC Environmental Health: No objection subject to conditions
- 3.4 HDC Collections Supervisor (Refuse and Recycling): Require any adopted road to have parking restrictions to ensure collections vehicles can access the site.
- 3.5 HDC Strategic Planning Officer raises the following points:
- Parking element is acceptable in principal, provided a need is established and justified.
 - Better station parking facilities is noted in the pre-submission Neighbourhood Plan as being desired.
 - The Neighbourhood Plan is at an early stage and has limited weight in decision-making.
 - Landscaping of the car park should be considered carefully, in order to provide transition to the open countryside to the west.
 - The development proposes a good mix of unit sizes, but no affordable housing. [Officer Note: Affordable housing provision has since been agreed by the Applicant].

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- Advice should be sought from Network Rail, WSCC and the Council's Infrastructure Delivery Plan (IDP) in respect of the need for the proposed car park. If it is deemed not to be necessary, this should not compromise affordable housing.
 - The pre-submission Neighbourhood Plan includes the residential site within the built-up area boundary.
 - Development not in accordance with the emerging HDPF should be recommended for refusal.
 - The site is not allocated in the HDPF, and is not allocated in the Neighbourhood Plan. It is therefore not currently in accordance with the emerging HDPF.
- 3.6 HDC Housing Manager objected to the scheme as originally submitted due to non-provision of affordable housing. However, negotiations with the Applicant have now led to the Applicant proposing 35% affordable housing provision, in accordance with the HDPF requirements.
- 3.7 Design and Conservation Consultant: No written response has been provided, but this application has been discussed with the Consultant. They did not raise concern regarding the proximity of the proposed car park to the listed signal box within the railway station site, given that this is the type of infrastructure expected to be seen at a station and therefore forming part of the setting of a listed signal box.
- 3.8 Landscape Consultant: Objects to the proposal. The consultation response includes the following points:
- The site falls within the Greensand National Character Area as defined by Natural England.
 - The site lies at the southern edge of the WSCC WG8 Storrington Woods and Heaths Character Area, with WG6 Arun Widbooks Character Area to the south.
 - The South Downs escarpment is approximately 3.5km south [*Officer Note: the SDNP boundary is closer to the site than the escarpment, at a minimum of about 61 metres, following the line of the southern bank of the river*]
 - The site lies within Character Area 40 of the Horsham District Landscape Capacity Study which is considered to have no/low capacity for medium scale housing development.
 - There is a further character area identified in the Study to the northern edge of Pulborough, where limited development closely related to the existing settlement might be more appropriate in landscape and visual terms.
 - The extensive loss of vegetation, tree groups, individual trees and hedgerows to facilitate development is considered excessive.
 - Most of the trees and hedgerows are classified as grade C, collectively in groups and clusters around the site they make a valuable contribution to landscape character of the site and surroundings.
 - Some vegetation loss might be anticipated associated with vehicular access, but it is not considered that the overall extent of vegetation loss can be justified.
 - Proposed new planting to northern and western boundaries are within very narrow buffer strips, insufficient to provide appropriate screening/softening.
 - Concern regarding maintenance of buffer strips, as they are confined between rear gardens for a substantial length.
 - Removal of existing informal parking on the A283 is a landscape benefit, but is undermined by formalising with hardsurfacing of existing residents parking.
 - It is not clear why housing, with adverse landscape and visual impacts, is necessary to achieve the proposed parking development.
 - Adverse impacts of the housing development outweigh any landscape benefit along the A283.
 - The Applicant's Landscape and Visual Impact Assessment underestimates the significance of impacts.
 - Development of an essential urban character is likely to be of a moderate-substantial adverse impact, even taking account of proposed mitigation planting.

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- Proposal relates poorly to the existing settlement boundary, extending westwards into open countryside on a visually prominent site.
- The layout will be perceived as 'ribbon' type development.
- There is no meaningful transition in the height and scale of development extending westwards.
- Dwellings of approximately 10m in height are more equivalent to 2.5 storeys.
- The proposal would erode/intrude on the quality of characteristic views of the site and its surrounds to Pulborough Parish Church tower to the east.
- Views of the station and new car park will be opened up from loss of vegetation.
- Proposal would erode the immediate setting of the SDNP and intrude on characteristic views of the Arun/Rother floodplain landscape and the dramatic backdrop of the downland escarpment.
- The principal concerns are in respect of the visual impact of the development from near distance viewpoints to the north and south west of the site, including the Wey-South long distance route.
- Although the development may only be perceived to occupy a relatively small proportion of these views, it is considered that the adverse impact is likely to be significant, bearing in mind the high sensitivity of public footpath users.
- The visual impact of the 10m high dwellings on the elevated site will be harmful on this key approach into/leaving Pulborough.

The applicant has submitted a response to the Council's Landscape Consultant's advice. This has been reviewed by the Council's Landscape Consultant who advises that this does not address his concerns and that his original advice remains relevant

- 3.9 Ecology Consultant initially raised objection to the proposal due to a lack of suitable survey information to inform mitigation measures. However, the Applicant responded to these concerns and carried out the necessary surveys. The Council's Ecology Consultant now raises no objection, subject to conditions.
- 3.10 Financial Consultant (development viability): The Council's Financial Consultant has appraised the proposal, including existing land values, development costs and resulting value of development (i.e. sale of private market housing and affordable housing, along with revenue from the proposed car park) and advises that it is viable for the development to provide 35% affordable housing in compliance with the HDPF, with a 50/50 tenure split between affordable rented and shared ownership.

OUTSIDE AGENCIES

- 3.11 WSCC Lead Local Flood Authority: No objection. Advise that there should be long-term maintenance provision in place for any Sustainable Drainage Systems.
- 3.12 WSCC Highways have issued a series of consultation responses raising concerns and seeking additional information/further detail, particularly in respect the pedestrian controls for lights under the railway bridge. The Highway Authority's latest consultation advice of 3rd November includes the following points:
- There is insufficient time to resolve the outstanding issues regarding the pedestrian and traffic control proposal prior to the application being considered by Committee.
 - The Highway Authority maintain an objection to ensure that development is not implemented before these issues are resolved.
 - The issues are likely to be capable of being resolved.
 - In the event that the application is approved, it would be possible to include a clause in a Legal Agreement requiring the feasibility and design of the proposed highway scheme to be finalised to the satisfaction of the highway authority prior to commencement of development.
 - Necessary heads of terms for a Legal Agreement include:

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- Full details of the improvements to footway and pedestrian controls under the railway bridge to be approved prior to commencement
 - Deliver the improvements to footway and pedestrian operated controls under the railway bridge prior to initial occupation of dwellings and prior to commencement of use of the station car park.
 - Provide the resident's parking bays on Stopham Road, bollards to stop parking on Stopham Road (extent to be agreed), and new signage/speed limit change prior to initial occupation of the development
 - Provide the station car park prior to occupation of any of the dwellings.
 - Any permission should also be subject to conditions.
- 3.13 WSCC Strategic Planning: Request financial contribution for education, libraries, fire and rescue and transport, to be secured by Legal Agreement.
- 3.14 Southern Water: Inadequate capacity in the local network to provide foul sewage disposal. Additional off-site sewers, or improvement to existing, will be required to provide sufficient capacity to service the development. The Applicant should provide means of disposal of surface water drainage.
- 3.15 Sussex Police Crime Prevention Design Adviser: No objection, but considers the rear parking courts adjacent to Plots 12 and 20 to be vulnerable due to limited observation and highlights the importance of clear demarcation of public and private spaces. Traffic calming measures should be included on the access road to deter excessive speed from through traffic using the car park. The car park should be lit to conform with BS5489:2013.
- 3.16 Environment Agency: No objection.
- 3.17 The South Downs National Park Authority object to the proposal, raising the following points in their consultation response:
- The site can be seen from elevated viewpoints in the National Park, looking east from the Wey-South Path National Trail, approximately 400-500 metres west of the site.
 - The expansion of Pulborough west of the main built up area through the proposed linear housing along the A283 would significantly erode the important open countryside transition from urban to rural and in particular upon the setting and special qualities of the SDNP.
 - Reduction of green and open space closer to the SDNP boundary would erode the natural green space protection currently afforded by the countryside that the site would occupy.
 - The proposed development would introduce build form and associated urban infrastructure that would impact on the special qualities of the SDNP.
 - In addition to expansion of urban form close to the SDNP, the development would result in noise and disturbance and external lighting, harming tranquillity.
 - In the event that permission is granted, street lighting should be designed to minimise impact on wildlife and the dark night skies objectives of the SDNP, as well as ensuring external materials fit with the vernacular of the locality.

PUBLIC CONSULTATIONS

- 3.18 Pulborough Parish Council: State that no objection is raised, but a number of concerns are highlighted in the Parish Council response, including the following:
- Loss of trees due to creation of parking bays on Stopham Road
 - Concern regarding flooding and drainage. The area around the site is known to suffer from flooding and it is not clear whether existing drainage systems have been maintained,
 - Concern that proposed traffic signals at the railway bridge will be confusing.
 - Air pollution and light pollution will arise
 - Access rights for Railway Cottages is not clear.
 - Overlooking to Railway Cottages
 - Reduction in parking and turning space for Railway Cottages

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- Commuters may park in the new development
- Road safety must be scrutinized, given history of accidents here
- New 30mph signs must be positioned west of the Park Farm driveway
- Proposed access road is likely to be congested at peak times due to width and number of parking spaces served. This is inconsistent with domestic housing.
- The proposed access is closer to the blind bend than existing.
- No plans submitted for services provision
- The drawings do not show solar photovoltaic panels or grey water capture. Query whether the proposal is sustainable

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

- Development adjacent to the National Park will be an eyesore and detract from natural beauty.
- Artificial lighting of the development and car park will cause light pollution.
- On-street/verge parking will be pushed elsewhere. People park on Stopham Road because it is free, not because there is a lack of parking at the station.
- Railway car park remains almost empty every day until after the commuters have travelled.
- Bollards should be provided all the way to the garden centre, not just to the Park Farm entrance.
- Development is bland, unimaginative and sterile.
- Development should be to the north, away from the National Park
- Existing road safety, weight of traffic and parking problems would be exacerbated.
- Concern regarding pedestrian access under the railway bridge.
- Concern regarding proximity of new lights under the railway bridge to existing pedestrian crossing lights.
- Proposal for traffic lights under the railway bridge lacks detail and it is not clear how this will work.
- The traffic lights should be trialled for effectiveness prior to determination of this application.
- Proposed residents parking on Stopham Road is insufficient and unlikely to be enforced as 'residents only' as it is on highway land.
- Railway line and station form a defined boundary to the built-up area.
- Loss of habitat due to hedgerow loss.
- Density of development relates unsympathetically to the open countryside
- Concern in respect of precedent for further development
- Site was not included as an allocated site in the 2007 Core Strategy.
- Village has been overdeveloped.
- Traffic lights will result in queues and air pollution.
- New car park is not conveniently located for the ticket office.
- The development would relinquish affordable housing and the principle of not encroaching into the countryside.
- Drainage of this road is inadequate, with frequent flooding under the railway bridge.
- Development will compromise the setting of Park Mount and destroy the view over the landscape from the footpath leading to Park Mount.
- Development will add to pressure on local services such as schools and doctors surgeries.
- Disabled parking bays are provided, enabling disabled customers to travel north, but the return journey will disembark on the east platform, requiring them to return to their car via Stopham Road and through the proposed development as there is no ramped access across the tracks.
- Gates should be fitted to the north and south of Railway Cottages to prevent this access being used as a rat run to the proposed station car park.
- Access to Railway Cottages has not been maintained by the landowner, Network Rail, and needs to be addressed.
- Water runoff from the field to the north of Railway Cottages has flooded outbuildings at Railway Cottages and washed away surfacing.

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- The developer had advised occupiers of Railway Cottages that the plans would be amended to reduce overlooking and increasing spacing to existing properties, but the submitted drawings does not reflect these discussions.
- Parking space for Railway Cottages will be reduced.
- No play area is provided within the development.

3.20 Eleven letters of support have been received, which include the following points:

- The area to the west of the railway tunnel is cut off from the rest of the village as it is not safe to walk through the tunnel.
- The proposal will revitalise this part of the village and allow residents to walk to Stopham Bridge/White Hart pub, The Brooks and the garden centre.
- Removal of parking on Stopham Road will improve highway safety.
- Car park will get rid of parking on Stopham Road.
- Can rarely park in the station car park and therefore have to park on Stopham Road.
- Residents often have to park some way down Stopham Road due to commuter parking. It is not safe to walk on Stopham Road, especially with children.
- Proposal provides disabled access to the northbound platform.
- Proposed car park could also provide access to the proposed Dementia Unit (DC/15/1547).
- Proposal brings more than just houses.
- Development will harmonise the existing houses west of the railway.
- Access improvements will be an asset to the National Park.
- Development looks well-designed.
- Development will bring some life to this part of the village and improve the look of the approach to Pulborough.
- Mature boundaries mean the development does not adversely impact on the location.

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

- It is not realistic for those travellers who cannot use the subway to use the new car park if they have to walk back along Stopham Road.
- Concern that the traffic lights under the railway bridge are too close to existing pedestrian crossing.
- Concern about the implications of displaced parking on Stopham Road- vehicle owners may look for other free parking.

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

5.2 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 issue in the consideration of this application is whether the proposal is acceptable in principle having regard to both central government and local Development Plan policies, and to any other material considerations.

Principle of Development

- 6.2 Although the site of the proposed car park lies within the built-up area boundary, the residential element of the proposal does not. The Core Strategy seeks to direct development to locations within built-up area boundaries. Members will be aware that under the current adopted Development Plan, the District cannot demonstrate the required 5-year housing land supply, which is a material consideration carrying weight in decision making. However, the emerging HDPF does meet this requirement. As set out above, the Council gives significant weight to the HDPF in decision making, given that it has now been found sound by the examining Inspector. Notwithstanding this, the starting point for assessment of planning applications remains the adopted Development Plan and therefore, consideration must first be given to whether the proposal complies with current adopted Policies, before moving on to consideration of other material considerations, such as the significant weight afforded to the HDPF.
- 6.3 Considering first whether the proposal complies with the Core Strategy, in light of the identified shortfall of housing supply under the adopted Core Strategy, the Council adopted the Facilitating Appropriate Development (FAD) SPD which allows for flexibility in the location of development, in order to facilitate provision of housing and expansion of settlements in a sustainable way during the life of the Core Strategy. The FAD SPD sets out the requirements against which those planning applications for development on both greenfield and brownfield sites which are outside of, but adjoining, defined settlement boundaries in the District will be considered, and contains a number of criteria which must be complied with in order for a proposal to be considered 'appropriate'. The criteria include where the developments are related to an identified local need, protect landscape and townscape character, complement the character of the settlement, protect biodiversity and existing natural features, the development is sustainable, the development is deliverable and does not result in coalescence of settlements.

Location of the Site

- 6.4 The FAD requires development sites to be sustainable and in walking distance to local facilities. Although the site is not far distance-wise from services and facilities within the built-up area, it is not well-connected to the village by reason of the narrow railway bridge which does not have a designated pedestrian route under it. As such, there is likely to be greater reliance on private cars by residents at this site than others in similar proximity to the village centre, particularly where the journey is being undertaken by vulnerable pedestrians such as the elderly, infirm and those with children. However, the Applicant proposes a number of highway works, including designated pedestrian access under the railway bridge, through the reduction in speed limit and erection of pedestrian operated traffic control lights at the bridge. The site therefore adjoins a built-up area boundary and would be within a reasonable walking distance of local services, subject to implementation of the proposed highway works. As set out in the consultations section above, the Highway Authority are not currently satisfied with the feasibility and design of the pedestrian controlled traffic lights under the railway bridge, but they do consider that a satisfactory scheme can be agreed. They therefore request that a Legal Agreement is entered into to require delivery of pedestrian improvements prior to commencement of development.

Townscape Character

- 6.5 The FAD requires landscape and townscape character to be protected and conserved and/or enhanced by the proposed development, and for development to complement the character of the settlement. In terms of the integration of the development with the existing townscape, Stopham Road currently has a distinctly rural, edge-of-settlement character, which is derived in part by development confined mainly to one side of the road. The rural character of this part of the settlement is highlighted in the responses from the SDNP and the Landscape Consultant as being an important feature of the area, contributing to the setting of the settlement. The proposed development would serve to urbanise that rural character, by developing to the northern side of the road, and beyond the current limit of the row of dwellings on the southern side of Stopham Road. In addition, the proposal does

not follow the existing pattern of development on the opposite side of Stopham Road, which comprises relatively closely spaced dwellings facing the highway. However, it is acknowledged that the approach comprising an inward-facing cul-de-sac type development has been taken by the Applicant to allow a landscaped buffer to be retained around the site. It must however be noted that the existing vegetation will be weakened as a result of the levelling of part of an existing vegetated bank to create residents parking bays with a retaining wall behind on Stopham Road, as well as the creation of a new vehicle access to the site. Therefore, the proposed development will still be visible from Stopham Road, and the landscaped buffer will serve to soften the appearance of the development, but will not fully screen it from the surrounding countryside.

- 6.6 The Pulborough Design Statement (May 2013) seeks to ensure that planted frontages and their boundaries are integral to the design of the streetscape. Most of the buildings within the development would be sited fairly close to the edge of the footway, with only narrow landscaped strips for front gardens. Those dwellings set further back from the highway would have frontages dominated by hardsurfacing for parking. However, while planted frontages are identified as a design principle for Pulborough as a whole, it must be noted that the dwellings on Stopham Road in the vicinity of the application site are generally directly fronting the road, or with only a small strip of front garden. As such, the set-back of the dwellings from the proposed access road is acceptable. The Pulborough Design Statement encourages new dwellings to be of a simple design, avoiding pastiche, and incorporating contemporary design which blends with the old. The Design and Access Statement sets out that the main external material proposed is brick, with areas of hanging tile and plain clay roof tiles, and the drawings show some buildings rendered, including most of the building comprising units 13-20. The design of the buildings incorporates a mix of traditional pitched roofs and flat crown roofs. The crown roofs however are surrounded on all sides by pitched roofs, to prevent them appearing overly dominant and bulky.
- 6.7 Overall, no objection is raised to the internal design and layout of the development, but there are concerns in respect of the impact on townscape character arising from the creation of a ribbon development along the A283 and the urbanisation of the settlement edge, which currently offers a semi-rural appearance, providing a transition from the main settlement to the countryside beyond.

Landscape Character

- 6.8 The Landscape Consultant and the South Downs National Park Authority both raise objection to the proposal as a result of landscape harm and visual intrusion. The Landscape Consultant refers a number of character studies which include the application site and surrounding area, and have assessed the contribution of this area to the wider landscape character and the setting of the settlement of Pulborough. The Landscape Consultant advises that the development would conflict with a number of the positive characteristics of the landscape which have been identified in previous Studies. The area has been previously identified being very open and elevated, which results in a high degree of visual sensitivity (HDC 2014 Landscape Capacity Study), as well as being sensitive to visual intrusion from increased suburban development at the edge of settlements (WSCC Storrington Woods and Heaths Character Area assessment), and contributing to the visual setting of the historic core of Pulborough (HDC Landscape Capacity Study 2014). Recommended guidelines for the area include conserving and enhancing the undeveloped character and open views across the floodplain (WSCC Arun Wildbrooks Character Area document) and ensuring any small scale development on valley sides is sited and designed to respond to the historic settlement pattern of small isolated farmsteads and small linear villages (HDC Landscape Assessment 2003). The 2014 HDC Landscape Capacity Study concluded that this area had no/low landscape capacity for medium scale housing capacity.
- 6.9 As set out above in the discussion of townscape impact, the proposal would result in the urbanising of this rural edge of Pulborough, which in itself results in a degree of landscape harm. The proposal site is set at a higher level than Stopham Road, and projects over 100

metres beyond the current western limit of buildings on the opposite side of Stopham Road. As a result the development would appear fairly prominent in near views creating a ribbon development along the A283, as well as in wider views, such as from the long distance Wey-South public footpath. The loss of vegetation to create access to the site and the resident's parking bays on Stopham Road is a concern, opening up views of the site and the new development. In addition to the prominence of the residential development, the proposed car park and its associated loss of vegetation on the western side of the railway line would open up views of the station and built-up area, and this element of the proposal is likely to require all-night illumination for safety and security purposes (albeit the Applicant proposes motion activated lighting). While it is noted that the car park element is within the built-up area, the location of the car park adjacent to the open countryside does not allow for a substantial transition from the built-up area, with only a very narrow landscaped strip provided to the western boundary. The proposed creation of resident's parking bays on Stopham Road is raised as a concern by the Landscape Consultant. These would also extend beyond the western limit of the built-up area. Those on the northern side of Stopham Road would result in a loss of vegetation on a steep bank and necessitates the construction of a retaining wall, resulting in a more urban appearance than the existing landscaped slope, while on the southern side of the road the parking bays would formalise verge parking with a hardsurfaced area on an area which is currently mainly vegetation. The proposal therefore does not protect landscape character and would result in harm to the character of the area and visual intrusion in the landscape.

Biodiversity

- 6.10 The FAD also requires biodiversity to be conserved and enhanced. The Council's Ecology Consultant initially raised concerns with this proposal, given a lack of suitable survey information and mitigation proposals. However, sufficient information has since been submitted which has removed this objection and the Ecology Consultant now recommends conditions to address biodiversity mitigation and enhancements.

The HDPF as a Material Consideration Relevant to the Principle of Development

- 6.11 As set out above, the adopted Development Plan is not the sole consideration in assessing the principle of development, given the significant weight now afforded to the HDPF. The HDPF makes no allocations for housing adjacent to settlements of this size, as suitable sites for residential development should be identified through allocations in Neighbourhood Plans which, in accordance with Policy 4 of the HDPF, will be supported. A Neighbourhood Plan holds little weight in decision making until it has been through referendum and has been adopted, which the Pulborough draft plan has not. However, the draft June 2015 Neighbourhood Plan which was subject to public consultation does provide a good indication of local aspirations and which sites may be acceptable for development locally.
- 6.12 The June 2015 pre-submission version of the Pulborough Parish Neighbourhood Plan does not identify this site as a specific residential allocation, but Policy 1 of the Neighbourhood Plan defines built-up area boundaries wherein development proposals will be supported subject to it being in accordance with the Development Plan. This site is located within the Neighbourhood Plan built-up area boundary, indicating that local opinion is not opposed to some form of development on this site. However, it is not specifically allocated for development and therefore no guidance is provided as to what amount of development, and for what use, might be appropriate on the site. In addition, the site falls outside of the built-up area boundary as defined on the HDPF Proposals Maps, an area where development should only be permitted in accordance with an allocation in a Neighbourhood Plan. As this site is not specifically allocated and therefore its development is not in accordance with the HDPF, it is in conflict with Policy 1 of the Neighbourhood Plan, which seeks to support only those developments which are in accordance with the Development Plan.
- 6.13 Policy 11 of the June 2015 draft Neighbourhood Plan seeks to support tourism development, particularly to encourage visits to the SDNP from the railway station. The

explanatory text of that Policy advises that proposals for tourism development “*may utilise the new access road to serve additional car parking on the west of the station that is expected to be granted planning consent shortly*”. This indicates that the Neighbourhood Plan may anticipate a tourism-based development at the site rather than residential development as currently proposed. Therefore, although the Neighbourhood Plan includes this land within its proposed ‘built-up area boundary’, without clarity from a specific allocation for development setting out the use and amount of development expected on the site, development of the site is not supported by the Development Plan. In any event, given the stage of the Neighbourhood Plan it can currently only be given limited weight in decision making.

Conclusion on Principle of Residential Development

- 6.14 In conclusion on the matter of the principle of the proposed residential development, given the landscape harm arising and the location of the site outside of the built-up area boundary, the proposal is contrary to the adopted Development Plan Policies CP1, CP3, DC1, DC2 and DC9. When considering the proposal against the emerging HDPF, which is now afforded significant weight in decision making, the proposal is also contrary to emerging Policies HDPF 2, 4, 15, 25, 27 and 30 which set out the overall strategy for growth within the District and the relevant countryside and important landscape protection principles.

Principle of the Proposed Car Park

- 6.15 The proposed car park element falls within the built-up area boundary and also lies on operational land owned and controlled by the rail statutory undertaker. This element alone could potentially fall under Class A, Part 8 of the General Permitted Development Order (2015), and could be constructed without planning permission. However, the access to the proposed car park is not located within the rail undertaker’s operational land. The existing Network Rail vehicular access on the western side of the railway has poor visibility and is fairly narrow, being sited between the railway track and Railway Cottages. It is therefore not suitable for regular public use and an alternative access would be necessary in order to create safe public vehicular access to any car park constructed on the western side of the line. As part of this application, it is proposed to continue the road through the residential element north, to provide public vehicular access to the land on the western side of the railway line to serve a new car park. As set out above, although the proposed car park lies within the built-up area, it abuts open countryside and results in a harmful landscape impact due to the more exposed views of the station and built-up area, as well as additional illumination spilling into the open countryside. Although a buffer strip is proposed to the western side, this is only about 1.8 metres wide, not allowing for substantial planting.

Need for a New Car Park

- 6.16 The residential development is being put forward by the Developer as a means of facilitating the construction of the proposed car park. As such, Members must balance the harm arising from both the residential development and the car park against any benefit arising from the proposed car park. To do this, the weight to be afforded to the delivery of a car park must be considered. The first consideration is whether there is any planning Policy requirement for additional parking at the station. Although parking at the station and on Stopham Road is an issue of local concern, as identified in the Neighbourhood Plan, it is difficult to definitively conclude that a car park of the scale proposed is necessary to address parking on Stopham Road and that the proposed highway works to erect bollards on the verges and create dedicated resident’s parking bays for the dwellings on Stopham Road would not improve the situation if carried out in isolation from the large station car park. The improvement of parking on Stopham Road and the creation of additional parking spaces at the Station are not listed as Policy objectives in the HDPF or the May 2014 HDC Infrastructure Delivery Plan (which was informed by forward-planning documents prepared by both Network Rail and West Sussex County Council in respect of travel), and neither document identifies car park capacity at Pulborough station as an issue to be addressed. Although the Applicant’s Agent advises that the use of the railways is forecast to grow

extensively over the next 10 years, no detail is provided in respect of plans for additional or faster services stopping at Pulborough which could result in increased demand for parking here. Network Rail's 2010 Route Utilisation Strategy does identify Pulborough for parking improvements comprising an additional 300 parking spaces, but this was at the option selection stage of the Governance for Railway Investments Projects (GRIP) process in 2010, and does not appear to have moved on in the Network Rail planning stages, given that Network Rail's later document, the Sussex Route Plan (2014-2019), does not identify Pulborough for station improvements and the Network Rail Strategic Business Plan for England and Wales (2014-2019) does not refer to increasing parking provision, other than through general reference to investing in increased capacity to increase revenue across Network Rail properties. In addition, the residential developer has advised that Network Rail is not contributing to the cost of construction of the car park, and therefore it is not clear that this is a priority for the rail operator.

- 6.17 The 2010 Pulborough Village Transport Plan refers to the 2010 Route Utilisation Strategy's proposals for an addition 300 parking spaces at the station, but notes that a number of local residents have expressed concerns about the scale of the extra parking provision and do not feel that it is justified as many rail passengers park on local roads to avoid paying car parking charges and this will not necessarily change if a large new car park is provided (paragraph 4.4). The Village Transport Plan concludes by listing the short and long term transport improvement projects to influence the way people travel within the village. Additional parking at the station does not feature in either the short or long term improvements lists. The improvement of access to the northbound station platform is cited as a long-term improvement, which is also cited in the 2012 Pulborough Community Action Plan as an issue, and this proposal would allow for access to this platform. However, even if the proposed car park is implemented, disabled travellers who have parked on the western (northbound) side would still have to take a convoluted route on their return journey from the southbound platform, out onto the A283 and through the proposed development back up to the new car park, as the proposal does not deliver disabled access within the station itself, where the platforms would still be linked by a subway served by stairs.
- 6.18 The Neighbourhood Plan cites 62% of respondents to their survey agreeing or strongly agreeing that there is a parking problem in Pulborough, with Stopham Road, Station Road and the Railway Station being amongst the most commonly cited areas where parking is deemed a problem. Officers' various visits to the site indicate that the amount of available space at the station car park varies throughout the day, with a significant surplus in the mornings (just under half full prior to 0900), rising to only a small surplus of a couple of spaces from later in the morning. Letters of representation received in connection with this application have provided mixed advice from local residents in respect of parking demand at the station- some consider a new car park necessary to address a shortfall and parking on Stopham Road, but others consider that there is still adequate capacity at the station, and that the car park only fills up after the main commuter trains have departed. The Applicant's Agent has advised that Network Rail experience between 85% to 90% occupancy of the existing 151 space car park. This equates to between 23 and 15 spaces available at any one time.
- 6.19 The car park is also put forward by the developer as a means by which to remove ad-hoc parking from the un-made verges on Stopham Road. As stated above, Network Rail have advised that the existing station car park has between 15 and 23 spaces available at any one time. Although this is less than the number of vehicles parked on Stopham Road at the time of Officer's visits (between 32-46), it is not clear how many of the parked cars are associated with journeys from the railway station and how many are associated with the dwellings on Stopham Road, many of which do not have off-street parking. As such, it is not clear that the creation of dedicated parking bays for residents of existing dwellings on Stopham Road, combined with the erection of bollards on the Stopham Road verges, would reduce on-street parking here without the need for the construction of a 106 space

car park. While the parking on verges of Stopham Road results in a more urban appearance than might be considered appropriate to this rural location, the highway safety implications of the existing parking is not as clear. While vehicles slowing to pull in and out of spaces and pedestrians walking on the road, particularly after dark, would result in some increased risk to those who chose to park here, it is not clear that this parking has caused demonstrable increased risk to all road users. Parking on Stopham Road is also referred to in the Village Transport Plan (paragraph 10.1), stating that this parking "*is not especially hazardous in itself*", although it is referred to as being "*rather unsightly*". Therefore, while the proposed car park is put forward as a benefit of the development, it is not clear that it is entirely necessary to address the issue of parking on Stopham Road and that these issues could not be addressed through highway works alone.

- 6.20 In conclusion therefore on the matter of the need for a new station car park, although there may be some local support for improved parking, the car park is not a Policy objective set out in any adopted or emerging development plan document or other forward-planning document published by the rail operator or HDC, there are mixed responses from local residents in respect of the level of parking provision at the station and on Stopham Road, and it is not clear whether highway improvements alone would not address the existing parking on Stopham Road. As such, the proposed car park cannot be afforded significant weight as a benefit of the proposed development.
- 6.21 Had it been concluded that the delivery of the proposed car park is a benefit of sufficient weight to warrant development of the application site, consideration must be given to the amount, extent and use of development that could be necessary to facilitate vehicular access to the car park land, when weighing the harm and benefit of the development. The Neighbourhood Plan survey cites 93% of respondents being in favour of development at the railway station as long as it brings improvement to parking and better access to the railway and related services. It is unclear where it was envisaged development would take place, and how respondents would have interpreted the location being referred to. In this question, reference is specifically made to development at the railway station being acceptable as long as it brings improvements to parking, this could reasonably be interpreted as development within the curtilage of the station. It does not give a clear indication that residents would be in favour of residential development of the extent proposed on a greenfield site in order to allow access through to the Network Rail land on the western side of the railway line. Furthermore, as set out above, Policy 11 of the draft Neighbourhood Plan is not clear on whether residential use is anticipated for the site, as there is mention of a tourism use. Without the clarity of a specific site allocation, this will remain ambiguous.
- 6.22 As previously stated, the proposed residential development is put forward as enabling the car park construction and off-site highway works. Although the developer is funding the construction of the car park, they have advised that Network Rail will be benefiting from the revenue generated by parking charges, hence their case that the housing is necessary to fund the car park construction. However, the Council must consider the development as a whole, with limited regard to the private agreements between different landowners, as planning permissions run with the land, and are not limited to specific owners. The Council's financial consultant has advised that when the development is assessed as a whole, the scheme is viable. Therefore, as the car park development would generate an on-going income through parking charges, the cost of construction would be covered in the long term. Therefore, it is not clear that residential development, particularly of the extent proposed (i.e. projecting westwards beyond the current limit of the built-up area on the southern side of Stopham Road) is necessary to facilitate the construction of the car park.

Affordable Housing and Infrastructure

- 6.23 When this application was originally submitted, the Applicant did not propose to provide any affordable housing and prepared a financial viability appraisal in support of their case. The Applicant's Agent has advised that Network Rail is not contributing to the cost of

construction of the car park, and that this cost will be entirely funded by the developer of the residential scheme. It has also been confirmed that Network Rail will collect and retain the income from parking charges for use of the proposed car park. As the expense of the car park construction was being borne by the development, the developer proposed not to provide any on-site affordable housing, nor any financial contribution to off-site provision of affordable housing, for reasons of viability. The Council's Financial Consultant considered that it was not appropriate for the cost of constructing a car park to be included in the appraisal, but the revenue from the car park to be excluded from the appraisal, as this would effectively result in the Council being asked to forego affordable housing in order to pay for a car park, the revenue from which would benefit a private business. Planning permission runs with the land and therefore it is possible that, should planning permission be granted, the site could be sold to a single developer who would carry out the residential and car park elements as a single development, benefitting from the revenue from the car park. Considering this, and the advice of the Financial Consultants, Officers concluded that it is not reasonable to exclude the car park revenue from the resulting development value, and negotiations have been taking place with the Applicant in respect of on-site affordable housing provision. The Applicant has now agreed to provide 35% of the units as affordable (equating to 10 units in this scheme of 28). This is endorsed by the Council's financial viability consultant, who advises that a tenure split of 50% affordable rented and 50% shared ownership would be viable. The Applicant has agreed to provide this.

6.24 In terms of infrastructure contributions, the Applicant's viability appraisal includes allowance for S106 contributions. The HDC Contributions Calculator indicates that up to £42088 would be available for open space, sport and recreation contributions and £6,339 for community halls and centres, subject to identification of suitable projects to allocate the funds to prior to finalisation of a Legal Agreement. WSCC have requested a total of £217,658 for infrastructure improvements connected with the proposal.

6.25 The provision of on-site affordable housing and financial contributions to infrastructure need to be secured by way of a Legal Agreement. As no Legal Agreement is in place at this time, there is no means by which to secure these Policy requirements and therefore, the proposal is contrary to Policies CP12 and CP13 of the Core Strategy and Policies 16 and 39 of the HDPF.

Highway Matters

6.26 Given that the highway works are not within the red edge of the application site and it is understood that these all lie on highway land. These works therefore require the consent of the Highway Authority, not the Local Planning Authority, they do not form part of the description of development. However, they are proposed in connection with the proposed development. The highway works comprise means to deter parking on Stopham Road, construction of residents' bays for existing properties on Stopham Road and works to improve pedestrian safety, in particular access under the railway bridge, through the erection of pedestrian operated traffic control lights at the bridge. The works under the railway bridge will improve the accessibility of this site, which although located fairly close distance-wise to village services and facilities, is disconnected from the main built-up area as a result of the absence of a dedicated pedestrian route under the bridge and therefore are necessary to make the development acceptable. In addition, the works to improve existing parking provision for residents and deter on-street parking should serve to reduce pedestrians walking in the road to and from parked vehicles, as well as improving the appearance of Stopham Road.

Heritage

6.27 There is a listed signal box at the station. Written advice has not been received from the Council's Heritage Consultant, but Officers have discussed the case with the Heritage Consultant. The residential element is a sufficient distance from the listed signal box not to affect its setting. The car park is in fairly close proximity to the listed signal box. Although there would be a material change in the setting of the signal box, with a large amount of

vegetation removed and hardsurfacing laid, the car park would be station infrastructure, which would be expected to form part of a working rail station. As such, the car park development would not be out of keeping with the setting of a signal box.

Parking Provision for the Residential Element

- 6.28 Within the residential part of the development, each of the dwellinghouses is provided with two off-street parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 10-space parking court, including undercroft parking, is proposed to serve the six units at Plots 13-18 (note that two of these are 1-bedroom flats). There are no on-street visitor spaces proposed. Given the proximity to the train station, and the proximity to the village centre (subject to improvements to pedestrian access under the railway bridge), it is considered that the proposal provides sufficient car parking for the proposed dwellings. Given the proximity of the proposal to the proposed station car park, and the problems experienced with on-street parking on Stopham Road, it is considered necessary to require the developer to ensure that on-street parking is suitably managed within the site to prevent vehicles parking inconsiderately or in a manner which restricts access on the proposed access road. This could be achieved by either legal agreement or condition, depending on whether the Applicant intends to offer the road for adoption. The comments from occupiers of Railway Cottages are noted in respect of the impact of development on an area currently used for parking ancillary to these two dwellings. The land in question appears to form part of Network Rail's land, and therefore any agreement in respect of the continued use of this land for car parking associated with Railway Cottages would be a private matter between the two parties. In terms of the proposed parking bays for residents of Stopham Road, it is understood that this land is currently Highway Land and the intention is for this to be transferred into private ownership for use as private residents parking.

Amenity of Future Occupiers

- 6.29 In terms of the amenity of future occupiers of the development, each dwelling is provided with a rear garden and a communal garden is provided for the flats. The Council's Environmental Health Officer recommends conditions in respect of investigating land quality as well as a condition to ensure that future residents are not affected by undue noise disturbance, including alternative ventilation where necessary. No objections are therefore raised in respect of the amenity of future occupiers.

Amenity of Neighbouring Residents

- 6.30 The nearest existing dwellings to the site are Nos. 1 and 2 Railway Cottages. No. 2 Railway Cottages has a number of windows in the side elevation overlooking the application site. These windows are sited about 5 metres from the boundary with proposed communal garden serving the flats and the rear garden of Plot 17. While the boundary between these sites is currently fairly open, the indicative landscaping scheme shows tree planting on the boundary, which would serve to provide some screening of views from the side windows of No. 2 Railway Cottages into the proposed gardens. The proposed building comprising plots 13-20 would significantly alter the outlook from No. 2 Railway Cottages and its garden. However, the proposed buildings are sited over 10 metres from the boundary with the neighbouring property and over 15 metres from the neighbouring dwelling itself. Given the distance of separation therefore, no objections are raised in respect of the impact of the proposal on the privacy or amenity of neighbouring residents.

Drainage and Flood Risk

- 6.31 Third party representations regarding flooding from runoff from fields to the north are noted. However, a planning application cannot be required to solve an existing flooding or drainage problem, only demonstrate that it would not make any existing issue worse. In this case, the site is in flood zone 1, where there is the lowest risk of flooding. The WSCC Flood Risk Management Team and HDC Drainage Officer raise no objection to the proposal, subject to conditions requiring approval of a detailed drainage strategy to deal with foul and surface water.

Renewable Energy

- 6.32 Policy DC8 requires new development of over 10 dwellings to incorporate sufficient on-site renewable energy equipment or other design measures to achieve at least a 10% reduction in the schemes predicted carbon dioxide emissions. The Sustainability and Renewable Energy Statement accompanying the application sets out that Air Source Heat Pumps incorporated into 22 of the proposed dwellings will result in a reduction in carbon dioxide emissions of 13.21%. A condition requiring full details of the means by which the 10% reduction would be appropriate if permission is forthcoming.

Conclusion

- 6.33 In conclusion therefore, the principle of the residential development of this site outside of the built-up area boundary is contrary to both the adopted Development Plan and the emerging HDPF. In particular, the proposal results in landscape harm to the SDNP and wider area. As such, Officers recommend refusal of the application.

7. RECOMMENDATIONS

- 7.1 Officers recommend refusal of this application for the following reasons:

1. The application site is located outside of the built-up area boundary and is not allocated for residential development in a Made Neighbourhood Plan. The development of the site is therefore contrary to the emerging spatial strategy for growth in Horsham District and is contrary to Policies 2, 3, 4 and 15 of the emerging Horsham District Planning Framework.
2. The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies CP1 and CP3 of the Horsham District LDF Core Strategy and Policies DC1, DC2 and DC9 of the Horsham District LDF: General Horsham District Local Development Framework General Development Control Policies (2007), to the Facilitating Appropriate Development SPD and to Policies 4, 25, 27 and 30 of the emerging Horsham District Planning Framework.
3. Policy CP12 requires provision of 40% affordable units on developments involving 15 units or more, while the emerging HDPF Policy 16 requires 35% affordable housing provision on developments of this size. Policy CP13 and Policy HDPF 39 require new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policy CP12 and CP13 of the Horsham District Local Development Framework Core Strategy (2007), to the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document, the emerging HDPF Policies 16 and 39 and to the NPPF, in particular paragraph 50.

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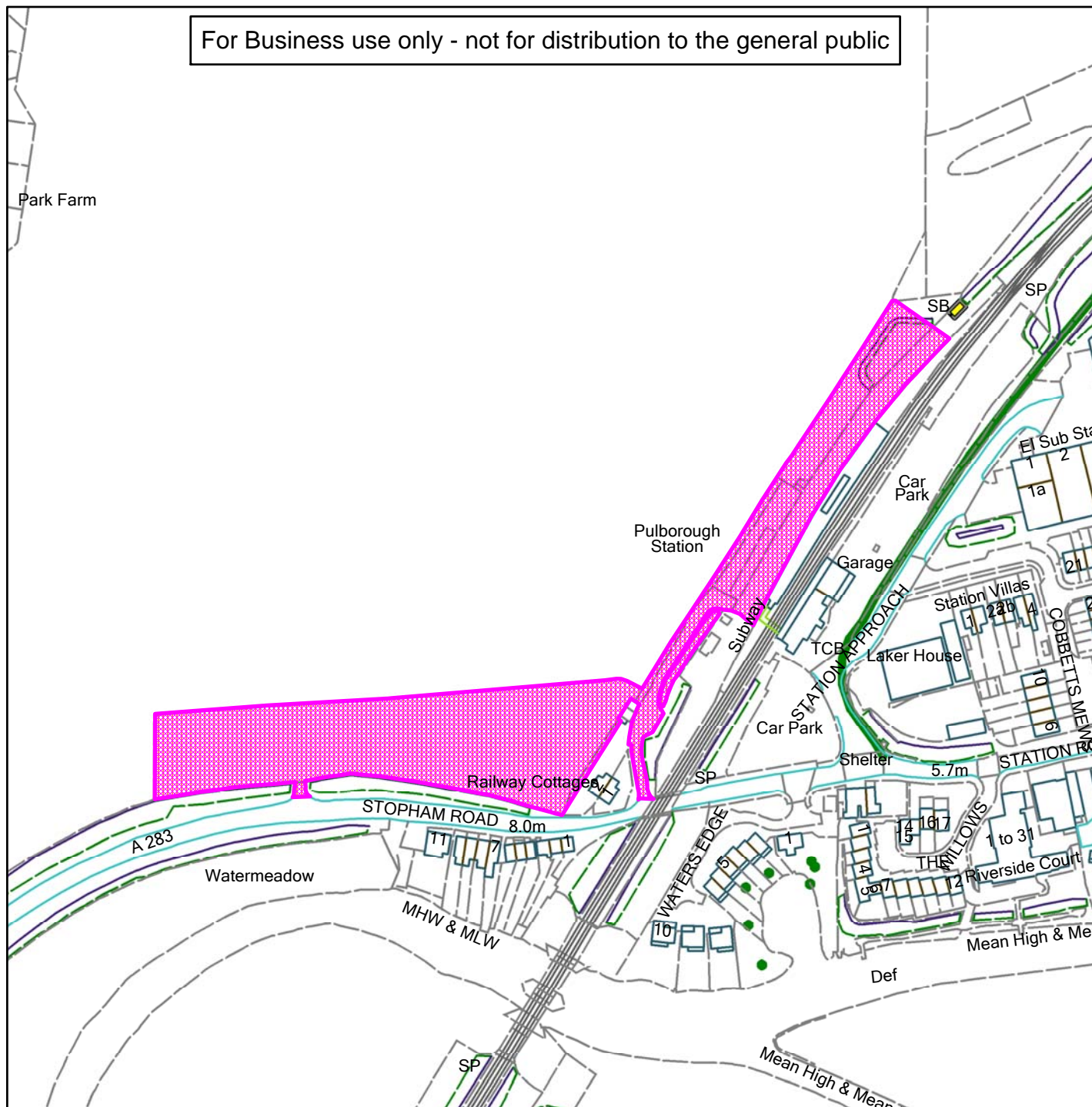
Note to Applicant:

1. The reason for refusal (above) in respect of affordable housing provision and infrastructure contributions could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.



Land Adjacent to Railway Cottages

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Organisation	Horsham District Council
Department	
Comments	
Date	04/08/2016
SA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee [South]

BY: Development Manager

DATE: 16 August 2016

DEVELOPMENT: Outline planning application for the erection of up to 40 no. dwellings (Class C3) and new access off London Road with all other matters reserved

SITE: Land South of Ashington House London Road Ashington West Sussex

WARD: Chanctonbury

APPLICATION: DC/14/1695

APPLICANT: Kler Group

REASON FOR INCLUSION ON THE AGENDA: The application was refused following the resolution of Members and is now the subject of an appeal. Committee agreement is sought for [1] the introduction of an additional objection and update of other policies referred to in the grounds of refusal, following the adoption of the Horsham District Planning Framework (HDPF) and [2] withdrawal of refusal ground 05 regarding noise impacts on new occupiers.

RECOMMENDATION: To authorise Officers to [1] defend an additional objection, and update policies referred to in the grounds of refusal and [2] not to defend refusal ground 05 regarding noise.

1. INTRODUCTION

1.1 Application DC/14/1695 sought outline planning permission for the erection of up to 40 no. dwellings (Class C3) and new access off London Road with all other matters reserved. The application was considered by Members at the Development Management Committee [South] on the 21st July 2015. Members resolved to refuse the application for the reasons set out in the Officer's report of the application [which is appended to this report], which in summary related to [2] isolated development beyond the Built Up Area Boundary, representing an inappropriate, unsustainable and unacceptable form of development, [3] urbanisation and landscape harm, [4] harm to heritage interests [5] insufficient information to demonstrate that the development would not result in unacceptable harmful levels of noise, detrimental to the living environment for prospective occupiers and [6] absence of a Legal Agreement to secure affordable housing provision and financial contributions towards infrastructure. An appeal against the refusal of DC/14/1695 has now been lodged and is to be dealt with by way of a Public Inquiry.

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- 1.2 In the intervening period between determination of the application and the appeal submission, the Horsham District Planning Framework has proceeded to adoption [November 2015] and now has full weight as a consideration in decision making. Whereas, the original policy reasons for refusal related to the Core Strategy [2007], the Facilitating Appropriate Development Supplementary Planning Document and the emerging Horsham District Planning Framework.

2. RELEVANT LEGISLATION & POLICY

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Please refer to the original report appended.

RELEVANT COUNCIL POLICY

- 2.3 Horsham District Planning Framework [2015]

Policy 1	Strategic Policy: Sustainable Development
Policy 2	Strategic Policy: Strategic Development
Policy 3	Strategic Policy: Development Hierarchy
Policy 4	Strategic Policy: Settlement Expansion
Policy 15	Strategic Policy: Housing Provision
Policy 16	Strategic Policy: Meeting Local Housing Needs
Policy 25	Strategic Policy: The Natural Environment and Landscape Character
Policy 26	Strategic Policy: Countryside Protection
Policy 31	Green Infrastructures and Biodiversity
Policy 32	Strategic Policy: The Quality of New Development
Policy 34	Cultural and Heritage Assets
Policy 35	Strategic Policy: Climate Change
Policy 36	Strategic Policy: Appropriate Energy Use
Policy 37	Sustainable Construction
Policy 39	Strategic Policy: Infrastructure Provision
Policy 40	Sustainable Transport
Policy 41	Parking
Policy 43	Community Facilities, Leisure and Recreation

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

- 3.1 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.

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

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

5. PLANNING ASSESSMENTS

Principle

- 5.1 As set out above, application DC/14/1695 is the subject of an appeal following the Council's refusal of planning permission and this is to be determined by way of a Public Inquiry, commencing on the 11th October 2016.
- 5.2 In light of the revised Policy context arising from the adoption of the HDPF, this report seeks to gain Members' authority to [1] defend an additional in principle ground of refusal to replace the original ground 01, and update the policies referred to in the other grounds of refusal and [2] withdrawal of refusal ground 04 regarding noise impacts on new occupiers.
- 5.3 Paragraph 47 of the NPPF requires that Local Planning Authorities should identify, and update annually, a supply of deliverable sites sufficient to meet their housing requirements for a 5 year period, with an additional buffer of 5%. Paragraph 49 then goes on to state that, in the absence of a demonstrable five year housing supply, the relevant policies for the supply and delivery of housing should be considered to be out-of-date. When this application was originally considered by Members at the Committee in July 2015 the Council was not in a position to demonstrate a 5 year supply of housing land, and there was therefore considered to be an evidential need for housing in the District.
- 5.4 Now that the HDPF has been formally adopted the Council is able to demonstrate a 5 year supply of housing land sufficient to meet its housing requirements, including the 5% buffer. Policy 15 of the HDPF sets out how the housing requirement will be delivered in accordance with the strategic approach.
- 5.5 The site lies outside an identified built-up area boundary and its development for residential purposes is therefore not in accordance with the strategic policies of the HDPF which seek to direct development towards the most sustainable locations in the District, which are either within built-up area boundaries or outside of built-up area boundaries on allocated sites in accordance with Policy 4 or development essential to a countryside location in accordance with Policy 26. Given the weight to be attached to the HDPF there is an objection to the principle of development of the site, given that it is outside of the built-up area, is not essential to a countryside location and is not allocated for development in the HDPF or any Neighbourhood Plan. The proposal is therefore contrary to the spatial strategy for growth set out in the HDPF.

Noise [refusal reason 05]

- 5.6 Paragraph 123 of the NPPF states that planning policies and decisions should aim to:
- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 5.7 The accompanying Planning Practice Guidance advises on four broad types of mitigation for noise related matters:
- engineering: reducing the noise generated at source and/or containing the noise generated;
 - layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise

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transmission through the use of screening by natural or purpose built barriers, or other buildings;

- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

5.8 In the course of preparing for the forthcoming Public Inquiry, the proposal has been further reviewed by the HDC Environmental Health Officer [EHO] who has updated their advice as follows:

In particular the EHO has reviewed the indicative Master Plan and believes that there would be sufficient flexibility within the overall site, given the outline nature and level of development proposed, for a satisfactory living environment to be achievable; subject to being appropriately controlled by condition in accordance with PPG advice as suggested below:

The development shall be designed by a competent person to minimise exposure to environmental noise following the hierarchy of noise control set out below:

- a) Reducing environmental noise levels and/or relocating noise sources.
- b) Planning the site and building layout to protect habitable rooms and amenity spaces.
- c) Consider the orientation of the proposed building(s).

Where option a) is discounted because the location of the noise source cannot be altered the reserved matters application shall demonstrate that (b) has been properly considered. In the event that a reserved matters application for a residential parcel relies on (c), the application shall be accompanied by evidence of alternative layouts and reasons why these were discounted. Any scheme shall minimise the need for reliance upon closed windows to achieve the internal noise standards for habitable rooms as given in BS8233:2014.”

5.9 In light of this clarification from the EHO, and Government advice, Members are advised that it would not be appropriate to pursue the original ground of refusal as the potential issue of noise disturbance to future residents can be appropriately and adequately controlled through a condition which could be attached to any approval. Planning permission should not be refused where issues can be satisfactorily controlled by the imposition of conditions.

6. RECOMMENDATIONS

6.1 To authorise Officers to [1] defend an additional in principle objection and update other policies referred to in the grounds of refusal and [2] withdraw refusal ground 05 in respect of the appeal of DC/14/1695, as follows:

[02] The proposed development would, by reason of its location outside of, and isolated from, the Built Up Area Boundary of a medium sized village, on a site not allocated for development within the Horsham District Planning Framework, or in an adopted Neighbourhood Development Plan, and on a site with poor transport links and a high dependency on the private motor vehicle for travel, on a site that does not constitute Previously Developed Land, represents an inappropriate, unsustainable and unacceptable form of development. The proposed development would therefore be inconsistent with the overarching strategy for development set out within the Horsham District Planning Framework. The proposed development is therefore contrary to Policies 1, 2, 3, 4, 26 and 15 of the Horsham District Planning Framework (2015) and to the National Planning Policy Framework (2012).

- [03] *The provision of housing in this location, at the scale proposed, would introduce an uncharacteristically concentrated and isolated enclave of housing, at odds with the established pattern of development in the immediate locality. The introduction of up to 40 no. houses, at a scale up to 12 metres in height, and with the associated provision of access roads, lighting and all other associated residential paraphernalia, would significantly diminish the informal and open character of this particular part of the landscape, creating a discordant and uncharacteristically urbanised environment that would serve to derogate the noticeable transition between the more suburban context of the village and the more rural character of the open countryside to the north, harming the character and appearance of the local landscape. The development is not, therefore, sustainable, even when weighed against the economic benefit and social benefits of providing housing, contrary to Paragraphs 14 and 17 of the NPPF and Policies 25, 26 and 32 of the Horsham District Planning Framework (2015).*
- [04] *The provision of up to 40 no. dwellings, at up to 12 metres in height, together with associated residential paraphernalia, in such close proximity to the Listed Building, and within the parkland serving that property, would affect the significance of the heritage asset by harmfully altering the character and appearance of its setting and the appreciation of the sense of rural isolation. The development would harmfully affect the historic relationship between the southern elevation of Ashington House, including views from the first floor windows, and the setting and appreciation of the open parkscape, including the historic association of the Listed Building with its farmstead buildings of Oast House, Oast House Barn and Oast Cottage, as well as the Grade II Listed, Yew Tree Cottage. The development is not, therefore, sustainable, even when weighed against the economic benefit and social benefits of providing housing and has not had special regard to the desirability of preserving the setting of Listed Buildings, contrary to Paragraphs 17, 65, 126, 128, 129 and 132 of the NPPF and Policy 34 of the Horsham District Planning Framework (2015).*
- [05] *WITHDRAWN*
- [06] *The proposed development makes no provision for contributions towards improvements to education provision; libraries; fire and rescue services; open space; sport and recreation facilities; community facilities; or affordable housing and is, therefore, contrary to Paragraphs 173, 174, 176 and 177 of the NPPF, Policies 16, 39 and 43 of the Horsham District Planning Framework (2015) and the Horsham District Local Development Framework: Planning Obligations Supplementary Planning Document (SPD) as it has not been demonstrated how the infrastructure needs of the development would be met.*

PREVIOUS REPORT

TO: Development Management Committee
BY: Development Manager
DATE: 21 July 2015

DEVELOPMENT: Outline planning application for the erection of up to 40 no. dwellings (Class C3) and new access off London Road with all other matters reserved

SITE: Land South of Ashington House London Road Ashington West Sussex

WARD: Chanctonbury

APPLICATION: DC/14/1695

APPLICANT: Kler Group

REASON FOR INCLUSION ON THE AGENDA: This is a Major application.

RECOMMENDATION: To refuse the application.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This is an Outline application for the erection of up to 40 no. dwellings (Class C3). Approval is sought for means of Access only. Details of the Appearance, Layout, Scale and Landscaping have not been submitted for consideration and are Reserved Matters.

1.3 It is proposed to create a single point of vehicular access. The proposed access would be sited towards the south-eastern corner of the application site and would be taken from London Road, an unclassified road subject, in part, to a 30 mile per hour (mph) speed restriction. As part of the development, it is proposed to extend the existing 30mph speed restriction in a northerly direction, beyond the proposed site access. The applicant proposes to secure the amendment through a Traffic Regulation Order.

1.4 The proposed access would require the removal of an approximately 10 metre length of the existing, tree-lined hedgerow on the north-western side of London Road, necessitating the felling of 1 no. Ash tree and 1 no. Oak tree. An additional Ash tree would be removed in order to provide a pedestrian access into the site. The trees are classified as Category C specimens within the submitted Arboricultural Report.

1.5 The proposed access would have a bell-mouth design with a 6 metre radii. It would be sited 85 metres to the north of the vehicular access to the neighbouring property, Martins Farm,

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and approximately 200 metres from the five-arm roundabout to the south/south-west of the application site. The proposed access, which has been the subject of a Stage 1 Safety Audit, would provide a visibility splay of 73 x 125 metres.

- 1.6 It is proposed to improve local pedestrian facilities by extending the existing footway on the northern side of the A24/B2133 (Billingshurst Road/London Road roundabout) to create a continuous and direct connection between the application site, the adjacent local bus stops and the local amenities available in the village of Ashington. The works would include improvements to existing dropped kerbs, pedestrian crossings and tactile paving stones, which would be refurbished and replaced, as required. The applicant has confirmed a willingness to secure the funding for such works through a suitably worded legal agreement.
- 1.7 Whilst details of the Appearance, Layout, Scale and Landscaping are Reserved Matters, the application is supported by illustrative plans showing an indicative layout for the development. The plans show that the proposed dwellings could be arranged as detached and semi-detached dwellings, together with larger apartments blocks. The plans show that parking could be provided on private driveways, within single and double garages and within courtyard parking areas. Whilst the exact quantum of parking is not specified, the applicant has indicated that it would be intended to provide each property with at least 2 no. car parking spaces.
- 1.8 The indicative plans show 3 no. detached dwellings towards the south-western boundary, the rear elevations of which are shown to be approximately 20 metres from the opposing northern elevation of Martin's Farm. Under the originally submitted indicative plans, these properties were shown as two storey dwellings. Amended plans have been submitted, however, to show these properties as bungalows.
- 1.9 The indicative drawings also show a row of dwellings and apartments sited towards the south-eastern boundary, fronting on to London Road. The plans show that the front and rear elevations of these properties would be sited approximately 15 – 20 metres from the back edge of the highway. The indicative plans show a concentration of dwellings within the centre of the site, with a further 'close' created in the north-western corner, near the application boundaries. The siting of these dwellings has been amended, to move the properties further away from the northern boundary, in an attempt to reduce the impact of the development on the setting of Ashington House. The indicative plans also show that the dwellings would be bungalows, as opposed to two storey dwellings, as was originally proposed. The amended plans also replace 2 no. further dwellings within the development with bungalows.
- 1.10 In order to facilitate the above changes, the overall number of proposed units has been reduced by 3 no. from 43 no. to 40 no. The reduction has been achieved by removing 3 no. dwellings from the north-western corner of the site. The exact mix of dwellings has not been specified, but the applicant has indicated that it would be anticipated to provide a mix of one to five bedroom units. The applicant has indicated that 40% of the proposed dwellings would be made available on the affordable housing market. No indication has been provided of the mix or type of tenure.
- 1.11 The plans in the Design and Access Statement indicate that the proposed buildings would have a maximum height parameter of 12 metres. Garages would be built to a maximum height of 4 metres. Whilst Appearance is a Reserved Matter, the applicant has indicated that the proposed development would be built using a varied palette of materials (including flint, hanging tiles, timber cladding and render), selected to reflect the existing local vernacular. Buildings terminating key views within the site would utilise a different palette of materials in an attempt to create more distinctive 'landmarks' within the development and it

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is indicated that dwellings occupying corner plots would be designed to provide a dual-aspect, so as to provide active street frontages.

- 1.12 The indicative layout shows that a variety of hard surfacing materials would be used, with the intention of creating a hierarchy of streets. Primary routes would be surfaced in tarmacadam with secondary accesses surfaced using paving.
- 1.13 The indicative plans show 2 no. areas of public open space, providing an overall area of approximately 0.63 hectares. This was increased from 0.54 hectares following the revisions to the indicative layout and reduction in the overall quantum of development proposed. The southernmost open space is shown to include a pumping station. The indicative drawings show the open spaces would be landscaped with amenity grasses, wildflower meadows and complemented by shrubs and tree planting. No provision is shown for play equipment.
- 1.14 The indicative layout shows enhanced areas of landscaping on the northern, western and eastern boundaries, as well as additional tree planting adjacent to the northern boundary, but located outside of the application site. The indicative drawings show the entire length of the northern boundary to comprise a 1.2 metre high post and rail fencing and that this would separate the application site from the retained, parkland garden of Ashington House, to the north.

DESCRIPTION OF THE SITE

- 1.15 The application site has an area of 1.96 hectares and is located to the north-east of the village of Ashington, a Category 2 Settlement, as defined within Policy CP5 of the Horsham District Council Core Strategy (2007). The site is located outside of, and does not have a contiguous boundary with, the Built Up Area of Ashington. It is located within Flood Zone 1, as defined by the Environment Agency. The Chanctonbury Hill Site of Special Scientific Interest (SSSI) and South Down National Park are located approximately 3.6km and 3.3km to the south of the application site respectively.
- 1.16 Ashington is categorised as a Medium size village in the Preliminary Results of the Horsham District Council Settlement Sustainability Study. It is identified as having poor public transport provision and a high reliance on the private motor vehicle for travel. The village contains a shop, post office, pub, restaurant, hairdressers and a recreation ground/sports pitches. The nearest Primary School is Ashington First Church of England School, which is located 1.2km from the application site. Rydon Community College is located approximately 5.4km from the application site. 2 no. Doctor's surgeries are available in Storrington, approximately 5.2km from the application site.
- 1.17 The Rectory Lane Bus Stop, which is located on London Road, approximately 440 metres from the application site, provides services to neighbouring towns and villages, including Horsham, Storrington and Pulborough, as well hourly services to the larger conurbations of Worthing and Crawley (via the No. 23 service).
- 1.18 The historic core of Ashington village is located south of the application site, where it has developed either side of London Road, creating a settlement of linear character. There are, however, examples of a number of more recent infill developments, including at Blacksmiths Close, Chanctonbury, Posthorses, Turnpike Way and Cricketers Close. A greater concentration of dwellings is evident on the western side of the village, where there is a more irregular pattern of development.
- 1.19 The application site itself is located on the north-western side of London Road, to the west of the A24. Prior to the dualling of the A24, London Road formed a principal route between Ashington and Horsham. The road has since been declassified and now comprises a single

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carriageway, no-through-road, terminating approximately 800 metres to the north/north-east of the application site.

- 1.20 The site has a largely rectangular in shape, but with longer northern and south-eastern boundaries. The land is generally flat at its southern end, but with an increase in gradient towards to the northern boundary. The adjacent landform has a flat to gently sloping profile, with small-medium scale fields. The site includes a number of well-established trees and hedgerows. The south-eastern boundary of the site comprises a dense, well established hedge, which itself includes a number of trees of varying maturity.
- 1.21 The land forms part of the estate of Ashington House (formerly known as Holmbush House), a Grade II Listed Building. Ashington House is a two storey, stuccoed villa occupying an elevated position where the land rises. The property includes ground and first floor windows in its southern elevation, facing towards the application site. The property was built in circa 1830 and, as was common of country houses in this period, it is set within a parkland setting. The application site is located within the southern extent of this parkland, which currently comprises an area of open grassland.
- 1.22 Previously, the estate of Ashington House included a larger holding, which extended further south, beyond the application site, to encompass Martins Farm (the northern boundary of which forms a shared boundary with the application site) and west to include the land associated with Yew Tree Cottage, Foxes and the former Holmbush Farm, with its associated buildings.
- 1.23 Holmbush Farmhouse is Grade II Listed, as are the associated Oasthouse and barn. Yew Tree Cottage, which is located approximately 70 metres to the west of the application site, is also Grade II Listed. It is estimated that this two storey, stuccoed property dates back to the seventeenth century. The property contains 2 no. first floor windows in its north eastern elevation, facing towards the application site.
- 1.24 At a National level, the site is located within Natural England's National Character Area 121: Low Weald, which is characterised as comprising a 'predominantly pastoral and wooded landscape, that is still largely rural and relatively tranquil outside main urban centres. At a County level, the site is located within Landscape Character Area L5: Low South Weald, which reinforces the sentiment of the National character designation. At a local level, the site is identified in the Horsham District Landscape Character Assessment (2003) as being located within Landscape Area J2: Broadford Bridge to Billingshurst Farmlands.
- 1.25 The site is also located with Landscape Study Area AS4 of the Horsham District Landscape Capacity Assessment (2014). In accordance with this document, the land is identified as having Moderate Landscape Sensitivity and Low Landscape Value. The Assessment notes that, 'as the land rises to the north, towards Holmbush House, development would be more visually sensitive'.
- 1.26 There are a number of Public Rights of Way (PROW) within the locality, the closest of which is a bridleway, located approximately 380 metres to the north of the application site and accessed from London Road (PROW 2499). PROW 2502/1 and PROW 2503 are located to the east of the application and on the opposite side of the A24.
- 1.27 The application is supported by an Arboricultural Report, Bat Tree Report, Dormouse Mitigation Strategy, Reptile Survey, Newt Survey, Ecological Survey, Habitat Suitability Assessment, Drainage Strategy, Flood Risk Assessment, Heritage Statement, Landscape and Visual Impact Assessment, Phase 1 Desk Study, Transport Statement, Travel Plan and Site Waste Management Plan.

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- 1.28 In November 2014, planning permission reference DC/14/1420 granted consent for the erection of a petrol filling station and ancillary shop, five pump islands, automatic car wash and associated service facilities, together with a restaurant with drive-thru facilities and associated treatment plant, to the east/south-east of the application site, on a triangular area of land between the A24 and London Road. The approved plans show that the vehicular access to the development would be taken from London Road, to the south east of the application site. The planning permission is extant, but development has not commenced.
- 1.29 In April 2015, the Local Planning Authority refused to grant Outline planning permission (DC/14/1944) for the erection of up to 4 no. dwellings on an area of land south of the application site. The application was refused on the grounds that; the application failed to satisfactorily demonstrate that the development would meet identified local requirements for housing, including affordable housing, the retention or enhancement of community facilities or how the development would avoid reinforcing unsustainable travel patterns; the development, by reason of the proposed housing mix, would fail to provide an appropriate level of smaller homes to fulfil the needs of the District's population, thereby representing an unsustainable form of development and; the development did not relate sympathetically in siting or form with the existing built and natural environment of the locality and its semi-rural character, whilst also harming the special architectural and historic character and appearance of the Yew Tree Cottage (Grade II Listed) and its setting.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

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

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

RELEVANT COUNCIL POLICY

- 2.3 Local Development Framework: Core Strategy (2007)

- Policy CP1: Landscape and Townscape Character
- Policy CP2: Environmental Quality
- Policy CP3: Improving the Quality of New Development
- Policy CP5: Built-Up Areas and Previously Developed Land
- Policy CP12: Meeting Housing Need
- Policy CP13: Infrastructure Requirements

- 2.4 Local Development Framework: General Development Control Policies (2007)
- Policy DC1: Countryside Protection and Enhancement
 - Policy DC2: Landscape Enhancement
 - Policy DC3: Settlement Coalescence
 - Policy DC5: Biodiversity and Geology
 - Policy DC6: Woodland and Trees
 - Policy DC7: Flooding
 - Policy DC8: Renewable Energy and Climate Change
 - Policy DC9 Development Principles
 - Policy DC10: Archaeological Sites and Ancient Monuments
 - Policy DC13: Listed Buildings
 - Policy DC18: Smaller Homes/Housing Mix
 - Policy DC22: New Open Space, Sport and Recreation
 - Policy DC40: Transport and Access
- 2.5 It should be noted that, in recent appeal decisions in the District at Storrington (Ref: APP/Z3825/A/14/2215437) and Broadbridge Heath (Ref: APP/Z/3825/A/14/2224668), the Planning Inspector concluded that Policy DC13 is inconsistent with the National Planning Policy Framework in so far that it does not admit weight to the positive benefits of a scheme in the balancing exercise, as required by the National Planning Policy Framework.
- 2.6 Local Development Framework: Supplementary Planning Documents (SPDs)
- Facilitating Appropriate Development (FAD) (2009)
 - Planning Obligations (2007)
- 2.7 The emerging Horsham District Planning Framework (HDPF) was approved by Council on 30th April 2014 as the Council's policy for planning the future of the District for the period 2011-2031. Following a six week period of representations, the plan was submitted to the Government on 8th August 2014 for independent Examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Examination of the HDPF was undertaken by an independent Planning Inspector in November 2014, and the Inspector published his Initial Findings on 19th December 2014. The Inspector considers the overall strategy of the plan to be sound as is made clear in paragraph 4 of his Initial Findings:
- 2.8 *'On balance, I consider the overall strategy to concentrate growth in the main settlements in the hierarchy, starting with Horsham as a first order centre, followed by Southwater and Billingshurst, to be sound. The proposal for some development in villages, in accordance with Neighbourhood Plans (NP), is also justified and accords with government policy in the National Planning Policy Framework (NPPF). As will be explained in some more depth in my final report, the alternative strategy of greater dispersal to smaller settlements would be likely to lead to a less sustainable pattern of development with regard to transport patterns related to provision of employment opportunities, retail facilities and social and community services.'*
- 2.9 The Inspector has suspended the Examination of the HDPF until June 2015 to allow time for the Council to show how the annual housing provision can be increased to provide for a minimum of 750 dwellings per annum (15,000 over the plan period). It is important to note that the inquiry will re-open to consider only the issues outlined in the Initial Findings. The Council has consulted on the Proposed Modifications to this document with the representation period having ended on the 5th May 2015. The Inspector has decided to resume hearings to discuss some of the issues raised during consultation on 3rd July 2015. Given the Inspector's findings the emerging plan is therefore a material consideration of

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considerable weight in terms of the overall strategy. The following policies are considered to be relevant;

- 1 – Sustainable Development
- 2 - Strategic Policy
- 3 – Development Hierarchy
- 4 – Settlement Expansion
- 15 – Meeting Housing Need
- 23 – Environmental Protection
- 30 – Green Infrastructure and Biodiversity
- 32 – The Quality of New Development
- 33 – Cultural and Heritage Assets
- 34 – Climate Change
- 36 – Sustainable Construction
- 37 – Flooding
- 38 – Infrastructure Provision
- 39 – Sustainable Transport
- 40 – Parking
- 42 – Community Facilities, Leisure and Recreation

RELEVANT PLANNING HISTORY

2.10	DC/14/1420	Development to the south of the application site relating to the erection of a new service area, including a petrol filling station, ancillary shop and associated facilities.	PER
	DC/14/1944	Outline application to the south of the application site for the construction of up to four dwellings	REF

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Strategic Planning** (summary)

- The application site is located outside of the Built Up Area of Ashington.
- There is a Strategic Planning objection to the principle of the proposed development, which would be contrary to Policy CP5 of the Core Strategy and DC1 of the General Development Control Policies. The site is unrelated to the Built Up Area Boundary and is considered to represent an unsustainable location, contrary to the objectives of the Facilitating Appropriate Development Supplementary Planning Document.
- New development should be focused to Built Up Areas, in sustainable locations. The Council should not encourage isolated, sporadic residential development in rural and unsustainable locations. In this regard, weight should be afforded to the Inspector's Initial Findings, which found the Council's proposals to concentrate new growth to the main settlements to be sound.

3.3 **HDC Drainage Team** (summary)

- No objection to the drainage strategy proposed.
- If permitted, Ordinary Watercourse Consent would be required based on the submitted Drainage Strategy Plan.

3.4 **HDC Housing Services Manager** (summary)

- Any reduction in affordable housing provision would need to be justified through the submission of a viability appraisal, which would be independently assessed.
- The development would need to provide either 62.5% rented and 37.5% shared ownership (in line with current policy requirements), or 70% rented and 30% shared ownership, as outlined in the emerging Horsham District Planning framework.

3.5 **HDC Arboricultural Officer** (summary)

- No objection. The trees to be removed are Category C specimens.

3.6 **HDC Environmental Health Officer** (summary)

- Objection. Concern raised regarding the exposure of first floor bedrooms on the eastern boundary to the A24, as these could not be effectively protected by a noise barrier.
- The amenity area to the south is likely to be above the WHO recommended noise levels as quoted in BS8233:2014. The position of the access road may limit the effectiveness of any noise barrier at this point.

3.7 **HDC Landscape Consultant** (summary)

- The rising landform and parkland character of the site forms part of the setting to Ashington House, a Grade II Listed Building, set on the crest of the rising landform a short way to the north of the site. The house is visible from certain parts of the application site.
- Concern is raised regarding the height of the proposed dwellings.
- Clarity is needed regarding the ownership and future management of vegetated boundaries.
- The illustrative layout has not been fully informed by the Arboricultural Survey which excludes any information on Root Protection Areas.
- The proposed northern site boundary has no landscape or visual rationale and its proposed landscape treatment is inadequate.
- The layout does not respond well to the topography of the land with the development spread across the face of the rising ground and extending to the north western and north eastern corners where the boundary is arbitrary and open. The rather rigid road geometry conflicts with the sweeping, rounded nature of the landform.
- The illustrative layout is rather unsympathetic to the adjacent residential properties to the south and west.
- The provision of the new access could be locally damaging to the local vegetation.
- Despite the contained nature of the site, the proposal cannot be supported based on the arbitrary northern boundary. Even if this fundamental objection is set aside, together with its location divorced from the settlement edge, the layout, whilst for illustrative purposes only, falls a long way short of demonstrating, unequivocally, that the site could be sensitively and appropriately laid out. The current proposal cannot be supported on landscape and visual grounds.
- The revisions to the layout, overall quantum of development and introduction of bungalows do not overcome the landscape concerns.

3.8 **HDC Heritage Consultant** (summary)

- The application should be refused on the grounds that the proposed development would have a harmful and detrimental impact on the rural and historic parkscape of the site which forms part of, and would detract from, the setting of heritage assets, individually and cumulatively, having a permanent, irreversible impact.
- The proposal would result in the unwarranted and unjustified encroachment of suburban development in to the rural scene.
- The proposal has failed to properly assess the role of the application site and its contribution to the significance of the heritage assets. There is an over reliance on there being limited views of the site and Ashington House due to trees and landscaping, or views not being achievable. There is also an over reliance on the introduction of additional planting to provide mitigation to the introduction of suburban development, housing, roads, garaging and other domestic paraphernalia associated with up to 43 no. units (now reduced to 40 no.) up to 2.5 stories high.
- There will be a clear change to the character of the site and parkland of Ashington House. This will be inevitable with the introduction of any development on the site. It would have the effect of suburbanising a green parkland. The areas of open space would not compensate for the loss of openness and the parkland character of the site. It would not compensate for the negative intrusion of suburban development into the setting of Ashington House – immediate and wider, including its former farmstead and that of Yew Tree Cottage.
- The proposed residential development of the site will detract from the character and appearance of the predominately rural area and the setting of Listed Buildings individually and cumulatively. Once development is introduced, it would have a harmful and permanent effect on the significance of the heritage assets and the role that setting plays in contributing to that significance. The harm that would arise would conflict with Development Management Policies DC1, DC9 and DC13. Although this would be categorised as 'less than substantial', as set out in the NPPF, any harm must be given significant consideration and important weight, even in cases where the proposal would not be in direct view of the heritage assets concerned.
- The introduction of bungalows, reduction in quantum by 3 no. units and amendments to the indicative layout do not address the concerns.

OUTSIDE AGENCIES

3.9 **WSCC Ecology** (summary)

- No objection, subject to conditions requiring the submission of a Construction Management Plan incorporating the mitigation recommendations set out in the Dormouse Strategy Report, Reptile Survey Report and Bat Tree Assessment with any Reserved Matters application. Conditions should also be used to require the submission and approval of lighting plans, including measures to be used to avoid illumination of trees with bat roost potential and boundary features designed to avoid disturbance to dormice.
- The Drainage Strategy accompanying any Reserved Matters application must include measures to protect adjacent ponds from contaminated water run-off, or evidence that this will be avoided by the finalised drainage strategy.
- Conditions should be included requiring the submission of measures designed to enhance the habitat value of the site and the adjacent proposed reptile receptor site, together with a management plan to ensure the long term viability of habitats within the site and within the proposed reptile receptor site.

3.10 **WSSC Archaeology** (summary)

- It is possible that buried archaeological features of late prehistoric date may be present within the application area: the local topography of the site (local higher ground at the end of a low ridge) is comparable to that of a recorded Late Bronze Age Settlement, 350 metres to the south.
- There is no objection, however, subject to the use of a suitably worded condition to ensure that archaeological investigation is undertaken, in order to ensure that buried archaeological features, where present, will be adequately recorded.

3.11 **WSSC Highways** (summary)

- No objection.
- The proposed access has been reviewed by way of a Stage One Road Safety Audit, in accordance with West Sussex Country Council policy. The Audit raises one issue, relating to visibility for pedestrians when crossing within the development. It is, however, considered that such matters could be addressed through the Reserved Matters application.
- From on-site observations, traffic speeds and flows along this section of London Road are very low. In light of this, the proposed sight lines and visibility splays are acceptable and comply with Manual for Streets.
- An obligation should be included within the Section 106 requiring the applicant to fund and promote the proposed extension of the 30mph speed restriction.
- An obligation should also be included within a Section 106 to secure the works to extend the pedestrian footway and to require that this work is completed prior to the first occupation of the dwellings.
- Based on the original submission for 43 no. dwellings, it is estimated that the proposed development would generate 26 no. two way movements in the morning peak period (0800-0900) and 31 no. two way movements in the evening peak period (1700-1800). Based on these figures, it is not considered that the development would give rise to any harmful impacts on highway capacity.
- The application site is located within 2km of Ashington village, which is considered suitable walking distance in accordance with Manual for Streets. Traffic conditions within Ashington would not preclude cycling as an alternative to walking. Beyond the village, roads become more rural in nature. Whilst some of these are not necessarily unsuitable for cyclists, there are few destinations within the 5km cycling threshold.
- Ashington benefits from an hourly bus service towards Worthing and Horsham/Crawley. The frequency would not make travel by bus a viable option for all trip purposes.
- Residents would, inevitably, be dependent upon the private car for some journeys. For example, the journey to work data extracted from the Census indicates that 79% of the people living in Ashington travel to work by private motor car. It is, however, noted that other modes of travel are also used and that the applicant would promote sustainable transport options to residents through its commitment to provide a travel plan statement. In summary, it is acknowledged that the rural location limits options. However, it is still considered that residents would have a choice for some trips.
- In conclusion, it is not considered that the development would generate any highway safety or capacity issues that could be classed as severe, as termed in the NPPF. As such, no highway objection is raised.

3.12 **Southern Water** (summary)

- There is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development.

Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested.

- Initial investigations indicate that there are no public surface water sewers in the area to serve the development. Alternative means of draining surface water from the development are required. The applicant's proposed means of surface water drainage for the site is via an existing watercourse. The Council's technical staff and the relevant authority for land drainage would need to comment on the adequacy of these proposals.

3.13 **Environment Agency**

- No objection.
- The site is located in Flood Zone 1, defined by the NPPF as having a low probability of flooding.

3.14 **WSCC Flood Risk Management**

- No objection, subject to conditions controlling the final design of the surface water drainage scheme.

PUBLIC CONSULTATIONS

3.15 **Ashington Parish Council** objects to the proposal for the following reasons (summary):

- Horsham District Council's SHLAA and the Parish Council has already identified more suitable sites for residential development.
- There are already a number of residential developments being proposed or considered in Ashington, which are within, or adjacent to, the Built Up Area Boundary. The proposed development of greenfield land is, therefore, undesirable.
- The development would harm the setting of Grade II Listed Buildings.
- The benefit of providing new homes does not outweigh the harm caused to the setting of Listed Buildings, particularly when there are more suitable sites that could be built on.
- The northern end of Ashington has remained free from modern development and is characterised by the dominant Grade II Listed Ashington House and associated parkland and rural estate cottages. A modern development would completely ruin the setting of the five Listed Buildings surrounding the site as well as other properties (which may not be Listed, but are nevertheless old, rural, traditional farm buildings associated with the Holmbush Estate).
- The area will completely change from one of a rural country estate and farm setting to dominant, modern, red brick buildings.
- The Parish Council does not support the proposed 'northern expansion' of Ashington. Development should be kept around the centre of the village, thus keeping its circular/oval shape.
- The provision of modern housing would ruin the parkland setting of Ashington House, irrespective of any existing foliage on the site.
- The proposed development would have a harmful impact on Martins Farm, including its cart shed, which is over 200 years old. Providing hedges will only screen the proposed development from Martins Farm during certain months. Martins Farm is a rural property – this would not be the case if the application is permitted.
- The proposed homes would not be set back from the site boundaries as stated in the application. Modern sized gardens are all that separate the new homes from the boundaries.
- The grounds of Holmbush House were used as an army camp and hospital field in the 1940s. The grounds of the house have a high historical value and should be preserved.
- It is concerning that future residents of the proposed homes will inevitably suffer from noise issues. It is well documented that Ashington has been requesting that WSCC install noise

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reducing tarmac on the A24 because noise in the village is a community nuisance. New residential development next to the A24 should not be permitted.

- The applicant was advised, through pre-application discussions, that the site was unsuitable for residential development.
- The applicant sent a questionnaire to 989 residents in the village and received a 19% response rate. 60.1% of responses disagreed with the need for new housing in Ashington; 67.6% disagreed that new housing would help underpin local services and improve the sense of community in Ashington; 62.8% did not support the proposal. This is a clear indication that the proposal is not supported locally.
- The proposed foul water pumping station is still located too close to Martin's Farm and could prove a nuisance.
- Whilst it is noted that infrastructure improvements for schools and healthcare will be provided, if necessary, local schools and healthcare services are under extreme pressure locally and cash payments will not solve short term problems. There is currently only one spare space at Ashington CE School across all six year groups.
- It is concerning that the only meaningful 'community benefit' is the provision of 0.54ha of public open space. It is highly unlikely that residents of Ashington will use this open space as it is separated from the main part of the village by the busy Billingshurst Road roundabout. Pedestrian crossings at the roundabout are extremely dangerous (and will be made worse if the petrol filling station is built – DC/14/1420). In addition, the Noise Survey indicates that it would be an extremely noisy open space and, therefore, unattractive to use.
- The Parish Council would expect at least 40% affordable homes to be provided and a requirement that these are, as a priority, made available to those people with strong local connection to Ashington.
- The Transport Statement makes incorrect references to works to the road associated with the provision of the approved petrol filling station.

3.16 12 no. of letters of objection have been received from 6 no. different residential addresses. The letters raise the following issues;

- The Statements submitted in support of the application fail to properly or accurately assess the impact of the development on the landscape setting and the setting of Listed Buildings;
- Approving this proposal may lead to further development to the north of the application site;
- Ashington is a Category 2 Settlement;
- The proposed development is located outside of the Built Up Area Boundary;
- There are more suitable areas for housing;
- The development will be of no benefit to Ashington;
- The proposal represents an overdevelopment;
- The development would have a harmful impact on the semi-rural character of the area;
- The development, being on a slope, would be overbearing on the village;
- The local primary school does not have any spare capacity;
- The local amenities in the village are inadequate to serve the occupiers of the additional dwellings;
- The development would have a harmful impact on adjacent Listed Buildings;
- The development would be located within the parkland setting of Ashington House, a Grade II Listed Building;
- Concerns about light pollution from any new street lighting and its impact on the bat population;
- There may be dormice on the site;
- Deer and other wildlife use the site;
- Concern about noise and disturbance associated with the use of rear gardens;
- The development would not be 'connected' to the village;
- The development would result in overlooking of existing residential properties;
- The development would result in additional traffic on the already busy Billingshurst Road;

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- The development will result in additional traffic driving through the village, resulting in additional noise and pollution;
- Questions whether the drainage/sewerage system is capable of accommodating the additional demand associated with the proposed development;
- The development will result in increased instances of flooding;

3.17 2 no. further letter of objection and attachments (from the same address) have been received in response to the submission of the amended plans and Addendum to the Design and Access Statement, raising the following issues;

- The Addendum contains erroneous references to the extent of views afforded from Yew Tree Cottage and the extent of the planting on the boundary of this property;
- The provision of additional boundary planting will not prevent views of the proposed development being available from Yew Tree Cottage;
- Concerns raised regarding noise and pollution associated with the use of the internal roads/accesses;
- Reiterating concerns regarding the impact of the development on Ashington House and its associated parkland.

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

Principle of Development

6.1 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should contribute to building strong, responsive and competitive economies; vibrant and healthy communities that meet the needs of present and future generations; high quality built environments, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; protect and enhance the natural, built and historic environment and; improve biodiversity, using natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change.

6.2 In accordance with the above objectives, the main issues for the Local Planning Authority to consider in the determination of this application for Outline planning permission are the acceptability of the principle of the proposed development in land use terms, having due regard to identified housing need in the District; the impact on the character and visual amenity of the landscape and locality; the impact of the development on the special architectural and historic character and appearance of adjacent Listed Buildings, and their setting; the impact on the amenity of neighbouring occupiers; whether safe vehicular and pedestrian access can be provided to the site; the impact of the proposal on traffic conditions in the locality; whether appropriate provision can be made for car and cycle parking, refuse storage/collection and; whether the development can be delivered without

harming the interests of archaeology, nature conservation, flooding and land contamination.

- 6.3 The NPPF prescribes that there is a presumption in favour of sustainable development and that this should form the basis of all planning decisions. Wherever possible, development proposals that comply with the Policy objectives of the NPPF should, therefore, be approved, without unnecessary delay. The NPPF goes on to clarify that, where the development plan is silent, or relevant Policies are out of date, permission should be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or Policies of the NPPF indicate otherwise.
- 6.4 The Council's most recent Annual Monitoring Report (December 2014) indicates that the Authority currently has a five year housing land supply of 65.7%, which represents a shortfall in housing land supply across the District. In the absence of a demonstrable five year housing land supply, Paragraph 49 of the NPPF states that relevant policies for the supply of housing should be considered out of date and development proposals should be considered in accordance with the presumption in favour of sustainable development, as set out in Paragraph 14 of the NPPF.
- 6.5 In light of the identified shortfall in housing supply in the District, the Council adopted the Facilitating Appropriate Development (FAD) Supplementary Planning Document (SPD), which allows for flexibility in the location of development, in order to facilitate an increased provision of housing and the expansion of settlements in a sustainable way during the life of the Core Strategy. The FAD SPD sets out specific criteria against which applications for development on brownfield and greenfield sites which adjoin defined settlement boundaries in the District must be considered. It contains a number of criteria with which a development must comply in order for a proposal to be considered 'appropriate'. The FAD SPD allows for some limited development in locations that adjoin Built Up Areas, where certain criteria are met, including where the developments are related to an identified local need, do not result in a coalescence of settlements, protect landscape and townscape character, complement the existing character of a settlement, protect biodiversity and existing natural features, and in instances where the development is both sustainable and deliverable. Recent appeal decisions in the District have concluded that appropriate weight may continue to be given to the approaches and criteria outlined in the FAD SPD. Indeed, when considering the recent appeal at land to the east of Littleworth Lane in Partridge Green (Ref: APP/Z/3825/A/2219076), dated 12 May 2015, the Inspector concluded that; *'A degree of flexibility is required in applying the FAD, but overall it is consistent with the general thrust of the Framework, and so I ascribe it considerable weight to the principle of acceptability of housing development immediately outside of built up areas.'* Appeal decisions at Melton Drive (DC13/0752) and the Washington Workshops site (DC/10/1457) also support the strategy of the FAD SPD.
- 6.6 The Inspector drew a contrary conclusion to previous Inspectors, however, in the case of the Land to the North of Old Guildford Road, Broadbridge Heath appeal, affording very little weight to the Council's FAD SPD, existing policies and the emerging Horsham District Local Development Framework (Ref: APP/Z3825/A/14/2224668). In dismissing the weight that could be afforded to the FAD SPD, local plan policies and emerging Local Development Framework, therefore, the Inspector concluded that, in the absence of an up-to-date development plan, planning permission should be granted unless: any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the Framework indicate development should be restricted, in accordance with the presumption in favour sustainable development, as set out paragraphs 6, 7 and 14 of the NPPF. Officers consider this to be an isolated view and defer to the opinion of Inspectors as set out in paragraph 6.5.

- 6.7 In addition to its existing adopted Policies and FAD SPD, the Council has also prepared the Horsham District Planning Framework which, as described in Sections 2.7 – 2.9 of this report, has recently been the subject of Public Examination. Following the Public Examination, the Inspector's Initial Findings letter supported the Council's intended strategy to concentrate growth in the District's main settlements of Horsham, Southwater and Billingshurst, whilst noting that it might also be appropriate to locate some development in villages, where it would accord with an adopted Neighbourhood Plan. The Inspector concluded that an alternative strategy of a greater dispersal of development to smaller settlements would be likely to lead to a less sustainable pattern of development across the District. Whilst it is accepted that the Council cannot currently demonstrate a 5 year housing land supply, the Inspector's Initial Findings indicate that the emerging Horsham District Planning Framework is sound and that the proposed settlement hierarchy is the most sustainable approach to delivering housing. The Inspector concluded that it is reasonable to seek to focus development in Category 1 Settlements and supported the contention that there should be limited new development elsewhere, and only where it accorded with adopted Neighbourhood Plans. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible, including through the re-use of previously-developed land (brownfield land). The Policy recognises that a balance needs to be struck between environmental constraints and fundamentally altering local character.
- 6.8 Taken in this context, it is noted that the application site is located outside of, and does not have a contiguous boundary with, the Built Up Area Boundary of Ashington, as defined in the Core Strategy. It does not, therefore, represent an appropriate form of development relative to the criteria set out in the FAD SPD. Furthermore, Ashington is a Category 2 settlement, where the provision of residential development, outside of the Built Up Area Boundary, would conflict with the hierarchical approach of concentrating development to the main settlements, as endorsed by the Planning Inspector at the recent Public Examination. The Preliminary Results of the Horsham District Council Settlement Sustainability Study, identifies Ashington village as having poor public transport provision and a high reliance on the private motor vehicle for travel. Census information indicates that 79% of existing residents in Ashington travel to work by car. The village itself only offers a small range of local services and facilities and the nearest train station is over 5km away in either Pulborough or Billingshurst, neither of which is, therefore, within convenient walking distance. The Rusper Road bus stop provides only hourly services to the larger towns of Horsham, Crawley and Worthing and, as such, it is unlikely that prospective occupiers can be reasonably expected to utilise this form of transport in order to travel to work. The application site does not constitute Previously Developed Land which, in accordance with the NPPF and Policy CP5 of the Core Strategy, is the preferred location for development. The site is, therefore, considered to represent an unsustainable and undesirable location for residential development.
- 6.9 To that effect, it is noted that the application site was considered as part of the Strategic Housing Land Availability Assessment (SHLAA Site 'SA443') and was identified as being undevelopable. In acknowledging that the site was unrelated to any Built Up Area, the SHLAA concluded that development of the land would 'consolidate an undesirable element of sporadic development in a rural location and unsustainable form of isolated housing development'. Whilst the SHLAA is a theoretical exercise, which is intended to inform the Council's housing allocations, it is noteworthy that an initial assessment of the site concluded that the principle of residential development in this location was inappropriate. Ashington does not have an adopted Neighbourhood Development Plan and the land, the subject of this application, has not, therefore, been identified by local residents as a site for potential development, in accordance with the objectives of the Localism Act 2011, contrary to the Council's approach set out in the emerging Planning Framework.

- 6.10 Whilst it is acknowledged that the Horsham District Planning Framework is not yet adopted (and, therefore, the Council cannot currently demonstrate a five year housing land supply), it is considered that the Inspector's acceptance of the overall soundness of the strategies outlined in the Framework is a material consideration in the determination of planning applications. For this reason, and taking all of the above matters into account, the principle of the proposed development, due to its location outside of, and isolated from, the Built Up Area Boundary of a Category 2 Settlement, where development is considered to be less sustainable, is considered unacceptable, contrary to the NPPF, Policy CP5 of the Core Strategy and the FAD SPD.
- 6.11 Notwithstanding the concerns raised in paragraphs 6.8 to 6.10 of this report, the single main issue to consider in the determination of this application for Outline consent is whether the proposed development amounts to sustainable development, bearing in mind that firstly (in light of the recent appeal decision), the relevant policies for the supply of housing may not be considered to be up-to-date and, secondly, the need to take account other relevant considerations, most particularly, the scheme's effects on;
- landscape character and the impact on the visual amenity of the locality;
 - the setting, and therefore, the significance, of Ashington House and other Grade II Listed Buildings.

Impact on landscape character and the visual amenity of the locality

- 6.12 The Horsham District Landscape Capacity Assessment (2014) categorises Area AS4 as having Moderate Landscape Capacity. It is important to recognise, however, that the study area incorporates the areas of land to the west of the application site, which includes the residential properties fronting Billingshurst Road, which present a different context to the more open, rural, landscape associated with the application site. Indeed, the Assessment recognises that the area varies in its visual sensitivity due to the variable hedgerow and tree belt enclosure. Importantly, the Assessment also acknowledges that, as the land rises to north towards Ashington House, development would be more visually sensitive and, in doing so, highlights that capacity would be lower on this specific area of rising ground (ie, at the application site). In recognition of such scenarios, the Landscape Capacity Assessment is explicit in its requirement to consider each proposal on its individual merits and notes that care must be taken when locating and designing any development within the landscape.
- 6.13 The application site is located within a semi-rural context and is distinctly separate, both physically and visually from the more suburban context of Ashington village. The provision of housing in this location, and particularly at the scale proposed, would introduce an uncharacteristically concentrated and isolated enclave of housing, at odds with the established pattern of development in the immediate locality, which is characterised by open parkland and a small number of irregularly dispersed, individual dwellings, set on large, informal plots. The introduction of up to 40 no. houses, at a scale up to 12 metres in height, and with the associated provision of access roads, hard surfaced parking areas, formalised boundary treatments, numerous parked vehicles and all other associated residential paraphernalia, would significantly diminish the informal and open character of this particular part of the landscape, creating an uncharacteristically urbanised environment that would, in turn, serve to derogate the noticeable transition between the more suburban context of the village and the more rural character of the open countryside to the north.
- 6.14 Whilst it is accepted that the views of the site are visually constrained by boundary vegetation, longer distance views are afforded from the South Downs and views are also visible, in part, from London Road and the A24, including from a footbridge to the south of the application site. Clearer views of the site would be available in winter months, when the deciduous trees on the site boundaries would have shed their leaves. The site occupies a

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location that is clearly distinct, both in terms of distance and character from the Built Up Area. The introduction of such a large concentration of housing would, therefore, create a discordant and unexpectedly suburban feature in the landscape, harming the character of the area.

- 6.15 Whilst the indicative layout shows that the development could be arranged so as to avoid siting dwellings centrally at the northern end of the site (where the increase in gradient is most noticeable), in order to accommodate the proposed quantum of development, it would, nevertheless, be necessary to locate dwellings towards the north western corner of the application site, where the land rises, towards Ashington House and where, in accordance with the Landscape Capacity Assessment (2014), development would be more visually sensitive. The amendments to the indicative layout and the deletion of 3 no. dwellings has not overcome this concern. The illustrative layout does not relate well to the topography of the land, disseminated across the full width of the site as it rises northwards. The indicative plans show the northern boundary to comprise a 1.2 metre high post and rail fence, sited in a straight line across the full extent of the site. The provision of such an arbitrary feature, across the full width of the northern boundary, would be entirely at odds with the informal, open, parkland setting of Ashington House, further harming the character of the area.
- 6.16 In light of the above, it is considered that the development would cause substantial harm to the character and appearance of the application site and surrounding area and would not be sympathetic to the local landscape.

Impact on the setting of Ashington House and other Grade II Listed Buildings

- 6.17 In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority must have special regard to the desirability of preserving Listed Buildings and their setting or any features of special architectural or historic interest which they possess.
- 6.18 The application site is located within the grounds of Ashington House and approximately 70 metres to the east of Yew Tree Cottage, both of which are Grade II Listed Buildings. The NPPF and NPPG recognise that 'heritage assets may be affected by direct physical change or by changes in their setting'. Guidance provided by Historic England (formerly English Heritage) expands on this position, explaining that the setting of a heritage asset includes the surroundings in which it can be experienced. In this regard, it must be noted that setting does not rely wholly on a visual relationship or inter-visibility. Rather, a range of other factors must be considered, including, but not exhaustive of, matters relating to topography, openness, enclosure, boundaries, functional relationships, and relationships with other heritage assets.
- 6.19 Whilst it is acknowledged that Ashington House has a more formalised garden area immediately adjacent to the property, the parkland to the south, laid out following the property's construction in the mid nineteenth century, is a fundamental component of its setting. In fact, parkland areas associated with country houses, were an integral part of the design of country estates, providing opportunities for recreation, socialising, relaxation and entertaining and it is within this context that the development must be considered.
- 6.20 In this regard, it is evident that the landscape at Ashington House, including its parkland garden to the south, has undergone very little by way of alteration since its original inception in the mid-late nineteenth century. It is acknowledged that a screen of vegetation has been allowed to grow between the application site and Ashington House and this, to a certain extent, creates a physical and visual break between the application site and the Listed Building. A reduced level of intervisibility between the site and the heritage asset should not, however, according the Historic England guidance, serve to extinguish the

positive contribution the application site makes to the wider setting and significance of the Listed Building, in this case Ashington House. Indeed, it is not uncommon for country houses to have areas of land that are distinct from the primary residence due to the topography of the site, or established vegetation and planting for instance. It is clear, through the study of historic maps and plans, that the parkland is inextricably linked to the Listed Building and is a core component of the significance of that asset, both in terms of factual ownership but also associations and functions. Taken in this context, it is considered that the parkland, including the land the subject of this application, represents an important component of the setting of Ashington House as a Grade II Listed Building and the impacts of the development on this setting must, therefore, be carefully considered.

- 6.21 Recent case law arising from the Court of Appeal's judgment in *Barnwell Manor Wind Energy Ltd v E Northants DC*, English Heritage, National Trust and SSCLG [2014] EWCA Civ 137 clarifies how a decision taker must address the issue of harm to the setting of a Listed Building. This decision closely follows that of the High Court in *North Norfolk DC v SSCLG & Mack* [2014] EWHC 279 (Admin), which concluded that, in accordance with Paragraph 134 of the NPPF, it is not permissible to carry out a simple balancing exercise, rather, it is necessary to determine 'whether there is justification for overriding the presumption in favour of preservation'. This emphasises that, in enacting Section 66(1) of the Listed Buildings Act, Parliament has intended that the desirability of preserving the settings of Listed Buildings should not simply be given careful consideration for the purpose of deciding whether there would be some harm, but should be given 'considerable importance and weight', when the decision taker carries out the balancing exercise, thus properly reflecting the statutory presumption in favour of preservation. This is the case whether the harm is 'substantial' (and thus engages Paragraph 133 of the NPPF) or is 'less than substantial' (thereby engaging Paragraph 134 of the NPPF). The judgment makes clear the point that 'less than substantial harm' to the setting of a Listed Building does not equate to a less than substantial objection to the grant of planning permission. It is within this context, therefore, that the Local Planning Authority is duty bound to consider the application.
- 6.22 It is acknowledged that an existing vegetative tree belt to the south of Ashington House would serve to screen (albeit only partially) the development proposals from the most private areas of the Grade II Listed property. Whilst historic plans would appear to show that there has always been an element of planting in this location, it is unlikely that this would have provided a visually impenetrable barrier to views, as it is entirely reasonable to expect that the owners of Ashington House would have wished to have views southwards, across their parkland, and over the land the subject of this application. Notwithstanding the presence of the vegetation screen, it is evident that views of the application site are afforded from the two first floor windows in the southern elevation of Ashington House. Whilst the vegetation fulfils a screening function at present, it falls outside the boundaries of the application site, and the Local Planning Authority has no control, therefore, over its future retention. What's more, at present, the isolated location and setting of the Listed Building is readily discernible when experienced from both within and outside of the application site, and this impression would be eroded, if the proposed development were to be permitted. Whilst views of the Listed Building and the proposed development would be screened to a degree by the trees and hedges on the application boundaries and the applicant has indicated their intention to provide additional planting outside of the application boundaries, secured by way of a legal agreement (the screening effect of which would be lessened in winter months), it is important to consider that the DCLG's recently published NPPG states that '*the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance*'. Historic England's guidance is clear in its contention that the screening of development does not, in itself, make it an acceptable addition to the landscape or significantly reduce impact on character. It must also be remembered the appreciation of built form, associated with the

erection of up to 40 no. dwellings, would also be readily discernible at night, due to the associated street and house lighting, irrespective of the presence of screening.

- 6.23 The isolated, rural setting is a very important part of the Listed Building's significance, providing its historic landscape context. The provision of up to 40 no. dwellings, at up to 12 metres in height, together with associated residential paraphernalia, including lighting, in such close proximity to the Listed Building, and within the parkland serving that property, would affect the significance of the heritage asset by altering the character and appearance of the setting and the appreciation of the sense of rural isolation (even when having regard to the introduction of bungalows in certain areas). The adverse impact of the proposal on the setting of the Listed Building would be intensified by the likely rigid layout and high density of the development. The indicative layout shows that, in order to accommodate the proposed quantum of development, it would be necessary to cluster the dwellings in tight, concentrated groups, including towards the northern boundary, closest to Ashington House and where the land rises. Whilst the layout is indicative only, it nevertheless gives an important indication of the ratio of built development to open land, giving the impression of a densely grained urban development within what is currently the open, parkland setting of a Listed Building.
- 6.24 A development of up to 40 no. dwellings, within the parkland setting of Ashington House, would also serve to harmfully erode the degree of separation between the Listed Building and the more suburban context of Ashington Village and the adjacent road infrastructure. Moreover, the historic relationship between the southern elevation of the Ashington House, including views from the first floor windows, and the setting and appreciation of the open, parkscape would be harmfully affected. Likewise, the historic association of the Listed Building with its farmstead buildings of Oast House, Oast House Barn and Oast Cottage, as well as Yew Tree Cottage to the south (previously tenanted by Ashington House) would also be harmfully affected.
- 6.25 Whilst on balance, the harm identified above would, when taking all matters in consideration, be 'less than substantial', as set out in Paragraph 134 of the NPPF, the level of harm would nevertheless be significant and irreversible.
- 6.26 Notwithstanding the harm identified above, it is necessary to balance all material planning considerations in the planning judgement in order to determine whether the proposal constitutes sustainable development within the meaning of the Framework. This includes whether the public benefits associated with the proposed development would outweigh the harm identified in the proceeding paragraphs of this report.
- 6.27 It is acknowledged that the proposed additional housing would provide economic benefits, including employment opportunities during the construction process and that the prospective occupiers would be likely to contribute to the local economy and would also be required to pay Council Tax. From a social perspective, it is acknowledged that the development would contribute to meeting the District's housing numbers and that 40% of the dwellings would be affordable, which could help to meet the needs of the local community, albeit this has not been evidenced by the applicant. What's more, the financial contributions secured through a planning obligation could, together with appropriate conditions, require the provision of off-site highway improvements and enhanced local facilities, thereby supporting the local community's social well-being. It is also acknowledged that the proposed development would provide improved pedestrian links between the application site and the five-armed roundabout to the south and, in turn, on towards Ashington village. These improvements would, however, be necessary to make the application acceptable in highway safety terms (at present there is no footway) and would only be of meaningful benefit to prospective occupiers of the proposed development and the occupants of Martin's Farm, Little Martin's Farm and, to a far lesser extent, the

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occupants of Ashington House. They would not, therefore, be of any particular wider public benefit.

- 6.28 The proposed development would also provide 0.63 hectares of open space, which would help to contribute to the open space provision in the District, in accordance with the objectives outlined in the Horsham District Sport, Open Space and Receptions Assessment (2014) and Policy CP3 of the Core Strategy. Whilst the provision of this open space could help to provide recreational opportunities for prospective occupiers, given its limited size and the location of the site, away from Ashington village and beyond a five-arm roundabout, it is considered unlikely that this facility would provide wider public benefits to existing, local residents.
- 6.29 On balance, therefore, and whilst acknowledging that the development could provide some clear positive social and economic outcomes, it is not considered that these would not be of a scale sufficient to significantly and demonstrably outweigh the harm identified to the setting of Listed Buildings and the character and appearance of the landscape. On that basis, the proposed development is not considered to represent a sustainable form of development as prescribed by the NPPF, notwithstanding the weight afforded, or not, to existing or emerging local plan policies. In light of the Council's current housing land supply, the provision of additional housing, 40% of which would be affordable, are highly significant material considerations and must be attributed substantial weight. However, the degree of harm to the character and appearance of the area that would arise from a development of this excessive quantum must also carry very substantial weight. Whilst the harm to the setting of Ashington House would be 'less than substantial', it is, nonetheless, significant and it must, therefore, be given considerable importance and weight in order to fulfil the statutory requirements under Section 66(1) of the Listed Buildings Act. In this particular case, it is considered that there is insufficient justification for overriding the presumption in favour of preserving the setting of the Grade II Listed Ashington House. The adverse impacts of granting Outline planning permission would significantly and demonstrably outweigh the benefits of doing so, including the degree to which the development would contribute to providing housing in the area, contrary to the NPPF and the strategy for growth outlined in the emerging Planning Framework. The proposal does not, therefore, amount to sustainable development, relative to paragraphs 14 and 49 of the NPPF.

Mix of Dwellings

- 6.30 The proposed development would provide a mix of dwelling types, including bungalows, the final mix of which would be considered at the Reserved Matters stage.
- 6.31 Policy CP12 of the Local Development Framework: Core Strategy (2007) requires that residential development of 15 dwellings or more provide an appropriate proportion of affordable homes, with the target being 40%. Although the applicant has confirmed a willingness to enter in to a planning obligation to secure the above provisions, no such legal agreement is in place and the Council is, therefore, unable to secure affordable housing at the site. The development is, therefore, contrary to Policy CP12.

Impact on the Amenity of Existing and Prospective Occupiers

- 6.32 The properties adjacent to the application site, including Martins Farm, Little Martins Farm, Yew Tree Cottage and Foxes all currently enjoy an isolated setting and outlook, which would undoubtedly be altered by the proposed development. Given the orientation of the properties, a development could, however, be successfully designed to ensure there is no harmful loss of light, privacy and outlook, and to ensure appropriate separation distances are achieved. Likewise, parking areas and access roads could be designed so as to be sited away from adjacent properties and this would help to avoid harmful levels of

disturbance to existing occupiers. Likewise, it is considered that the siting of the proposed pumping station could be carefully considered so as to ensure that it did not result in unacceptable levels of disturbance to existing and prospective occupiers. The indicative plans show that the development could be designed in such a way so as to ensure that all prospective occupiers had access to a suitably sized area of private amenity space that would provide a safe and pleasant area of useable outside space. In light of the above, it is considered that the development could be designed in such a way so as to avoid unacceptably harmful impacts on the amenities of existing or prospective occupiers in terms of loss of light, outlook or privacy. Measures to protect residents from harmful affects of noise, vibration and dust during the construction period could be controlled by suitably worded conditions. Conditions could also be used to control the siting of any site compound in order to minimise the impact on adjacent occupiers, if all other aspects of the development were considered acceptable.

- 6.33 The submitted Acoustic Report concludes that, without appropriate mitigation, prospective occupiers would be exposed to unacceptable levels of noise disturbance associated with the adjacent A24. The applicant has proposed that acoustic glazing, complemented by a suitable mechanical ventilation system for the most affected properties would reduce internal noise levels to an acceptable standard, and this could be controlled by condition, if all other aspects of the application were considered acceptable. This would not, however, overcome the noise experienced from rear gardens and the proposed area of public open space and Environmental Health Officers have expressed concern that prospective occupiers would be subjected to unacceptable levels of noise, including from first floor windows nearest to the A24. This would be the case even if an acoustic barrier were to be erected, as has been suggested by the applicant. The proposed development has, therefore, failed to demonstrate that prospective occupiers would not be exposed to unacceptable levels of noise. It must also be considered that the implementation of noise mitigation measures, such as acoustic fencing, would introduce an additional uncharacteristic feature to the semi rural landscape, further detracting from the character and appearance of the locality and this form of mitigation is unlikely, therefore, to be considered acceptable in design terms.

Access, Parking and Highway Safety

- 6.34 The applicant has demonstrated that suitable visibility splays can be achieved at the proposed access to ensure vehicles are able to enter and exit the site without prejudicing highway or pedestrian safety. The proposed access would be sited a sufficient distance from the existing vehicular access to Martins Farm and the adjacent round about to ensure that its use did not interfere with, or compromise, the safe use of these adjacent junctions. Likewise, as London Road is a no-through road, it is not considered that the use of the proposed junction, to serve up to 40 no. dwellings would compromise the safe use of the access serving the petrol filling station approved under application reference DC/14/1420. The proposed access arrangements are, therefore, considered to comply with the NPPF and Policies DC9 and DC40 of the General Development Control Policies.
- 6.35 The Stage 1 Safety Audit raises one area of concern relating to pedestrian movements within the site. It is, however, considered that this could be addressed through the detailed designs submitted as part of a Reserved Matters application. The Audit raises no other issues. The final layout, widths and design of the internal access roads and pavements would come forward through the submission of any application for Reserved Matters and could be controlled by suitably worded planning conditions, should all other aspects of the development be considered acceptable. This would ensure safe arrangements for vehicles (including refuse collection and emergency access vehicles), cyclists and pedestrians using the site.

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- 6.36 The Transport Statement indicates that the proposed development will generate approximately 26 no. two way movements in the morning peak (0800-0900) and 31 no. two way movements in the evening peak (1700-1800). Even if all these trips were made by car, this would, on average, equate to approximately one vehicular movement on to the highway network every two minutes during the peak periods. Given the limited number of traffic movements on this section of London Road, it is, therefore, considered that the comings and goings associated with up to 40 no. dwellings, would not have a harmful impact traffic flows or contribute to traffic congestion on the local highway network. It is considered that there is adequate spare capacity in the adjoining road network (including at the adjacent five-arm round about) to accommodate the additional vehicular movements associated with the proposed development, without having a harmful impact on the safe operation of the highway, including if planning permission reference DC/14/1420 were implemented.
- 6.37 The applicant has indicated that the proposed development would be designed so as to comply with the car parking standards set by West Sussex Country Council. Although layout is a Reserved Matter, the indicative drawings show that an appropriate level of parking could be provided across the site to avoid overspill parking in the local road network. Likewise, the indicative drawings show that sufficient space could be made available within the rear gardens of properties to provide suitable facilities for the storage of cycles. On this basis, it is considered that acceptable car and cycle parking arrangements could be achieved for the development, if all other aspects of the proposal were considered acceptable.
- 6.38 The indicative layouts shows that the development could be designed in such a way so as to ensure that adequate space could be made available for the storage and collection of refuse bins, if all other aspects of the development were considered acceptable.
- 6.39 The applicant has confirmed a willingness to enter into a planning obligation to cover the costs incurred by the Local Highway Authority to advertise and implement a Traffic Regulation Order required to extend the 30mph speed limit. The applicant has also made a commitment to extend the pedestrian footway from the round about to the application site. These improvements are necessary in order to provide a continuous pedestrian path from the site towards the village and vice versa, albeit it would still be necessary to cross the road at the adjacent roundabout. Without these improvements, pedestrians would be forced to walk along the side of the road, which would be unacceptable in highway safety terms. The implementation of the pedestrian footway could be controlled by a condition or included within a legal agreement, if all other aspects of the development were considered acceptable.

Ecology, Biodiversity and Trees

- 6.40 The Ecological Surveys, submitted in support of the application, demonstrate that appropriate mitigation measures can be put in place to ensure the proposed development does not harm the interests of nature conservation, including protected species and their habitats. The implementation of the mitigation measures outlined in the Surveys, including details to control the type and method of lighting to be used across the site (to avoid illumination of trees with bat roost potential and boundary features capable of providing habitat to dormice) and methods to protect adjacent ponds from contaminated water run-off, could be controlled by condition, should all other aspects of the application be considered acceptable.
- 6.41 The trees to be removed have been classified as Category C specimens within the submitted Tree Survey and the evidence of a site visit would support this contention. Whilst the loss of trees is regrettable, on this occasion, as the trees make a limited positive contribution to the visual amenity of the locality, their removal is acceptable.

- 6.42 Although internal landscaping is a Reserved Matter, the applicant has indicated an intention to include a number of native species in any planting schedule. The exact quantum and mix of planting could be secured by condition, if all other aspects of the development were considered acceptable, in accordance with the NPPF and Policy DC5 of the General Development Control Policies (2007), if all other aspects of the development were considered acceptable.
- 6.43 No information has been provided to demonstrate how the existing and proposed landscaping at the site will be managed and maintained. It is considered, however, that this matter could be controlled by suitably worded conditions, should all other aspects of the development be considered acceptable. Conditions could also be used to ensure the protection of existing trees during the construction process.

Contamination

- 6.44 The application has demonstrated that measures can be put in place to protect human health and adjacent ponds from contaminated water both during the construction phase and upon completion. Any contamination found during the construction period could be subject to a risk assessment and a series of mitigation measures agreed, depending on the type of any contamination identified and the receptor being affected. The necessary investigation and remediation measures, including implantation, could be controlled by condition, if all other aspects of the development were considered acceptable, in accordance with the NPPF.

Archaeology

- 6.45 The County Archaeologist has confirmed that the highest parts of the site may be host to buried archaeological remains of later prehistoric or Roman settlement. As the site is located in an area of archaeological potential, a condition would be required (as suggested by the County Archaeologist) to secure the submission, approval and implementation of an appropriate Written Scheme of Investigation relating to any archaeology found to be present at the site. This would ensure that any finds are appropriately recorded and preserved, in accordance with the NPPF and Policy DC10 of the General Development Control Policies (2007), if all other aspects of the development were considered acceptable.

Drainage

- 6.46 The application site is located in Flood Zone 1, where there is a low probability of flooding.
- 6.47 Despite intrusive investigation works, to date, the applicant has been unable to establish whether there is an existing formal surface water outfall for the site. Consequently, and following discussions with the Council's Drainage Team and West Sussex County Council, as the Lead Local Flood Authority, it has been agreed that a new outfall connection would be made to a nearby watercourse, which lies adjacent to London Road and which ultimately discharges to the local water course that passes beneath the A24.
- 6.48 A review of Southern Water sewer records indicates that the nearest Public Foul sewer to be located approximately 400 metres to the south of the application site, on London Road. Due to the distance from the site, and the relative land levels, a gravity foul solution will not be achievable. As such, the applicant proposes to provide a new foul pumping station, which would be offered to Southern Water for adoption, via Section 104 of the Water Industry Act (1991). This approach has been endorsed by the Council's Technical (Drainage) Officers, in accordance with the requirements of the NPPF and Policy DC7 of the General Development Control Policies (2007).

Renewable Energy

- 6.49 The applicant proposes to design-in measures to reduce the scheme's carbon dioxide emissions. It is proposed to achieve this objective by reducing the energy demands of the proposed properties by incorporating measures designed to increase passive solar gain, achieve high levels of thermal efficiency (including the use of thermal block), and the use of low energy lighting. Whilst the exact details of these provisions have not been provided as part of this Outline application, the submission and implementation of these measures could be controlled by a suitably worded condition, if all other aspects of the application were considered acceptable, in accordance with the aims and objectives of the NPPF and Policy DC8 of the General Development Control Policies (2007).

Legal Agreement

- 6.50 In the event that planning permission is granted, Policy CP13 requires new development to meet its infrastructure needs. For this development, contributions have been requested towards amenity open space, play and recreation areas, indoor and outdoor sports provision, community facilities, education, libraries, refuse and recycling, fire and rescue and transport.
- 6.51 All contributions must be justified in accordance with the three tests set out under Regulation 122 of the Community and Infrastructure Levy Regulations 2010, in so far that they must be; necessary to make the development acceptable in planning terms; directly related to the development and; fairly and reasonably related in scale and kind to the development.
- 6.52 In accordance with the Policies of the Core Strategy and Planning Obligation SPD, the District Council expects that all new residential developments will provide for additional outdoor playing space to meet the needs of prospective residents. The Council, therefore, requires a contribution towards the provision and/or improvement of outdoor sports and playing space through the payment of a developer contribution in order that appropriate facilities can be provided in the locality to be secured by a legal agreement.
- 6.53 The principle of taking developer contributions for each net dwelling gain has been established following the findings of the Planning Inspector at the Local Development Framework: Core Strategy Inquiry (2007), whereby Policy CP1 and Planning Obligation SPD were recommended for adoption. The Inspector considered that such provision would not place an unnecessary burden on developers and landowners and that the requirements were reasonable. The three policy tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 Statutory Instrument 2010/248 were applicable at the time of the Inquiry, albeit they were not statutory tests at that time.
- 6.54 It is considered that the District Council's approach continues to meet the three statutory tests, as explained below.

Test 1: Necessary to make the development acceptable in planning terms.

- 6.55 Developer contributions have been used to improve the quality of existing recreational open space provision in order to absorb the recreational pressure created by residents of new dwellings. Indeed, the need for open space provision and improvement to existing facilities has become more pressing since the adoption of the Core Strategy, due to population growth within the District in this time. Therefore, each new dwelling will, in combination, add to existing deficiencies that are evident within the District generally and Ashington specifically, or necessitate upgrades or improvements to be made.

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6.56 There are currently a number of qualitative and quantitative deficiencies in the District in terms of children's play facilities, health and fitness facilities and other outdoor and indoor sports and playing pitch facilities, as identified in the Council's Sport, Open Space and Recreation Assessment (2014). A strategic priority, as identified in this document, is to enhance existing provision.

6.57 It is, therefore, considered that contributions for new residential development are necessary to make the development acceptable in planning terms, as without collecting contributions on a dwelling-by-dwelling basis, there would be a cumulative deterioration in both the quality and quantity of open space, play, health and fitness facilities and other outdoor and indoor sports and playing pitch facilities, available to the occupants of new dwellings in Horsham District Council generally and Ashington specifically. The provision of good open space and recreational facilities can form part of a wider solution to enhance health and well being in the District, in accordance with the aims and objectives of the NPPF.

2. Directly related to the development

6.58 The developer contributions, secured in the event that planning permission is granted, could be allocated towards improvements to the existing recreation ground in Ashington, including to the existing play equipment, community hall and pavilion.

6.59 It is considered that prospective occupiers of the proposed development would use these strategic neighbourhood facilities, which could be enhanced as a result on the proposed development in order to address the increased demand. The Sport, Open Space and Recreation Assessment lists the types of improvements that can be made to existing facilities, for instance, new lighting, seating, safety signage, provision of new/improved safety surfacing, new play equipment, dog proof fencing, provision of additional litter bins, additional planting, amongst others.

6.60 Due to the scale of the proposed development, it is considered that prospective occupiers would make use of the enhanced community facilities and would benefit, therefore, from any improvements. It is necessary for each new dwelling to contribute towards improvements to the recreation ground to enhance a strategic area of recreational space for the village to enjoy for a range of activities, rather than having to travel further afield.

3. Fairly and reasonably related in scale and kind to the development.

6.61 For the reasons outlined above, the provision of a commuted sum, based on the formulaic approach developed as part of the Planning Obligation SPD, is considered a fair approach to deal with the cumulative pressure on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in Ashington. In this case, given the strategic importance of the recreation ground in Ashington, it is reasonable to expect that prospective occupiers to utilise these facilities and the development should, therefore, make appropriate contributions to ensure that it is enhanced/improved accordingly.

6.62 In addition to the above contributions, any legal agreement would need to include provision for the following;

- Affordable Housing
- Details of the future maintenance and management of any on site open space provision
- Measures to secure the provision of a new pedestrian footway, including new drainage if required, to link the application site to the adjacent roundabout
- Measures to secure the provision of an extended 30mph speed limited on London Road

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- 6.63 The County Council has also confirmed that financial contributions would also be required towards education, libraries, waste, fire and transport. The County proposes that the legal agreement be drafted to include a formulaic approach to calculating the contributions, to take account of the fact that the exact quantum and mix of dwellings is not yet known.
- 6.64 Whilst the applicant has agreed to enter in to a planning obligation to secure the necessary sums, the requisite legal agreement has not been completed, nor has a suitably worded unilateral undertaking been submitted for consideration. Without the above planning obligations, the proposed development is unacceptable and contrary to the NPPF, Policies CP12 and CP13 of the Core Strategy (2007), Policy 22 of the General Development Control Policies (2007) and the Council's Planning Obligation SPD.

Other matters

- 6.65 In considering other matters raised by the public in their letters of objection, it should be noted that all planning applications must be considered on their individual merits and against the relevant local and national planning policies and any other material planning considerations. Whilst the application is supported by a Design and Access Statement (and Addendum), Case Officers undertake a site visit in order to assess the merits of the application, using scaled plans and following consultation with relevant internal and external departments. Whilst the concern regarding the accuracy of the Design and Access Statement is noted, the content of this document does not, therefore, affect the reliable assessment/determination of the planning application.
- 6.66 Paragraphs 186 and 187 of the NPPF requires Local Planning Authority's to approach decision making in a positive way and look for solutions rather than problems, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In accordance with the sentiment of the NPPF, a site visit was held with the applicant and relevant consultees in order to establish whether positive solutions could be found to allow the application to be progressed towards a favourable recommendation. On this occasion, it has not been possible to find appropriate solutions.

Conclusion

- 6.67 Taking all matters into account, the proposal is considered to represent an unsustainable form of development, on a site where the principle of residential development is unacceptable and cannot be supported. The development would harm the setting of a Listed Building and the character and appearance of the application site and surrounding area and would not be sympathetic to the local landscape. The development is considered harmful, even when weighed against the economic benefit and social benefits of providing housing and as such, the presumption in favour of sustainable development, as set out in Paragraph 14 of the NPPF, cannot be applied.
- 6.68 When all material considerations are taken in to account, and given appropriate weight in the planning balance, the adverse affects of granting Outline planning permission would significantly and demonstrably outweigh the benefits, including the degree to which the scheme could contribute to enhancing housing supply in the District.

7. RECOMMENDATIONS

7.1 To refuse planning permission for the following reasons:

1. The proposed development, by reasons of its location outside of, and isolated from, the Built Up Area Boundary of a medium sized, Category 2 Settlement, with poor public transport links and a high dependency on the private motor vehicle for travel, on a site that does not constitute Previously Developed Land, represents an inappropriate, unsustainable and unacceptable form of development that is contrary to the aims and objectives of the NPPF, Policy CP5 of the Core Strategy (2007), the Facilitating Appropriate Development Supplementary Planning Document and Policy 3 of the emerging Horsham District Planning Framework, which aim to concentrate new growth to the District's main settlements.
2. The provision of housing in this location, at the scale proposed, would introduce an uncharacteristically concentrated and isolated enclave of housing, at odds with the established pattern of development in the immediate locality. The introduction of up to 40 no. houses, at a scale up to 12 metres in height, and with the associated provision of access roads, lighting and all other associated residential paraphernalia, would significantly diminish the informal and open character of this particular part of the landscape, creating a discordant and uncharacteristically urbanised environment that would serve to derogate the noticeable transition between the more suburban context of the village and the more rural character of the open countryside to the north, harming the character and appearance of the local landscape. The development is not, therefore, sustainable, even when weighed against the economic benefit and social benefits of providing housing, contrary to Paragraph 14 of the NPPF and Policies DC1 and DC9 of the of the Local Development Framework: General Development Control Policies.
3. The provision of up to 40 no. dwellings, at up to 12 metres in height, together with associated residential paraphernalia, in such close proximity to the Listed Building, and within the parkland serving that property, would affect the significance of the heritage asset by harmfully altering the character and appearance of its setting and the appreciation of the sense of rural isolation. The development would harmfully affect the historic relationship between the southern elevation of the Ashington House, including views from the first floor windows, and the setting and appreciation of the open, parkscape, including the historic association of the Listed Building with its farmstead buildings of Oast House, Oast House Barn and Oast Cottage, as well as the Grade II Listed, Yew Tree Cottage. The development is not, therefore, sustainable, even when weighed against the economic benefit and social benefits of providing housing and has not had special regard to the desirability of preserving the setting of Listed Buildings, contrary to Paragraph 14 of the NPPF and Policies DC9 and DC13 of the Local Development Framework: General Development Control Policies.
4. The proposal has not successfully demonstrated that prospective occupiers would not be exposed to unacceptably harmful levels of noise associated with the use of the adjacent A24, to the detriment of their living environment, particularly from first floor windows and when using rear gardens and areas of public open space. It is not, therefore, considered that the development would provide a pleasant or acceptable living environment for prospective occupiers, contrary to the NPPF and Policy DC9 of the Local Development Framework: General Development Control Policies..
5. The proposed development makes no provision for contributions towards improvements to education provision; libraries; fire and rescue services; open space; sport and recreation facilities; community facilities; or affordable housing and is,

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therefore, contrary to Policies CP12 and CP13 of the Horsham District Local Development Framework: Core Strategy (2007) and the Horsham District Local Development Framework: Planning Obligations Supplementary Planning Document (SPD) as it has not been demonstrated how the infrastructure needs of the development would be met.

Note to Applicant:

The reason for refusal relating to infrastructure contributions could be addressed through the completion of a legal agreement. If the applicant is minded to appeal the refusal of this application you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.

Background papers:

DC/14/1420

DC/14/1944

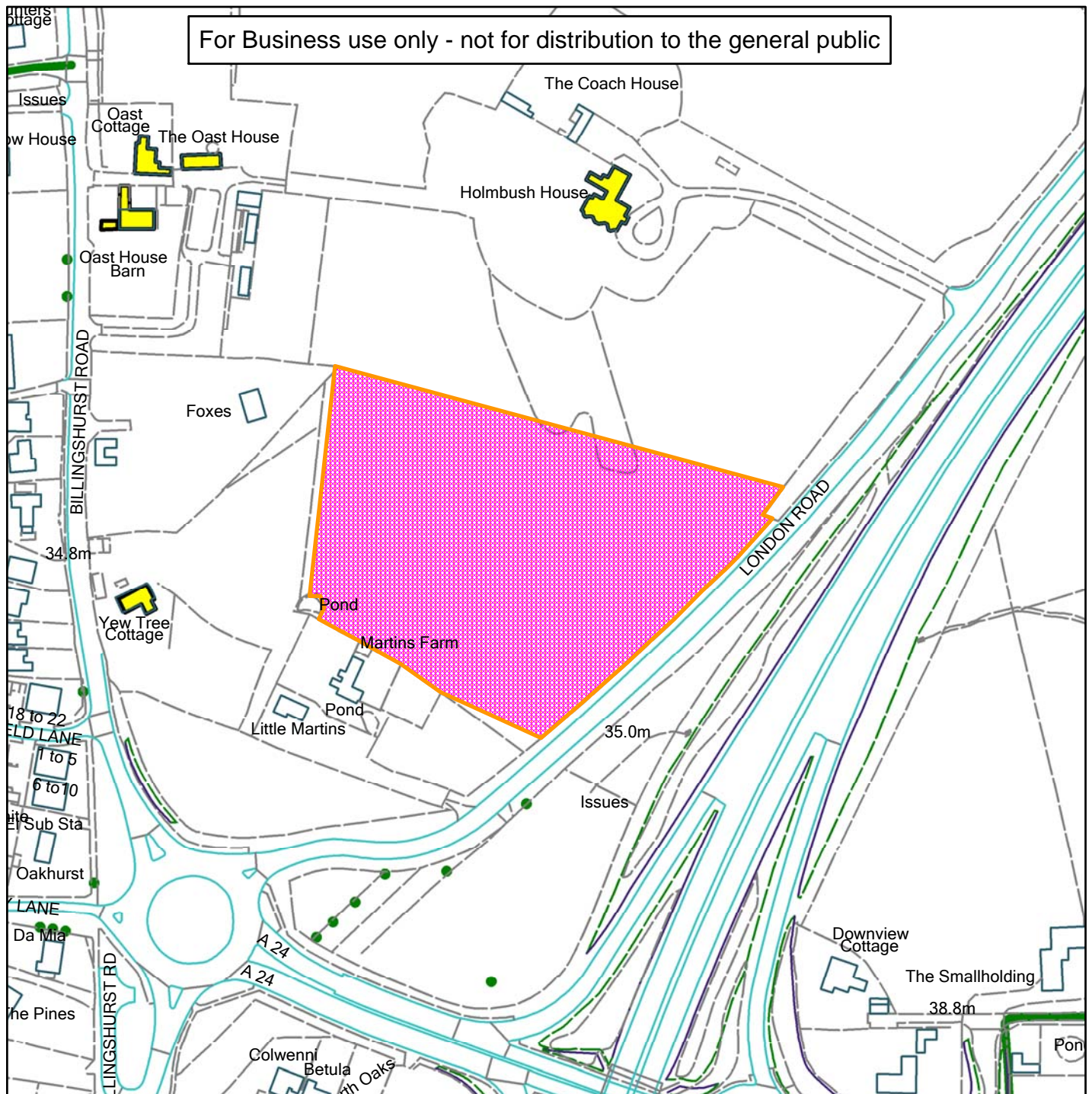
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Land South of Ashington House

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	04/08/2016
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 16 August 2016
DEVELOPMENT: Erection of 2 x dwellings
SITE: Land Adjacent To Buckmans Stane Street Five Oaks West Sussex
WARD: Billingshurst and Shipley
APPLICATION: DC/16/1091
APPLICANT: Mr Clarke

REASON FOR INCLUSION ON THE AGENDA: Departure application

RECOMMENDATION: To refuse Planning Permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks consent for the erection of two detached dwellings with access off Stane Street from the existing vehicular access in the south-western corner of the plot.
- 1.3 The northern property (Plot A) would include an attached single garage and would be a large 4-bed house with open plan living space on the ground floor plus a study, utility and pantry. The ground floor footprint would be L-shaped and would be some 9.6m x 15.9m. At first-floor, a slightly reduced footprint would be some 9.6m x 12.6m.
- 1.4 The southern property (Plot B) would have use of a detached double garage / car-port, re-built on the site of the existing dilapidated barn structure. In addition, the living accommodation would provide for 4 bedrooms, and open plan living space, utility, pantry and study. The L-shaped footprint would have similar proportions to Plot A, with the exception of the attached garage (9.6m x 12.6m).
- 1.5 The ridge height of the two dwellings will be some 8.2m, whilst the new garage building will have an eaves height of some 2.5m and a ridge height of around 5.2m; rear garden depths would be some 13.5m and plot widths would be some 16m.
- 1.6 There is no information on external design or appearance, although the Heritage Statement sets out that the proposal will include 'traditional architectural features, in particular on the frontage of the property'.

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DESCRIPTION OF THE SITE

- 1.7 The application site comprises a plot of land, of approximately 1280sq m, on the eastern side of the A29 (Stane Street) opposite a road junction with Haven Road. The site is surrounded by an open landscape to the south and west of the site, with fields in the wider vicinity. The property lies within open countryside and is sited to the south of a Grade II listed property, 'Buckmans'. The listing description of 'Buckmans' is as follows:

"Probably C17. Two storeys. Three windows. Now faced with tiles, the main front fishscale tiles. Tiled roof. Casement windows. Modern porch."

- 1.8 The site lies to the north of the hamlet of Five Oaks, which has a large car showroom and a petrol station with a small associated garage 'convenience' shop at its heart. A gap of some 135m separates the last dwelling within the defined hamlet of Five Oaks on the northern side of the A29, and the application site on the southern side of the A29.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework (2012)**

- NPPF1 - Building a strong, competitive economy
- NPPF4 - Promoting sustainable transport
- NPPF6 - Delivering a wide choice of high quality homes
- NPPF7 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment
- NPPF12 – Conserving and enhancing the historic environment

RELEVANT COUNCIL POLICY

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

- HDPF1 - Strategic Policy: Sustainable Development
- HDPF2 - Strategic Policy: Strategic Development
- HDPF3 - Strategic Policy: Development Hierarchy
- HDPF4 - Strategic Policy: Settlement Expansion
- HDPF15 - Strategic Policy: Housing Provision
- HDPF24 – Strategic Policy: Environmental Protection
- HDPF25 - Strategic Policy: The Natural Environment and Landscape Character
- HDPF26 - Strategic Policy: Countryside Protection
- HDPF31 – Green Infrastructure and Biodiversity
- HDPF32 - Strategic Policy: The Quality of New Development
- HDPF33 - Development Principles
- HDPF34 – Cultural and Heritage Assets
- HDPF37 – Sustainable Construction
- HDPF40 - Sustainable Transport
- HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Billingshurst Neighbourhood Plan area has been designated but no draft plan has yet been prepared.

PLANNING HISTORY

BL/36/87

Stationing of a mobile home

REF

3. OUTCOME OF CONSULTATIONS

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

OUTSIDE AGENCIES

- 3.1 **West Sussex Highways** - Objection. At this stage, the details still show inadequate visibility splays, and therefore an objection is raised on highway safety grounds. However, the internal access arrangements within the site appear to be acceptable and provide for the requested number of spaces.
- 3.2 **Southern Water** - No Objection. Conditions and Informatives are advised as the site lies some distance away from any nearby public foul sewer with no public surface sewers in the area to serve the site.

INTERNAL CONSULTATIONS

- 3.3 **Arboricultural Officer** - Any comments will be reported verbally to the planning committee.
- 3.4 **Heritage Officer** – Object. The application site is located prominently along Stane Street and there are extensive views into the site along the highway. The site is undeveloped apart from a surviving historic timber framed structure which appears to have been part of the U-shaped farmstead shown on the OS map surveyed 1875-76. No details have been included in the Heritage Assessment regarding this structure.

Due to the historic use of the land and its close association with the heritage asset, Buckmans, the proposed development of the site is considered inappropriate due to the adverse impact development of the site would have on the rural setting of Bucklands. There would not be any tangible public benefits to the scheme which would outweigh that harm.

The proposed development would have a permanent and irreversible impact on the rural setting of Bucklands and is therefore considered inappropriate.

PUBLIC CONSULTATIONS

- 3.5 **Billingshurst Parish Council Consultation** – Object on grounds of inadequate parking provision, overdevelopment of the site and detrimental impact on the setting of the adjacent listed building. In addition, there are concerns regarding the lack of details provided on surface water and foul drainage.
- 3.6 **Public Consultations** - 3 letters of representation have been received (from 1 neighbouring residential property) objecting for the following reasons:-
- Klagester sewage processor is located on the SE corner of the property and there is a right of access across the land in order to monitor the state of the equipment. There is a need to continue to hold such rights of access, although this would now appear to be going directly through one of the proposed houses

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- The junction between Stane Street and Haven Road has regular accidents with people colliding on the junction. Such incidents happen 3 or 4 times a year, although not all of them will be reported to the police. There is probably 1 serious incident each year. Additional access to Stane Street so close to this junction will only add to the danger associated with this junction
- Since taking over the property the owner has removed the hedgerow that was growing on the application site. As a result the new property will easily overlook Buckmans depriving the residents of their current levels of privacy.

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

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

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

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

6. PLANNING ASSESSMENTS

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

- Principle of the development
- Impact of the development on the setting of the adjacent Listed Building
- Impact upon the surrounding countryside
- Impact on neighbour amenity
- Highways

Principle

- 6.2 Policy 2 (Strategic Development) of the HDPF seeks to maintain the districts unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment as set out within policy criteria. The policy sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the main settlement of Horsham and to allow growth in the rest of the District in accordance with the settlement hierarchy.
- 6.3 Policy 3 (Development Hierarchy) of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the identified settlement hierarchy set out within the policy. The application site is approximately 135m north of the 'unclassified' settlement of Five Oaks, with a clear gap separating the line of residential development which forms the hamlet of Five Oaks and the application site. Five Oaks itself lies just under 3km to the north of Billingshurst, and provides very few amenities for residents and limited public transport options. Policy 3 directs development towards towns and villages which have defined built up area boundaries, according to the hierarchy set out in Policy 3, whereas the application is located in open countryside.

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- 6.4 Policy 4 (Settlement Expansion) of the HDPF makes provision for expansion outside of BUAB provided certain criteria are complied with. The first criteria states that a site should be allocated in either the local plan (HDPF or any future Land Allocations document) or a Neighbourhood Plan. In this case the site is not allocated in the Local Plan and Billingshurst Parish Council is still in the process of preparing a Neighbourhood Plan. Residential development on the site would be contrary to the strategic approach to housing outlined in the adopted HDPF.
- 6.5 In respect of the countryside setting Policy 26 (Strategic Policy: Countryside Protection) of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and meet one of the following criteria:
1. Support the needs of agriculture or forestry;
 2. Enable the extraction of minerals or the disposal of waste;
 3. Provide for quiet informal recreational use; or
 4. Enable the sustainable development of rural areas.
- 6.6 There is no suggestion within the application that one of the above criteria is relevant to the proposal, and it has not therefore been demonstrated that the proposal is essential to its countryside location.

Impact on the Countryside Setting:

- 6.7 The Landscape Character Assessment (2003) notes the general area around the site is in a good condition with radiating field patterns extending out from settlements and strong networks of ancient woodlands and hedgerows with enclosing woodlands around small irregular pastures. The strong rural character prevails although suburban influences, visual and noise intrusions are noted to the A29 road corridor, where the application site is located.
- 6.8 Policy 25 of the HDPF requires development to protect, conserve and enhance the landscape and townscape characters across the District, taking account of settlement characteristics and settlement separation; policy 32 of the HDPF requires new development to 'complement locally distinctive characters and heritage of the district', 'Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings'; with policy 33 requiring development to relate sympathetically with the built surroundings.
- 6.9 The existing barn structure is estimated to be approximately 4m to ridge level and occupies a small part of the site, some 40sq m with a side elevation depth of approximately 5m. The proposed development would replace this element with two detached dwellinghouses approximately 1m higher and 1m wider, the two new dwellings would have ridge heights of approximately 8.2m with a considerable depth, of at least 20 metres.
- 6.10 This proposed development would therefore greatly and detrimentally impact on the openness and setting of the rural site, which is visible not only from the A29, but also from A264 to the south. The residential nature of the proposal would further diminish the existing open and rural character of the site and wider area, by way of the associated creation of residential curtilages, parking spaces, and other inevitable domestic paraphernalia.
- 6.11 There are a number of significant trees located alongside the site's boundary with Buckmans and to part of the rear boundary, along with more scrubby growth which reinforces the currently open boundary. Recently, much growth and vegetation has been cleared from the site, including from the front boundary to reveal the site as an open space.

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- 6.12 The remaining natural features have not been referred to in the submitted plans and no tree protection plans have been included as part of the application. It is though clear, due to the siting of the proposed dwellings, that the remaining mature and established trees are unlikely to be retained as part of the final landscaping scheme. It is considered that while the existing vegetation is not protected in the absence of a scheme for effective replacement landscaping its removal would extenuate the concerns identified above, and the proposal would therefore have an adverse impact on the rural setting, failing to protect, conserve or enhance the landscape character of the district.
- 6.13 The submitted statement that the site is considered to be brownfield land on account of its historic use as a farmyard. However, whatever previous development and uses may have occupied the site, have long since disappeared, with the remaining small former barn now in a precariously unstable condition and, until recently, the site was largely overgrown. The previous nature of use on the site would not therefore outweigh the visual harm identified above.

Impact on Heritage Setting:

- 6.14 Policy 34 of the HDPF seeks to ensure that developments affecting such assets should make reference to the significance of the asset as well as preserving and ensuring legibility of locally distinctive vernacular building forms and settings, features, fabric and materials. In addition, the setting of heritage assets, including views, should be preserved and retained.
- 6.15 The existing timber-framed structure, which remains on site, is considered to be a non-designated heritage asset which positively contributes to the understanding of the historic development of the locality, and to the character and appearance of the wider setting of the adjacent grade II listed property, Buckmans. This existing structure has not been considered as part of the submitted heritage statement.
- 6.16 The localised vernacular is noted within the Landscape Character Assessment (2003) and the Billingshurst Parish Design Statement (2009) as comprising timber framing, weatherboarding, brick and decorative stile-hanging. In contrast, and notwithstanding the lack of clear and concise information on any proposed external finishes or architectural treatments, it is considered that the proposed development would appear architecturally bland and featureless, failing to respond to local characteristics in a positive manner.
- 6.17 The proposal is likely to result in a clear visual distinction between the new development and the historic building on account of differing eaves and ridge heights, materials and general proportions, with the new development resulting in monolithic street-facing elevations with no visual relief, contrasting radically with the low-level nature of the adjacent cottage with its symmetrical façade clad in 'fish-scale' hanging tiles. The proposed scale and massing would lead to an overbearing impact on the character of the adjacent listed cottage, with the scale and massing of built form that would be introduced into this rural setting detrimentally and irreversibly harming and eroding the setting of Bucklands.

Impact on Neighbouring Amenities:

- 6.18 Policy 33 of the HDPF (2015) seeks to avoid unacceptable harm to neighbouring amenity. Officers acknowledge the comments raised by neighbouring properties regarding loss of amenity and overlooking.
- 6.19 The only residential property sited close to the development would be the host property Buckmans, some 10m from the site's northern boundary with overlooking windows at both ground and first-floors. The overall resulting distance of separation between the listed

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building and Plot A would be approximately 13.6m, with first-floor habitable windows proposed facing onto the northern site boundary and the adjacent property beyond. It is considered that this proximity would lead to intrusive overlooking of the adjoining building, to the detriment of neighbouring amenity.

- 6.20 The proposed development would result in a two-storey building approximately 3.6 metres to the south of Buckmans. The depth, scale and proximity would represent a significant change from the existing arrangement and would result in an overbearing and unduly dominant development, particularly in views from the rear garden area of Buckmans.

Highways and Traffic:

- 6.21 Local Policy 40 supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 4 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds where the residual cumulative impacts of development are severe'.
- 6.22 The Highway Authority assessed the proposed development on highway capacity, safety, and policy grounds and requested further details regarding the augmented vehicular access, particularly to demonstrate that the full extent of the maximum visibility splay can be achieved, as well as the site providing for 6 vehicle spaces whilst being able to demonstrate that manoeuvring space would not be compromised.
- 6.23 Amended drawings have been received showing increased forecourt paving to accommodate three spaces per dwelling, including the garage and car-port spaces, and this level of provision is acceptable. However, the plans continue to show a sub-standard visibility splay with inadequate justification to demonstrate that sub-standard splays would be acceptable in this location. The proposed access arrangement is therefore considered inadequate and raises highway safety concerns.

Conclusion:

- 6.24 The proposed development is located in the countryside, outside the defined built-up area boundary of any settlements, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements.
- 6.25 The proposed development has not been demonstrated as being essential to its countryside location and the scheme would have a harmful impact on the character of the rural countryside location, the setting of the adjoining listed building and neighbouring amenity.
- 6.26 The proposal therefore represents unsustainable development contrary to policies 1, 2, 3, 4, 26, 31, 32, 33, 34 and 40 of the Horsham District Planning Framework (2015), and would fail to meet the definition of sustainable development within the National Planning Policy Framework. Accordingly, refusal is recommended for the proposal.

7. RECOMMENDATION: Application Refused

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

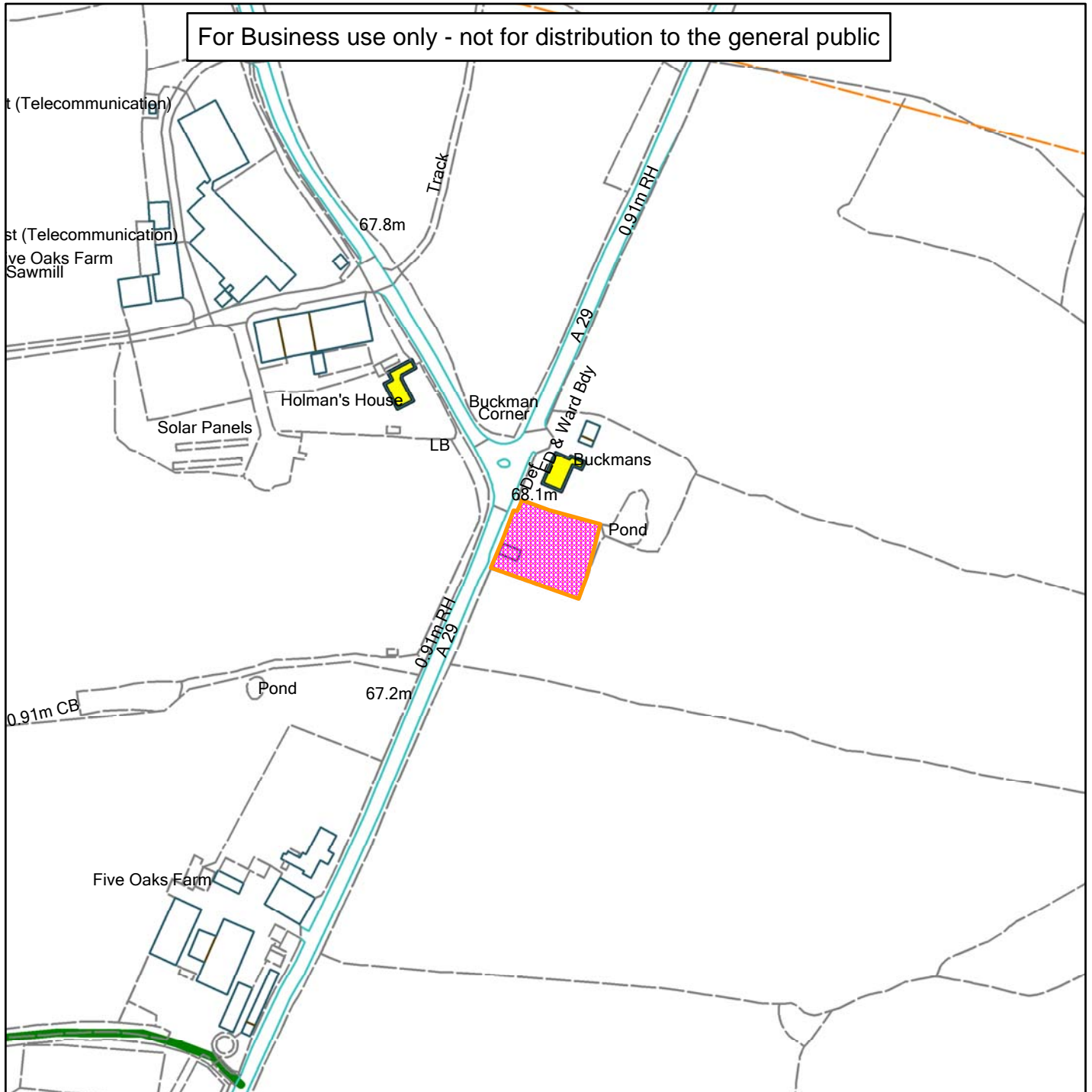
1. The proposed development is located in the countryside, outside the defined built-up area boundary of any settlement, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore the proposed development has not been demonstrated as being essential to its countryside location. Consequently the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and would fail to meet the definition of sustainable development within the National Planning Policy Framework.
2. The proposed development, by reason of its scale, siting and design, would have an unacceptable adverse impact on the setting of the adjacent Listed Building 'Buckmans', and represents a harmful urbanising form of development which would be out of keeping with and detrimental to the rural character and appearance of the area. The proposal would therefore be contrary to policies 25, 26, 31, 32, 33 and 34 of the Horsham District Planning Framework (2015).
3. The proposed development, by reason of its siting, height, depth and proximity to the northern boundary, would appear overbearing and result in a harmful loss of privacy for occupants of 'Buckmans'. The proposal would therefore result in significant harm to residential amenity and is contrary to policy 33 of the Horsham District Planning Framework (2015).
4. The proposed development, has failed to demonstrate that it would incorporate adequate visibility splays at the junction with Stane Street (A29), and as such could result in harm to the users of the public highway. The proposal would therefore fail to provide safe and suitable access, contrary to policies 33, 40 and 41 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/1091



Land Adjacent to Buckmans

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Comments	
Date	04/08/2016
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 16 August 2016
DEVELOPMENT: Erection of single storey 2 no. bedroom and associated works.
SITE: Paddock Green Farm Goose Green Lane Goose Green West Sussex
WARD: Chanctonbury
APPLICATION: DC/16/0240
APPLICANT: Mr G Lambert

REASON FOR INCLUSION ON THE AGENDA: Departure Application

RECOMMENDATION: Refuse Planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes the erection of a single storey building for residential purposes.
- 1.2 The plans indicate a two bedroom (one with en-suite bathroom) dwelling with kitchen / dining and sitting room and family bathroom, within the envelope of the previously approved building. Foundations have been dug in accordance with a previous approval on the site for the erection of a Class B1 building of the same scales..

DESCRIPTION OF THE SITE

- 1.3 The application site (approx. 0.48 ha) is located on the west side of Goose Green Lane. The site is a former smallholding site, subsequently becoming the site of various workshops. Former buildings on the site have been demolished with excavation and the start of foundations apparent in relation to a B1 business use granted planning permission under DC/10/26982.
- 1.4 The application site comprises a long finger of land which narrows towards the south west tip. To the west of the site is Ladybrook Brickworks and associated ponds. To the east is the residential property known as The Green. The area surrounding the application site is generally open countryside with sporadic residential and farm buildings.

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- 1.5 The site is located outside of any defined Built up Area Boundary and is thus located with the countryside.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (2012) (NPPF):
Section 1: Building a strong, competitive economy
Section 3: Supporting a prosperous rural economy
Section 4: promoting sustainable transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 11: Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

- 2.3 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 – Settlement Expansion
Policy 7 – Strategic Policy: Economic Growth
Policy 9 – Employment Development
Policy 10 – Rural Economic Development
Policy 24 – Strategic Policy: Environmental Protection
Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
Policy 26 – Strategic Policy: Countryside Protection
Policy 32 – Strategic Policy – The Quality of New Development
Policy 33 – Development Principles
Policy 40 – Sustainable Transport
Policy 41 – Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 Thakeham Parish Council applied for the parish to be designated as a Neighbourhood Plan Designation Area on 22 July 2013. Public consultation ran from the 30 October 2015 to the 11 December 2015. There is currently no 'Made' plan for the parish.

2.5 PLANNING HISTORY

- 2.6 The site has been an extensive planning history and has been served with various Enforcement Notices in the past.

DC/06/0796	Erection of replacement building for use as IT workspace	Application Refused on 25.07.2006
DC/07/0237	Replacement of existing buildings	Application Permitted on 05.06.2007
DC/07/2645	Use of existing/approved replacement buildings for carpentry workshop and/or class B1 activities	Application Permitted on 22.01.2008

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	(Variation of condition 8 of DC/07/0237 and condition 2 of T/57/03)	
DC/09/1899	Change of use from workshop and class B1 to pre-school children's day nursery	Application Refused on 11.12.2009
DC/10/0684	Change of use from workshop and class B1 to pre-school children's day nursery	Application Refused on 23.07.2010
DC/10/2692	Revised application to amend previously approved DC/07/2645 (Use of existing/approved replacement buildings for carpentry workshop and/or class B1 activities) to include an extension to link the 2 approved buildings together with alterations to window sizes and layout	Application Permitted on 01.03.2011

OUTSIDE AGENCIES

- 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 **Thakeham Parish Council**: No objection
- 3.3 **County Council - Highways**, No objections.
- 3.4 **Southern Water**: The applicant is advised to consult the Environment agency directly regarding the use of package treatment plant which disposes of effluent to sub soil irrigation. The owner of the premises will need to maintain the works to ensure its long term effectiveness.

PUBLIC CONSULTATIONS

- 3.5 1 letter of representation was received supporting the proposal.

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 Planning permission was originally granted under DC/07/0237 for two replacement buildings to be used as carpentry workshops, with permission later granted for the buildings to be used for carpentry workshops and / or general B1 activities under DC/07/2645. A later application, DC/10/2692, approved an extension to link the approved buildings within a B1 Use Class.

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- 6.2 It is apparent that this later permission was commenced with new foundations having been laid on the site. The permission therefore remains extant and could be implemented at any point in the future. This current application essentially seeks a residential use on the site, in lieu of the previously approved B1 (light industrial) use. The main issues are the principle of residential development in this location and the effect of the development on:
- The character of the dwelling and the visual amenities of the countryside and the street scene
 - The amenities of the occupiers of adjoining properties
 - The existing parking and traffic conditions in the area
 - The existing trees
 - The quality of the resulting residential environment for future occupiers

Principle of residential

- 6.3 Policy 2 (Strategic Development) of the HDPF seeks to maintain the districts unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment as set out within policy criteria. The policy sets out the Council's main strategy for the location of development across the District and aims to concentrate development in and around the main settlement of Horsham and to allow growth in the rest of the District in accordance with the settlement hierarchy.
- 6.4 Policy 3 (Development Hierarchy) of the HDPF states that development will be permitted within towns and villages which have defined built up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the identified settlement hierarchy set out within the policy. The application site is outside of any built-up area boundary (BUAB) and is thus considered to be open countryside.
- 6.5 Policy 4 (Settlement Expansion) of the HDPF makes provision for expansion outside of BUAB provided certain criteria are complied with. The first criteria states that a site should be allocated in either the local plan (HDPF or any future Land Allocations document) or a Neighbourhood Plan. In this case the site is not allocated in the Local Plan and Thakeham Parish Council is still in the process of preparing a Neighbourhood Plan. It is therefore considered that residential development on the site would be contrary to the strategic approach to housing outlined in the adopted HDPF.
- 6.6 In respect of the countryside setting Policy 26 (Strategic Policy: Countryside Protection) of the HDPF states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and meet one of the following criteria:
1. Support the needs of agriculture or forestry;
 2. Enable the extraction of minerals or the disposal of waste;
 3. Provide for quiet informal recreational use; or
 4. Enable the sustainable development of rural areas.
- 6.7 There is no suggestion within the application that one of the above criteria is relevant to the proposal, and it has not therefore been demonstrated that the proposal is essential to its countryside location. The applicant considers that the proposed residential development would be within the envelope of the already permitted B1 office building, rather than an isolated new-build development. This is not the case and the proposal would result in a new build residential unit and a B1 use would be preferable in this location. This takes into account the historic commercial uses of the site, with the already approved use likely to generate less activity / visual impact than the proposed residential use. The fallback position, to implement the existing permission, is therefore considered preferable in this instance.

- 6.8 Policy 9 (Employment Development) of the HDPF states that the redevelopment of employment site and premises outside key Employment Areas must demonstrate that the site/premises is no longer needed and /or viable for employment use. There are no marketing details to support the loss of the commercial use of the site, with previous permissions granted in recognition of the long established use of the site. The applicants state that the site could not be sold with a commercial use as there is no broadband, and that in their opinion there are better buildings with better eaves heights elsewhere. It is acknowledged that there are constraints associated with the site but in the absence of marketing details it is not possible to conclude there is no demand or need for the premises. The location of the site would not as a matter of course preclude commercial activities, which would not be limited to office accommodation but include workshop type uses, taking place.

Character and appearance

- 6.9 The proposed dwelling would occupy the footprint of the already approved B1 building being an irregularly shaped single-storey structure located towards the middle of the site away from Goose Green Lane. The applicant states that the proposed dwelling would not require any change in design other than internal alterations to facilitate the residential use. The external appearance would therefore remain as previously approved.
- 6.10 The proposed dwelling would though result in the domestication of land surrounding the building which would be harmful to the rural character and appearance of the countryside location. It is considered that material and appreciable harm would occur through the creation of the garden and the accumulation of additional ancillary domestic paraphernalia and other trappings associated with residential use such as outbuildings, washing lines and garden furniture. The creation of a dwellinghouse in this location would therefore be out of keeping with the surrounding area, and thus be detrimental to the character and visual amenities of the countryside.

Amenity

- 6.11 The application site is separated from the adjacent residential properties to the east and west by a sand school (east) and pond (west) respectively. The separation distances involved would ensure no loss of private amenity arising from the proposed dwelling.
- 6.12 The applicant advises that the use of the building for residential purposes would allow him to care for his mother, and that the accommodation would provide for the care within the home as the HMG guidelines set out in the Department of Health, 'A vision for Adult Social Care 2010, providing and supporting Family Care for the elderly within the home. Although the Council is sympathetic to the applicants circumstances, no supporting medical evidence has been submitted to support a case to justify allowing a new dwelling in the countryside, contrary to adopted policies, in order to meet the personal circumstances of the applicants, or to justify the harm caused which would still be there long after the dwelling would be needed by the applicant.

Conclusion

- 6.13 The proposed development is located in the countryside, outside the defined built-up area boundary of any settlements, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore the proposed development has not been demonstrated as being essential to its countryside location and the introduction of a residential dwelling, and the accumulation of additional ancillary domestic paraphernalia,

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would harm the character of the rural setting. Consequently the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and would fail to meet the definition of sustainable development within the National Planning Policy Framework.

7. RECOMMENDATIONS

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

Reason(s) for Refusal:

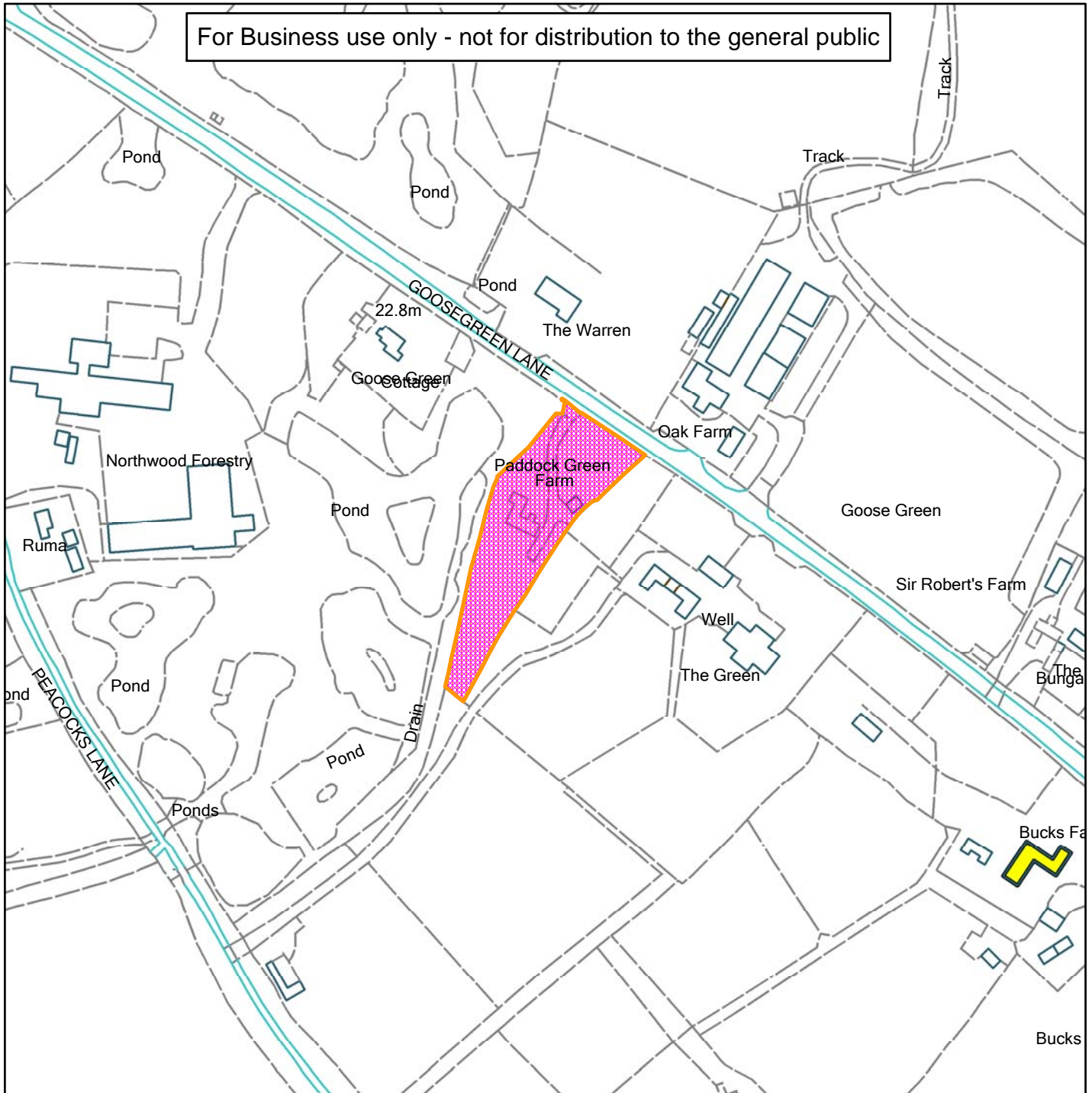
1. The proposed development is located in the countryside, outside the defined built-up area boundary of any settlements, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore the proposed development has not been demonstrated as being essential to its countryside location and the introduction of a residential dwelling, and the accumulation of additional ancillary domestic paraphernalia, would harm the character of the rural setting. Consequently the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and would fail to meet the definition of sustainable development within the National Planning Policy Framework.

Background Papers: DC/16/0240



Paddock Green Farm

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