



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

Development Management (South) Committee

Tuesday, 20th September, 2016 at 2.30 pm

Main Conference Room, Parkside, Chart Way, Horsham

Councillors:

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

You are summoned to the meeting to transact the following business

Agenda

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1. Apologies for absence	
2. Minutes	3 - 10
To approve as correct the minutes of the meeting held on 16 th August 2016	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
To consider the following reports of the Development Manager and to take such action thereon as may be necessary:	
5. Appeals	11 - 12
Applications for determination by Committee:	
6. DC/16/1489 - Land at Storrington Road, Storrington Road, Thakeham	13 - 36

(Ward: Chanctonbury) Applicant: Gladman Developments

- | | | |
|-----|---|-----------|
| 7. | DC/16/1393 - Abingworth Development Site, Storrington Road, Thakeham
(Ward: Chanctonbury) Applicant: Oakford Homes Ltd | 37 - 54 |
| 8. | DC/16/1528 - Billingshurst Doctors Surgery, Roman Way, Billingshurst
(Ward: Billingshurst & Shipley) Applicant: Mr Joseph Fowler | 55 - 66 |
| 9. | DC/16/1082 - Land at Coombelands Lane, Pulborough (Ward: Pulborough
& Coldwaltham) Applicant: Dr Simon Burton | 67 - 74 |
| 10. | DC/16/1415 - 1 Woodcot, New Road, Billingshurst (Ward: Billingshurst &
Shipley) Applicant: Mr Peter Coulstock | 75 - 82 |
| 11. | DC/16/1418 - Manton Stud, Oakhurst Lane, Billingshurst (Ward:
Billingshurst & Shipley) Applicant: Jacky Matlock | 83 - 96 |
| 12. | DC/16/1347 - Towne House, The Village, Ashurst (Ward: Steyning)
Applicant: Mr and Mrs E Tamlyn | 97 - 106 |
| 13. | DC/16/1356 - The Piggery, West End Lane, Henfield (Ward: Henfield)
Applicant: Mr and Mrs Lee McCatty | 107 - 116 |
| 14. | DC/16/1389 - Womens Hall, 81 High Street, Billingshurst (Ward:
Billingshurst & Shipley) Applicant: Mrs Sue Samson, Trustee | 117 - 124 |
| 15. | DC/16/1702 - Little Paddocks, Crays Lane, Thakeham (Ward:
Chanctonbury) Applicant: Mr David Perry | 125 - 132 |
| 16. | 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

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Development Management (South) Committee 16 AUGUST 2016

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

Apologies: Councillors: David Coldwell, Liz Kitchen, Tim Lloyd, Paul Marshall and Ben Staines

DCS/29 MINUTES

The minutes of the meetings of the Committee held on 5th and 19th July were approved as a correct record and signed by the Chairman.

DCS/30 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest.

DCS/31 ANNOUNCEMENTS

There were no announcements.

DCS/32 APPEALS

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

DCS/33 DC/16/0728 - LAND ADJACENT TO RAILWAY COTTAGES AND PULBOROUGH RAILWAY STATION, STOPHAM ROAD, PULBOROUGH (WARD: PULBOROUGH & COLDWALTHAM) APPLICANT: WILLOWMEAD AND NETWORK RAIL

The Development Manager reported that this application sought permission for the erection of 29 dwellings, including ten affordable units, comprising 23 houses and six flats with parking and landscaping, and the construction of a 106-space station car park, all served by a new access on Stopham Road. The proposal also included private parking bays to serve some of the existing dwellings on Stopham Road which would be served by the new access. The proposed units comprised: five 4-bedroom houses; ten 3-bedroom houses; eight 2-bedroom houses; four 2-bedroom flats; and two 1-bedroom flats.

The application followed application DC/15/1025 which had been refused by the Committee in November 2015 (Minute No. DCS/71 (17.11.15) refers). The

main differences between the current application and DC/15/1025 were: the dwelling at Plot 12 would become two flats, addition of single storey sections to units in plots 9 and 20-26, replacement of detached double garage serving plot 12 with two parking spaces; and the addition of a flat crown roof to the building comprising flats.

In addition to the planning application, the applicant proposed highway works to Stopham Road, including the erection of bollards to prevent parking on certain stretches of verge, speed limit signage and a traffic light system to allow pedestrians to cross beneath the railway bridge.

The application site was located to the north of Stopham Road and to the west of the railway line. The part of the site for residential development was outside the built-up area of Pulborough. The proposed car park was within the built-up area. The South Downs National Park (SDNP) boundary was approximately 62 metres south of the site beyond the river Arun, and also about 138 metres to the west. There were 11 dwellings on the opposite side of Stopham Road and a field to the North that sloped up to a group of farm buildings and an area of woodland. The site for the car park had recently been cleared of vegetation.

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

The responses from statutory internal and external consultees, as contained within the report, were considered by the Committee. Since publication of the report the applicant's Landscape Architect had submitted additional information in response to concerns regarding the landscape impact of the proposal.

The Parish Council had supported the proposal and, since publication of the report, had confirmed the local community support for the proposal. Sixteen letters of support from 12 addresses, and 17 letters of objection from 11 addresses had been received. Two members of the public and the applicant's agent all spoke in support of the application. A representative of the Parish Council spoke also spoke in support of the proposal.

Whilst a legal agreement to secure affordable housing and infrastructure contributions had not been secured, the applicant had indicated they were willing to enter into such an agreement.

Members discussed the proposal in the context of the reasons for refusal of DC/15/1025 relating to the principle of the development and its impact on the landscape.

Members considered the proposal in the context of the Horsham District Planning Framework (HDPF), which had been adopted since DC/15/1025 had been refused, and discussed the amount of weight that could be given to the draft Neighbourhood Plan, which included the site for development (concluding that this was only limited). The site's proximity to the railway and the A283 were noted.

Members discussed the benefits that the scheme would bring to the wider community, in particular:

- Increased capacity for commuter parking;
- The erection of bollards to prevent parking along part of the Stopham Road (entrance to the Village);
- Creation of a surfaced car parking layby for existing residents of the Stopham Road;
- Moving the 30mph speed limit further west from the village (increasing the 30mph zone);
- A traffic light system to allow pedestrians to pass under the railway bridge safely; and
- Step-free access (to improve disabled accessibility) to the station's northbound platform.

Members weighed the policy objections against the significant community benefits that the scheme would bring (listed above) and after careful consideration of all the material considerations concluded that the significant package of community benefits outweighed the concerns and thus the benefits warranted approval of the development as a Departure to the Development Plan.

RESOLVED

- (i) That a legal agreement be entered into to secure affordable housing provision and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/16/0728 be determined by the Development Manager for the framing of conditions in association with Ward Members. The view of the Committee was that the application should be granted.

DCS/34 **DC/14/1695 - LAND SOUTH OF ASHINGTON HOUSE, LONDON ROAD, ASHINGTON (WARD: CHANCTONBURY) APPLICANT: KLER GROUP**

The Development Manager reminded Members that this outline application for the erection of up to 40 dwellings and a new access off London Road had been refused by the Committee in July 2015 (Minute No. DCS/24 (21.07.15) refers).

An appeal against the refusal had been lodged, which would be dealt with as a Public Inquiry. Since Members had resolved to refuse the application, the Council had adopted the Horsham District Planning Framework (HDPF). Members therefore were required to reassess the application in the light of the new policy context so that the reasons for refusal could be updated.

The application site was located to the north-east of the village of Ashington outside the built-up area. The land formed part of the estate of Ashington

House, a Grade II Listed Building. To the west there were a number of other Grade II listed buildings.

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

Members considered the officer's planning assessment and assessed the proposal in the light of policies within the HDPF and agreed that the reasons for refusal should be updated to reflect the current policy framework.

RESOLVED

That Officers be authorised to:

- (i) defend an additional in principal objection on the grounds that the proposal is contrary to the spatial strategy for growth set out in the HDPF;
- (ii) update policies referred to in the reasons for refusal to include reference to the HDPF;
- (iii) withdraw the reason for refusal regarding noise.

DCS/35 **DC/16/1091 - LAND ADJACENT TO BUCKMANS, STANE STREET, FIVE OAKS (WARD: BILLINGSHURST & SHIPLEY) APPLICANT: MR CLARKE**

The Development Manager reported that this application sought permission for the erection of two L-shaped detached 4-bedroom dwellings with access from the existing vehicular access off Stane Street.

The northern property would have an attached single garage, and the southern property would have a detached double garage on the site of a dilapidated barn structure. The ridge height of the dwellings will be approximately 8.2 metres.

The applicant had indicated that the design would include traditional architectural features.

The application site was located in a countryside location north of the hamlet of Five Oakes with open landscape to the south and west. It was on the eastern side of the A29 (Stane Street) opposite a road junction with Haven Road. The Grade II listed property, 'Buckmans' was to the north of the site. The site was approximately 135 metres from the last dwelling in Five Oaks to the north.

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

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

The Parish Council had objected to the application. Three letters of objection from one address had been received. One further letter of comment outlining the proximity of an Archaeological Notification Area had been received. The applicant's agent addressed the Committee in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its impact on the setting of the adjacent Listed Building; its impact on the surrounding countryside and on the amenity of neighbours; and highways and traffic.

RESOLVED

That planning application DC/16/1091 be refused for the following reasons:

- 01 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.
- 02 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).
- 03 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).

- 04 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).

DCS/36 **DC/16/0240 - PADDOCK GREEN FARM, GOOSE GREEN LANE, GOOSE GREEN (WARD: CHANCTONBURY) APPLICANT: MR G LAMBERT**

The Development Manager reported that this application sought permission for the erection of a single storey 2-bedroom house. Foundations had been dug for previously approved DC/10/2692 (for a commercial building) and, as an update and correction to the printed report, it was confirmed that this permission had lapsed because pre-conditions had not been discharged.

The application site was located outside the Built-Up area on the west side of Goose Green Lane. Former buildings on the site, which had contained various workshops, had been demolished.

Ladybrook Brickworks and associated ponds were to the west and to the east was a residential property known as The Green. The surrounding area was generally open countryside with sporadic residential and farm buildings.

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

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

The Parish Council had raised no objection to the application. One letter of support had been received. One member of the public and the applicant both spoke in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of residential development in this location and whether it was essential to its countryside location; the character of the dwelling and visual amenities of the countryside and streetscene; the amenities of neighbouring occupiers; parking and traffic; trees; and the quality of the resulting residential environment for future occupiers.

RESOLVED

That planning application DC/16/0240 be refused for the following reason:

- 01 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.

The meeting closed at 3.54 pm having commenced at 2.30 pm

CHAIRMAN

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Development Management Committee (South)

Date: 20th September 2016



**Horsham
District
Council**

Report by the Development Manager: APPEALS
Report run from 04/08/2016 to 31/08/2016

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/16/0959	18 Chestnut Walk Pulborough West Sussex RH20 1AW	18 th August 2016	Refuse	
DC/15/2706	Land at Harbolets Road West Chiltington West Sussex	31 st May 2016	Refuse	
EN/15/0369	Mobile Home Coolham Manor Coolham Road Coolham Horsham West Sussex RH13 8QE	26 th August 2016	Enforcement Notice	

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/15/2436	Denver Storage Okehurst Lane Billingshurst West Sussex	Written Reps	18 th August 2016	Refuse	
DC/16/0147	Brookside Farm Dagbrook Lane Henfield West Sussex BN5 9SH	Written Reps	18 th August 2016	Refuse Prior Approval	
DC/16/0444	3 Fairfield Cottages Cowfold Horsham West Sussex RH13 8BL	Written Reps	4 th August 2016	Refuse	

3. Appeal Decisions

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

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/15/2001	6 Havant House Mill Lane Storrington Pulborough West Sussex RH20 4PP	Fast Track	Allow	Refuse	
DC/16/0630	27 Lower Faircox Henfield West Sussex BN5 9UT	Fast Track	Allow	Refuse	
DC/16/0530	99 Acorn Avenue Cowfold Horsham West Sussex RH13 8RT	Fast Track	Dismiss	Refuse	
DC/15/1550	Cootham Cottage Chapel Lane Cootham Pulborough West Sussex RH20 4JX	Written Reps	Allow	Refuse	
DC/15/2233	The Barn Purveyors Farm Coolham Road Coolham Horsham West Sussex RH13 8GP	Written Reps	Allow	Refuse	
DC/16/0218	4 Grooms Court Parbrook Billingshurst West Sussex RH14 9EU	Written Reps	Allow	Refuse	
DC/15/1597	Land Parcel at 509771 121066 Harbolets Road West Chiltington West Sussex	Written Reps	Dismiss	Refuse	
DC/15/1318	Setyres Ltd High Street Henfield West Sussex BN5 9DE	Written Reps	Dismiss	Refuse	Refuse



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Outline planning permission for up to 60 dwellings (including up to 35% affordable housing), informal public open space and children's play area, surface water attenuation, landscaping, vehicular access point from Storrington Road and associated ancillary works. All matters to be reserved with the exception of the main site access.

SITE: Land at Storrington Road Storrington Road Thakeham West Sussex

WARD: Chanctonbury

APPLICATION: DC/16/1489

APPLICANT: Gladman Developments

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, would represent a departure from the Development Plan

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 is made in outline. The application proposes the erection of up to 60 dwellings, served by a new access from Storrington Road. The proposed vehicular access point from Storrington Road is for consideration with the application. Matters of appearance, landscaping, layout and scale are reserved for later consideration. This proposal is a resubmission of an outline application for up to 107 dwellings which was refused in January 2016 (ref: DC/15/2374).

1.3 The application indicates an indicative layout of detached two storey dwellings with parking spaces and garages. The proposal includes up to 35% affordable housing units (21 units). The scheme would provide a total of 1.94 hectares of residential development based on a density of 31 dwellings per hectare. The proposed residential areas are limited to three areas surrounded by open green spaces. The main two areas are within the larger section of the site set to the north and west of Snapes Cottage. These two areas would be both set back from the boundaries of the site surrounded by open green areas. The third area is adjacent to Storrington Road in the smaller area of land which links the main site to the road. This residential area proposed here is shown set away from the south and north boundaries of this part of the site. The new access road proposed from Storrington Road would link the three residential parcels.

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- 1.4 The site is shown with potential for two proposed infiltration basins in the north west and south east corners of the site and a proposed area of play in the north east corner. The proposal would retain the majority of trees around the borders of the site. The scheme would require the removal of a hedgerow tree belt to accommodate the proposed site access from Storrington Road (B2139). A section of internal hedgerow tree belt would also be required to be removed to accommodate access through the site between fields.
- 1.5 The application has been accompanied by a number of supporting document including:
- Design and Access Statement
 - Planning Statement
 - Built Heritage Statement
 - Air Quality Assessment
 - Flood Risk Assessment
 - Statement of Community Involvement
 - Landscape and Visual Impact Assessment
 - Framework Travel Plan
 - Transport Assessment
 - Archaeological Assessment
 - Noise Impact Assessment
 - Economic Impact Assessment
 - Foul Drainage Analysis
 - Ecology Appraisal
 - Residential Development Benefits: Socio-Economic Sustainability Statement

DESCRIPTION OF THE SITE

- 1.6 The application site comprises an area of 4.89 hectares which includes fields located to the west of Storrington Road. The smallest field is immediately adjacent to Storrington Road and is unused land which has been left to grow naturally. This field is set at higher ground level than Storrington Road and is surrounded by trees and a hedgerow tree belt. This field has an area of approximately 4,800sqm and is directly north of a neighbouring dwelling at Venters, Storrington Road and south of a separate paddock used for horses. Given the shape of the proposed site, this paddock separates the majority of the site to the west from Storrington Road. With this separation, the proposed site is an unusual shape with limited roadside frontage.
- 1.7 Adjoining this field to the west are further fields which are part of the application site. These fields are used for horse and donkey grazing and have a total area of approximately 44,000sqm. The fields are divided by timber fencing. Due to the topography of the site the fields slope down from north to south with a central plateau. These fields are also surrounded by trees and a hedgerow belt.
- 1.8 The site is north of the built-up-area of Storrington. Storrington is classed as a 'Small Town and Larger Village' in Policy 3, Strategic Policy: Development Hierarchy of the Horsham District Planning Framework (HDPF). Directly to the south of the site is a piece of former vacant land which abuts the built-up area boundary of Storrington at Rother Close and Jubilee Way. This piece of land was recently granted outline permission at appeal followed by reserved matters approval for the development of 75 dwellings (refs: DC/13/1265 & DC/15/2126). Development has commenced on this site, accessed via Water Lane.
- 1.9 The current application site is also north of a group of detached dwellings at St Marys Close. These houses are the nearest dwellings to the site which are within the built-up-area boundary of Storrington. The site also adjoins the north and west boundaries of Snapes Cottage. This property is a Grade II listed building. There is also a row of detached dwellings of traditional design facing the site on Storrington Road. The site also

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abuts the boundary of a dwelling at Littlebury House to the north of the site. To the west and to the north of the site (adjacent to Littlebury House) are further fields used for crops and grazing. To the south west of the site is a newly constructed industrial building for Tesla Engineering Ltd.

- 1.10 The site is located within the Horsham District Landscape Character Area E1: Parnham & Storrington Wooded Farmlands and Heath. According to this classification, 'the area has a distinctive landscape of rolling sandy ridges and stream valleys with a mosaic of oak – birch / woodland, conifer plantations, heathlands and rough pasture. Despite the proximity of the urban edge of Storrington and the intrusion of traffic, the area retains surprisingly rural character.'

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10, 11 and 12.
- 2.3 Planning Practice Guidance (March 2014).

RELEVANT COUNCIL POLICY

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

Policy 1: Strategic Policy: Sustainable Development
Policy 2: Strategic Policy: Strategic Development
Policy 3: Strategic Policy: Development Hierarchy
Policy 4: Strategic Policy: Settlement Expansion
Policy 15: Strategic Policy: Housing Provision
Policy 16: Strategic Policy: Meeting Local Housing Needs
Policy 17: Exceptions Housing Schemes
Policy 24: Strategic Policy: Environmental Protection
Policy 25: Strategic Policy: The Natural Environment and Landscape Character
Policy 26: Strategic Policy: Countryside Protection
Policy 31: Green Infrastructure and Biodiversity
Policy 32: Strategic Policy: The Quality of New Development
Policy 33: Development Principles
Policy 34: Cultural and Heritage Assets
Policy 35: Strategic Policy: Climate Change
Policy 36: Strategic Policy: Appropriate Energy Use
Policy 37: Sustainable Construction
Policy 38: Strategic Policy: Flooding
Policy 39: Strategic Policy: Infrastructure Provision
Policy 40: Sustainable Transport
Policy 41: Parking
Policy 42: Strategic Policy: Inclusive Communities

- 2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

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RELEVANT NEIGHBOURHOOD PLAN

- 2.6 The site is within the Parish of Thakeham. Thakeham has produced a Submission Neighbourhood Plan. At the time of writing the report, the plan had been submitted for independent examination via Horsham District Council. The application site is not allocated as a development site in the Submission Neighbourhood Plan.

PLANNING HISTORY

- 2.7 Application site:

DC/15/2374 Outline planning permission for up to 107 dwellings (including up to 40% affordable housing), informal public open space and children's play area, surface water attenuation, landscaping, vehicular access point from Storrington Road and associated ancillary works. All matters to be reserved with the exception of the main site access. Refused 20/01/2016

- 2.8 The planning history below relates to the land to the immediate south of the application site known as at land North of Brook Close and Rother Close:

DC/15/2126 Application for Approval of Reserved Matters pursuant to Outline Planning Application DC/13/1265 (Development of approximately 75 dwellings including the creation of an access point from Water Lane. Provision of open space including children's play area, linear park, landscaping and sustainable urban drainage systems on the site). Approved 21/12/2015

DC/13/1265 Development of approximately 75 dwellings including the creation of an access point from Water Lane. Provision of open space including children's play area, linear park, landscaping and sustainable urban drainage systems on the site (Outline). Allowed on appeal 20/11/2014

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC – Housing (summarised):** Comment. The applicant proposes 35% affordable homes (21 units) which is welcomed. There is no suggested tenure split. This should reflect 70% rented and 30% shared ownership. The Housing Officer would urge the applicant to reach an agreement with a provider in order to clarify and confirm the tenure split and secure funding arrangements.
- 3.3 **HDC - Strategic Planning (Summarised):** Objection. The site is located in the countryside, well outside of the BUAB of Storrington. As such, the site is considered against 'Countryside Protection Policy 26' which protects the countryside against inappropriate development. The scheme does not meet the four criteria of Policy 26. Additionally, the Council can demonstrate a full 5-year housing land supply against the required number of dwellings per annum. The site has not been allocated for development in the Neighbourhood Development Plan. The proposal is therefore contrary to adopted strategy and is not planned growth within the Development Plan.

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- 3.4 **HDC – Technical Services (Drainage):** No overall objections to the drainage strategy proposed at the outline stage.
- 3.5 **HDC – Refuse Collections Supervisor (summarised):** Comment. Further information is required regarding access to the site for refuse vehicles and the capacity of the shared road surface for refuse vehicles.
- 3.6 **HDC – Environmental Health (summarised):** No objection subject to the following:
- Submission of Construction Environmental Management Plan to be agreed by the Local Planning Authority.
 - The noise report submitted by Peter Brett Associates is acceptable. The scheme is to be implemented in accordance with the details outlined in the report which recommends trickle vents to the windows of some dwellings.
 - The site is over 1km from the Storrington Air Quality Management Area (AQMA). The applicant has submitted an air quality assessment report. However, the report lacks sufficient details. Therefore, a condition is recommended requiring the submission of a 'low emission strategy' scheme for the approval of the local planning authority.
 - Given the sensitivity of the proposed end use, a condition relating to the submission of a scheme associated with the contamination of the site for the approval of the local planning authority is recommended. Environmental Health would expect to see at least a desk top study and depending on the findings of this work, recommendations for further intrusive work and a watching brief over site preparation and groundworks.
- 3.7 **HDC – Parks & Countryside:** Comment (verbal). Concern is raised over the lack of integration between the open space, sport and recreation area in the current proposal and the approved open area at the site immediately to the south currently being developed. The LEAP should be relocated to the southern boundary where it can be accessed from both sites.
- 3.8 **HDC – Ecology Consultant (summarised):** No objection subject to the submission of the following for the approval of the Local Planning Authority:
- Updated ecology surveys, including an updated badger survey, a suite of dormouse surveys, with appropriate avoidance, mitigation and enhancement measures as required;
 - A reptile mitigation method statement to expand upon those recommendations made within the Ecology Report by FPCR and to provide detail on reptile protection measures and receptor areas. This should include a reptile population survey and results to inform receptor site requirements;
 - A lighting plan showing measures to be used to avoid illumination of boundary habitats, and proposed areas of open space, to avoid disturbance to bats and mature trees with potential to support bats;
 - A management plan to ensure the long-term viability of new and existing habitats.
- 3.9 **HDC - Archaeology Consultant (summarised):** No objection subject to the submission of a written scheme of investigation to be submitted to and approved by the local planning authority in writing prior to commencement of works.
- 3.10 **HDC – Conservation Officer (summarised):** Objection. Whilst the proposed reduction in housing from the previously proposed 107 dwellings to 60 dwellings together with the introduction of bands of soft landscaped areas buffering and running through the development is an obvious improvement in terms of the reduction of built form, the introduction of a housing estate to the open fieldscape would still erode the open historic fieldscape and subsume the immediate and wider setting of the listed building. The proposal results in less than substantial harm to the listed building.

- 3.11 **HDC – Landscape Officer (summarised):** Objection. In comparison with the previously refused scheme, the current proposal provides for a considerable reduction in the number of dwellings on the site and an increased area of open space and green infrastructure all round. However, the proposal does not overcome the issue regarding the principle of development in landscape terms due to the introduction of urbanising form into the countryside and the expansion of the settlement onto a sensitive elevated area and well defined settlement edge. Even with the proposed landscape buffering to the south/south-east of the site, the housing development would be an unduly prominent addition which would be a looming backdrop to the listed building.

OUTSIDE AGENCIES

- 3.12 **West Sussex County Council – Flood Risk Management Consultant (summarised):** No objection. Current mapping shows the proposed site is primarily at 'low risk' from surface water flooding and ground water flooding. Development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles and an assessment of hydrological and hydro geological context of the development have been submitted to and approved in writing by the Local Planning Authority.
- 3.13 **West Sussex County Council - Highways (summarised):** No objection. The access arrangements are considered appropriate. The Highway Authority is also satisfied that the development would not give rise to any severe highway capacity impacts. Conditions are recommended requiring details of visibility splays for the access onto Storrington Road, cycle parking, internal roads and an amended Travel Plan all to be submitted to the Local Planning Authority for approval prior to the first occupation of the development.
- 3.14 **West Sussex County Council – Section 106 (summarised):** Comment. Contributions are required in relation to School Infrastructure, Library Infrastructure, Transport and Fire & Rescue Service Infrastructure. As the housing mix is not known at this stage, it is not possible to establish the proposed contributions for this scheme. If recommended for approval, a formula could be inserted into any legal agreement so that the necessary contributions can be calculated at a later date.
- 3.15 **West Sussex County Council: Rights of Way (summarised):** Comment. It is noted that the proposed development does not affect the existing public rights of way network. The application makes reference to proposed footpaths within the development site. If it is intended for these footpaths to be public rights of way, this must be agreed with WSCC Public Rights of Way.
- 3.16 **Southern Water (Summarised):** No objection subject to the following:
- The applicant is to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.
 - The applicant will need to ensure that arrangements exist for the long term maintenance of the SuDS facilities.
 - No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features to be located within 5 metres of a public sewer.
 - No development to commence until a drainage strategy detailing the proposed means of foul and surface water sewerage disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.
- 3.17 **Environment Agency (summarised):** No comment.
- 3.18 **Natural England (summarised):** No objection. The proposal is unlikely to affect any statutory protected sites. Advice should be sought from the National Park advisor on the

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potential impact on the South Downs National Park. Natural England refers to their standing advice on protected species. The application may provide opportunities for biodiversity and landscape improvements of the surrounding areas.

- 3.19 **NHS Coastal West Sussex Clinical Commissioning Group (summarised):** Comment. Currently the GP practices are in buildings that are not able to pick up new growth. Housing development in these areas has grown significantly and until there is Estate funding available, GP's cannot cope with increasing patient volumes. Support could be obtained through a S106 contribution.
- 3.20 **South Down National Park:** No comments received. (*Comments are expected to be received and will be reported to committee*)

PUBLIC CONSULTATIONS

- 3.21 **Thakeham Parish Council (summarised):** Objection:
- The proposal conflicts with the local HDPF strategic planning framework. The site is greenfield and outside the settlement of Storrington and Sullington. It is not included in the HDPF for development.
 - The proposal conflicts with the emerging local planning framework. In particular it is in direct conflict with the Thakeham Neighbourhood Plan (TNP), which is currently under external examination following extensive consultation with local residents. The site of this proposal was specifically considered during the development of the TNP. Even with an assumed lower number of units (75) the site scored poorly and was ruled out on the grounds of: being outside current built-up areas, coalescence, negative impact on landscape and impact on a listed building.
 - The TNP includes provision of 270 new homes to significantly boost the supply of housing. This represents a 33% increase in housing volume in the parish.
 - To add a further 60 homes by granting permission on this site would invalidate the Thakeham Neighbourhood Plan by creating over supply of housing, its strong emphasis on avoiding further coalescence between the villages of Thakeham and Storrington, and in terms of planned provision of community facilities.
 - The scheme is not one of three development sites identified in the TNP and is not within an existing built-up area. The proposal would (in conjunction with 76 unit Crest Nicholson Water Lane development) completely remove an important part of the existing green gap between the currently dispersed housing along the B2139 in south western Thakeham. The scheme would create suburban coalescence. This is contrary to Policy 1 (Spatial Plan) of the TNP.
 - The proposal will demonstrably harm the setting of a Grade II listed Building (Snapes Cottage). This is contrary to Policy 7 (Heritage Assets) of the TNP.
 - The proposal would have a serious impact on the landscape character of the area which currently eases the transition from the built-up suburbs to the rural feel of most of the rest of Thakeham Parish. The site is currently a visible open area from public vantage points, including the South Downs and adjacent paths, and the applicant understates the visual impact. The site also makes a valuable contribution to biodiversity at the edge of the built-up area. This is contrary to Policy 10 (Green Infrastructure and Valued Landscapes) of the TNP.
 - This site is also an unsustainable location in terms of walking and cycling to the facilities of central Storrington. It is reasonable to anticipate that 60 new houses at this distance would translate into 250-300 additional vehicle movements which would impact on the road capacity of Storrington which are already overloaded at peak times.
 - The additional cars and high number of journeys will further exacerbate the well-known and serious air pollution problems in Storrington.
 - The strong sense of Storrington residents is that schools, dentist and doctors surgeries in the area are already at maximum capacity.

3.22 **Storrington & Sullington Parish Council (summarised):** Objection:

- The proposed site is not in the HDPF or in Thakeham's or Storrington, Sullington & Washington Parish Council's Neighbourhood Plans.
- It should also be noted that what had become apparent whilst conducting Neighbourhood Plan Surveys was the fact that residents of all surrounding villages wanted to protect the gaps / green spaces between each individual village.
- An objection is raised to the scheme on the grounds of traffic, air quality, lack of infrastructure and the fact that schools, dentists and doctor's surgeries are already at maximum capacity.

3.23 **Campaign to Protect Rural England Sussex (summarised):** Objection.

- As acknowledged in the applicant's Planning Statement, the site is not in accordance with the locational policies of the Development Plan. The site is contrary to Policy 4 of the HDPF and is not an allocated site in the HDPF or the Thakeham Neighbourhood Plan.
- The proposal is also contrary to Policy 25 of the HDPF: The Natural Environment and Landscape Character as it would extend the spread of built development and would erode the rural setting of Storrington. If granted, this scheme would irrevocably change the character of the countryside.
- There is no shortfall of housing supply. Horsham District has a five year housing supply as clarified by recent appeal decisions.
- Concern is raised over the Air Quality Assessment submitted.
- Concern is raised over the impact on protected species, especially the potential impact on wild birds.
- The scheme would irrevocably urbanise the site and cause significant harm to the character of Snapes Cottage, a Grade II Listed Building.
- The proposed development is not plan led and would deny local people the right to shape their surroundings through the Neighbourhood Plan process.

3.24 **Thakeham Village Action (summarised):** Objection:

- This land in the Thakeham Countryside is an unsuitable rural location outside the limits of any existing settlement.
- With the adoption of the HDPF, the Council has a five year supply of housing.
- The forthcoming Thakeham Neighbourhood Plan does not allocate this site for housing. Instead it allocates sufficient housing at a previously developed site within the existing built-up area boundary. With more than 32% increase in the number of houses due in the Parish in the next few years, there is no need for this proposal of such a scale in the Thakeham community.
- Introducing suburban type housing would not be appropriate to this countryside location and would harm the landscape character and countryside amenity and atmosphere of this rural location.
- The site is visible from the South Downs National Park. Building on this land would harm the landscape character of the National Park.
- The site is not well contained in the wider landscape. It has a high degree of visual sensitivity from higher ground, the B2139 and the nearby footpath.
- The site has poor access to services and facilities. It is some 2km to the nearest service centre (Storrington) and more than 500m to the nearest frequent bus stop, so owners would be reliant on the use of the private car.
- Introduction of a housing development would create light pollution.
- Development of this site would result in the loss of good quality agricultural soils.
- The old hedgerows on the site provide refuges for wildlife, including protected species.
- The local infrastructure (roads, schools, health facilities, water supply, sewerage) are unable to take the increased pressure development would place on them.
- Development would affect the setting of a listed building.

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- Local air quality problems would be made worse.
- The proposed development would not result in a use required for a countryside location.

3.25 **76** letters of **objection** have been received from local residents. The grounds of objection are as follows:

- There is no material difference with this application to the previous highly inappropriate application.
- This is still Greenfield and prime agricultural land. This speculative and cynical application will destroy more of our rapidly diminishing countryside.
- The scheme would exacerbate the pollution problems in Storrington.
- This is not in the Thakeham Parish design Statement nor part of the Parish Neighbourhood Plan. The Thakeham Neighbourhood Plan should be given reasonable weight in the determination of this application.
- The proposal virtually joins the Water Lane development currently under construction and is likely to be a burden on the local sewer network.
- Storrington Road will be taking much more traffic already owing to the development of the Abingworth site, this adds considerably to that. There is no public transport available meaning all movements will be by car.
- This scheme is not necessary to meet Horsham's housing quota. Thakeham Parish already has approved developments for 222 new housing units to be constructed over the next couple of years.
- The developer is taking advantage of the prolonged procedure for the adoption of the Neighbourhood Plan.
- There is insufficient infrastructure and little employment potential. The scheme is unsustainable and would put an unacceptable burden on local services.
- This application means yet more traffic on an already busy road, both during the building phase and after it is complete. This could lead to accidents. The access point to the site is potentially a major highway safety issue.
- The scheme will have an impact on local schools which would be oversubscribed.
- The closure of the surgery by the library has had an impact on the Glebe Surgery in Storrington which would find it difficult to absorb patients from 60 more houses. There is a lack of health provision for this area already.
- The proposal undermines the green open spaces between the settlements within the Parish.
- This is overdevelopment in a small village. Huge developments of housing are already being undertaken in the area which will result in the loss of identity of a Sussex Village. This would result in a significant reduction in the standard of living for existing and new residents.
- Horsham District Council has already indicated that additional housing is required in the areas of Horsham, Southwater and Billingshurst and not in the small South Downs Villages. The proposal is outside the built-up-area boundary and contrary to the HDPF and NPPF.
- The proposal would affect local wildlife habitat, flora and fauna.
- Concern is raised over flooding, drainage and water provision.
- The building works would add to the noise, dust and disruption caused by the Crest development at Water Lane.
- The urbanisation of this rural area would be devastating to the rural ambience and outlook of the 15th Century Grade II Listed Building at Snapes Cottage.

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 As an outline application, 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.
- 6.2 The applicant has requested that all matters, except access are to be reserved for later determination. 'Access', in this instance, relates to the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access circulation routes and how these fit into the surrounding access network.
- 6.3 This application is assessed against the relevant policies of the HDPF and the national planning policies contained in the National Planning Policy Framework (NPPF). The Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant to this application.
- 6.4 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 residential development in land use terms; the impact on the setting on the adjacent Grade II Listed Building; the impact on the character and visual amenity of the landscape and locality; the impact of the development on the amenity of prospective and neighbouring occupiers; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety; traffic conditions in the locality; whether appropriate provision can be made for car and cycle parking, refuse storage/collection, drainage/flooding and; whether the development can be delivered without harming the interests of nature conservation, flooding, land contamination, archaeology and air quality.
- 6.5 In addition to the above, the previous refusal of outline permission for up to 107 dwellings on this site (DC/15/2374) is also a material consideration in the determination of the current proposal. This previous refusal is subject to an appeal through the public inquiry procedure to be held in April 2017.

Principle of Development

- 6.6 The previous scheme for this site was refused partly on the grounds that the scheme was contrary to the overarching strategy and hierarchical approach of the HDPF of concentrating development within the main settlements. The circumstances surrounding this site have not changed since the previous refusal. Therefore this principal objection to the development of the site still stands.
- 6.7 The HDPF demonstrates that there is adequate housing land available to provide the required 800 dwellings per annum for a 5 year period. Policy 3 of the HDPF, confirms that development should be focused within Built-Up Area Boundaries. In addition to Built-Up Areas, it is recognised that, in order for some communities to be able to grow and develop, it will be necessary for them to expand beyond their current built form. Accordingly, Policies 3 and 4 note that, by allocating sites in the Local Plan or Neighbourhood Plans, it will be possible to meet the identified local needs of these settlements and provide an appropriate level of market and affordable housing, as well as maintaining the viability of smaller villages and towns. The Policy notes the importance of retaining the rural character

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of the District beyond these settlements. In this instance, the proposed site is well beyond the Built-Up-Area of Storrington in a countryside location.

- 6.8 The HDPF outlines the proposed settlement hierarchy which is the most sustainable approach to delivering housing. New development should be focused in the larger settlements of Horsham, Southwater and Billingshurst, with limited new development elsewhere, and only where it accords with an adopted Neighbourhood Plan. 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.
- 6.9 As the development site is outside the built-up-area boundary, not allocated in a Neighbourhood Plan and not within a strategic development site, the principle of residential development in this location is, therefore, contrary to Policies 1, 2, 3 and 4 of the HDPF.
- 6.10 In this countryside location, the site is also considered against 'Countryside Protection' Policy 26 which protects the countryside against inappropriate development unless it is considered to be appropriate in scale and essential to its countryside location and must also meet one of the four criteria.
- Support the needs of agriculture or forestry;
 - Enable the extraction of minerals or the disposal of waste;
 - Provide for quiet informal recreational use; or
 - Enable the sustainable development of rural areas.
- 6.11 The proposed development does not meet any of these four criteria, nor is it considered to be 'essential' for its countryside location. Given the Council can demonstrate a full 5-year housing land supply against the required number of dwellings per annum there is no overriding requirement or benefit for housing in this countryside location.
- 6.12 As stated, the application site is not allocated for development within an adopted Neighbourhood Plan. Thakeham has been designated as a Neighbourhood Development Plan Area, and a Submission Plan has been submitted to Horsham District Council for independent examination. The site has not been designated within the Thakeham Submission Plan.
- 6.13 As the Thakeham Neighbourhood Plan has not yet been made, it cannot be given any meaningful weight in the decision making process of this application. Notwithstanding this, given Thakeham Parish Council's strong objection to this proposal, it is unlikely that this site will be adopted as a housing site in the Thakeham Neighbourhood Plan within the immediate future. This is reinforced in the Strategic Housing and Employment Land Availability Assessment (SHELAA 2016) appraisal of the site which states that this site is 'not currently developable'.
- 6.14 Policy 15 of the HDPF outlines the provision of 16,000 homes for the Horsham District within the period 2011-2031. The policy includes the provision of 750 units within 'windfall sites'. As the Council can now demonstrate a 5 year housing supply, any windfall sites should be located within the Built-up-Area boundary in accordance with the overarching development strategy of the HDPF. As unallocated land outside the built-up-area boundary, this site could not be considered as a 'windfall site'.
- 6.15 In November 2014 application DC/13/1265 was allowed on appeal for up to 75 dwellings on a site immediately to the south (which abuts the existing Built-up-Area boundary). A Reserved Matters application has also been recently approved for this site and works have commenced on site. This scheme was determined prior to the adoption of the HPDF. In considering the appeal for this site, the Inspector commented that the development should be determined in accordance with the SPD on Facilitating Appropriate Development (FAD). The FAD SPD was brought in to address the lack of a five year housing supply and

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outlined an assessment of what would be considered appropriate development under the policies of the Development Plan Documents. With the adoption of the HDPF, the Council can now clearly demonstrate a five year housing supply and the FAD SPD no longer forms part of the Development Plan.

- 6.16 Given that the HDPF has now been adopted and that the Council can now clearly demonstrate a five year housing supply, the appeal decision for the development of the land directly to the south is not considered to set a precedent for the development of the current application site. As outlined below, there are also concerns that the current scheme would further erode the character of this countryside location, which would already be detrimentally affected by the development of the land to the south, and would also harm the rural setting of the adjacent listed building at Snapes Cottage.
- 6.17 Since the adoption of the HDPF, there have been numerous appeal decisions which support the Council's strategic approach to development and confirm that its policies are sound. Recently, appeal decisions have been received for development at Old Clayton Kennels, Storrington Road and Land at Bax Close, Storrington. In both these appeals, permission was sought for development outside the Built-up-Area boundary of Storrington on sites not allocated for development in the Local Plan or a Neighbourhood Plan. In both appeals, it was found that the development hierarchy within the HDPF was sound. Additionally, Policy 4 of the HDPF was seen as an integral part of the spatial strategy and the plan-led approach to the delivery of sustainable development across the district. Failure to accord with this policy was seen as carrying significant weight.
- 6.18 For the reasons outlined above, the principle of providing 60 no. houses, outside the Built-Up-Area boundary, within the countryside, and where the land hasn't been allocated for development within a Local or Neighbourhood Plan, is unacceptable. The development is not essential to its countryside location and is therefore contrary to Policies 1, 2, 3, 4, 15, 25 and 26 of the HDPF.

Dwelling Type and Tenure

- 6.19 35% of the proposed 60 no. dwellings would be made available on the affordable housing market. This is in accordance with the requirements of Policy 16 of the HDPF. The proposed affordable housing provision is, therefore, acceptable in principle. In accordance with the HDPF, the housing tenure target would be to provide 70% as social / affordable rented properties and 30% as intermediate / shared ownership properties. The exact size and tenure split of the units could be controlled by a suitably worded legal agreement, if all other aspects of the proposed development were considered acceptable.
- 6.20 Policy 16 of the Horsham District Planning Framework seeks to achieve a mix of housing sizes to meet the District's housing needs, as identified in the Strategic Housing Market Assessment (SHMA), in order to create balanced and sustainable communities. As this is an outline application, with only access to be considered, the final mix of dwellings proposed across the site would be considered and controlled as part of a Reserved Matters application and based on the most up to date and need at that time. This would include the local housing needs data collated by the Parishes of Thakeham, Storrington and Sullington, and Washington and the findings of the SHMA.

Impact on the Setting of Snapes Cottage

- 6.21 Policy 34 of the HDPF states that the Council recognises that heritage assets are an irreplaceable resource and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets.
- 6.22 Snapes Cottage is a Grade II Listed building adjacent to the southern boundary of the site. The proposed development would be adjacent to the north and west boundaries of Snapes

Cottage and would be adjacent to the driveway to the cottage. During the summer months, glimpses of the roofscape including the chimney stack to the listed building, are permitted from the application site and the application site can easily be viewed looking west from the listed building with the views across the fieldscape to the open countryside beyond, reinforcing the historic rural isolation of the listed building. Greater views of the listed building are afforded during the winter months.

- 6.23 A History of the County of Sussex: Volume 6 Part 2 informs that Snapes Cottage was likely the original farmhouse of Snapes Farm but was replaced with a new farmhouse on the opposite side of the road in the late 17th century. The publication goes on to state that in 1982 Snapes Cottage “retained a 15th-century timber framed and jettied north cross wing of two bays with a crown-post roof, traceried bargeboards, and bay window. The hall range to the south was replaced in the 19th century by a small double-depth stone block.”
- 6.24 The appeal decision for the land south of Snapes Cottage for 75 dwellings did consider the setting of the listed building and concluded that there would be negligible less than substantial harm to the setting of the listed building on the basis that the historic value of the building as an isolated farmstead had been eroded to an extent that its context was of a detached historic property located within the countryside. The development scheme approved at appeal retained an undeveloped margin along the northern boundary thereby minimising the impact upon the listed building and thus retaining its context as a countryside residence.
- 6.25 The previous application for the application site sought outline planning permission for a higher quantum of housing (107 dwellings). The proposal was not supported, in part, due to the less than substantial harm that the development would have on the setting of Snapes Cottage and the historic landscape.
- 6.26 The current scheme has sought to address the impact on the setting of the listed building by significantly reducing the quantum of development proposed. With the reduction in proposed housing on site, the scheme indicates that there will be a green open space separating the east and north boundaries of Snapes Cottage. The submitted Framework Plan indicates a gap of approximately 17m between the northern boundary of Snapes Cottage and the parcel of proposed residential development to the north and approximately 25m between the western boundary of Snapes and the parcel of proposed residential development to the west. The scheme also includes a green open space area which divides these two parcels with a width of approximately 15m. This area runs north west diagonally from the corner of the boundary with Snapes Cottage. The proposal includes ‘Structural Planting’ around the boundary with Snapes Cottage. It is unclear what this planting would entail. However, planting would not overcome the potential impact on the setting of the listed building as the application site is set at a higher ground level than Snapes Cottage.
- 6.27 The Council’s Heritage Officer has commented that the current proposal is still considered inappropriate. Even with the reduction in housing and the set back from the boundaries of Snapes Cottage, the proposed housing development would still have a harmful impact on the setting of the listed building.
- 6.28 Snapes Cottage was built as an isolated farmhouse and whilst the building has lost the associated farmstead buildings, the building draws its significance from its architectural and historic value as a traditional building constructed of the local vernacular and sited within a landscape setting. It alludes to the historic land use of the region which is evident on the historic mapping. Whilst its context as an isolated farmstead has been eroded by the loss of traditional ancillary structures, as a result of the relocation of the farm nucleus to the land on the eastern side of Storrington Road, it still does have an association to the surrounding countryside which is important in respect of the morphology of the listed building and its setting. With the above in mind, the statement in the submitted Heritage Statement which

sets out that “Snapes Cottage is no longer legible as an agricultural (farmhouse) building” is disagreed with.

- 6.29 As set out in the Heritage Statement (pg 14), “there is strong intervisibility between the central and much of the southern portions of the Site with the listed building, Snapes Cottage.” The open, green fieldscape of the application site provides the rural landscape in which the historic building can be read and interpreted; therefore, the application site is significant in forming part of the surroundings in which the heritage asset is experienced.
- 6.30 In November 2014, the residential development of the land to the south of the application site was allowed at appeal (APP/Z3825/A/14/2215437) with the Inspector commenting that “there can be no doubt that the public benefit from the proposed development, contributing to alleviating the shortfall of housing in the District, clearly outweighs such harm (to the setting of Snapes Cottage).” (pg 7, para 37)
- 6.31 Since the determination of the appeal, Horsham District Council are now able to demonstrate a five year housing land supply and, with this in mind, there are no tangible public benefits for the proposed development which would outweigh the harm to the setting of the listed building contrary to para 134 of the NPPF.
- 6.32 It should also be noted that the Inspector recognised that the “development on the appeal site would clearly cause harm to its landscape character” but further commented that “it is a great advantage of the appeal proposal that the higher ground on the north of the site would not be built upon, thus restricting the proposed housing to land where it would not impinge noticeably on views from the north and north-west, or indeed views from the South Downs.” The Inspector there placed value on the land to the north of Snapes Cottage (the application site) being retained to preserve the setting of the listed building.
- 6.33 Whilst the proposed reduction in housing from the previously proposed 107 dwellings to 60 dwellings together with the introduction of bands of soft landscaped areas buffering and running through the development (the ‘green’), is an obvious improvement in terms of the reduction of built form, the principle of introducing a housing estate to the open fieldscape would erode the open historic fieldscape and subsume the immediate and wider setting of the listed building.
- 6.34 Given the topography of the site and the strong intervisibility between the application site and the listed building, even with the proposed landscape buffering to the south/south-east of the site, the housing development would be an unduly prominent addition which would be a looming backdrop to the listed building. The built form set at a higher level to that of the listed building would also obstruct existing far reaching views of open countryside when looking west from Snapes Cottage and one would lose appreciation of the rural sense of place.
- 6.35 There is also concern that development of the open fieldscape would erode the landscape edge to the settlement of Storrington and together with the housing development allowed at appeal, the extension of built form into the fieldscape would engulf the isolated listed building and erode the transition from the urban character of Storrington to the rural area beyond.
- 6.36 It is acknowledged that the proposed additional housing would provide some 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. It is also acknowledged that 35% of the dwellings would be made available on the affordable housing market and that 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.

- 6.37 Whilst acknowledging that the development could provide some positive social and economic outcomes, on balance, it is considered that these benefits would not be of a sufficient scale to significantly and demonstrably outweigh the harm identified to the setting of the Listed Building. Additionally, as the Council can now demonstrate a 5 year housing land supply, there is no overriding public benefit arising from the development which would outweigh the great weight to be applied to the harm caused to the heritage asset.
- 6.38 In the applicant's Heritage Statement for the current proposal, it is acknowledged that the 'immediate and extended settings contribute positively to the Asset's significance, although the setting offers only an aggregate minor contribution.' It is also acknowledged by the submitted Heritage Statement that the scheme would result in less than substantial harm to the setting of Snapes Cottage.
- 6.39 The current proposal is therefore considered an unsustainable form of development which is contrary to the objectives of the spatial strategy and results in harm to the setting of the listed building. In reaching this conclusion, significant weight is given to the fact the Council can deliver its housing requirements as outlined in the HDPF without having to rely on sites located outside built up areas, unless these are allocated through either the Local Plan or Neighbourhood Plans. It is therefore considered that there is insufficient justification for overriding the strong presumption in favour of preserving the setting of the Grade II Listed Building.
- 6.40 As outlined above and taking into account the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the requirements of the NPPF and Policy 34 of the HDPF, the scheme would result in less than substantial harm to the setting of the listed building and is recommended for refusal on this basis.

Impact on landscape character and the visual amenity of the locality

- 6.41 The site is located in a countryside location to the north of the village of Storrington. The site is located outside of Storrington's defined Built-up-Area and is therefore covered by HDPF Policies 25 and 26 which protect the countryside against inappropriate development, unless it is considered to be appropriate in scale and essential to that location.
- 6.42 The Council's Landscape Officer has commented that the site itself is considered to be of an overall moderate-high visual sensitivity due to its elevated position, its attractive middle-long distance views and its distinctive large hedgerow oaks. The topography gently rises to the centre of the site forming a plateau 5m above the bottom of the slope. The land then continues to rise more gently to the ridgeline to the north. As existing, the site is visually well contained from public views by mature hedgerows and trees, with the exception of the north-west boundary which affords glimpsed views from the public footpath.
- 6.43 The site is also seen against the backdrop of open countryside to the north and western boundary and existing suburban residential development to the east. There is an urbanising influence of the industrial development of Water Lane and recently constructed commercial unit on the land immediately to the south west of the site and this will be added to by the approved Crest Nicholson housing development to the south.
- 6.44 The site is identified within the Horsham District Landscape Character Assessment (HDLCA) as Landscape Character area 'E1: Parham and Storrington Wooded Farmlands and Heaths'. The landscape condition is considered overall to be good. Characteristics of relevance to the site itself are *small mostly well hedged pasture fields with mature hedgerow oaks and small areas of heathland*. The proposals show the existing hedgerow field pattern of the site is to be maintained and reinforced by new planting with limited hedgerow removal to provide access into and through the site therefore maintaining, to an extent, one of the landscape characteristics of the site.

- 6.45 At a local level, the site is categorised in the Horsham District Landscape Capacity study as Landscape Character Area 59: Land North of Water Lane, with low-moderate capacity for small scale housing development, defined as housing development of no more than 100 dwellings. Characteristics relevant to the site include its *'undulating landform with small to medium scale irregular pasture and arable fields'*, the *'strong network of thick hedgerow field boundaries'*, and the *'landscape condition is generally good' with a strong rural character except close to some of the urban edge'*.
- 6.46 The previous scheme (DC/15/2374) for up to 107 units was partly refused on the grounds that the scheme would diminish the rural and open character of this particular part of the landscape creating a discordant and uncharacteristically urbanised environment harming the character of the local countryside. The current proposal has significantly reduced the quantum of development on site and included large areas of open green space.
- 6.47 The Council's Landscape Officer has commented that the current proposal of up to 60 dwellings on the site will still have an adverse effect on landscape character and appearance of the area for the reasons detailed below.
- 6.48 The reduction in the quantum of development on site does not overcome the issue of the principle of development in landscape terms due to the introduction of an urbanising form of development in the countryside and the expansion of the settlement onto a sensitive elevated area and well defined settlement edge.
- 6.49 With regard to the recently approved Crest Nicholson development to the south, contrary to the current application site, this approved development would facilitate the transition between residential areas and the open countryside with the provision of an open space buffer to the north of the development. This was also key to retaining the setting of the listed building adjacent to the application site. At the appeal decision for the Crest Nicholson development, the Inspector concludes that *'the additional planting proposed along the northern boundary would give better definition between the built-up area and the countryside.'* The current proposal intends to further extend the settlement beyond this buffer resulting in a less well defined boundary open to future development expansion and further encroachment into the countryside.
- 6.50 The application site is also set at a higher ground than the site to the south which would further exacerbate the visual impact of the proposed development of the application site. The Landscape Officer has commented that whilst the existing hedging and boundary trees around the site would mitigate the visual impact of the proposal to some degree, this would not be sufficient to overcome the perception of urbanisation of the area and development encroaching into the countryside.
- 6.51 Overall, it is recognised that the current proposal provides for a considerable reduction in the number of dwellings on the site, when compared to the previous scheme for 107 dwellings, and an increased area of open space and green infrastructure all round. However, it is considered that the proposal again amounts to an urbanising form of development with up to 60 dwellings incorporating ancillary infrastructure including vehicular and pedestrian access onto the public highway, parking, landscaping, and boundary treatments. In addition to the adjacent development site to the south for 75 dwellings, the proposal would result in a significant cumulative impact and adverse effect on the landscape character and appearance of the area.
- 6.52 Additionally, as outlined in Sections 6.10 – 6.11 of this report, the proposal does not meet the requirements of Policy 26 in that the proposal is not 'essential' to its countryside location and does not meet any of the four criteria required for development in the countryside. In addition, the scheme would be contrary to Policy 25 of the HDPF in that the scheme does not protect, conserve or enhance the landscape character of this area.

- 6.53 The scheme is therefore considered contrary to Policies 25 & 26 of the HDPF which aim to protect the rural character and undeveloped nature of the countryside from inappropriate development outside built-up-areas.

Impact on the Amenity of Existing and Prospective Occupiers

- 6.54 The occupiers of Littlebury House, Snapes Cottage and the properties opposite the site on Storrington Road currently enjoy views onto the application site, which would undoubtedly be affected by the proposed development. The indicative plans show, however, the proposed quantum of development could be successfully designed to achieve appropriate separation distances and to ensure that there is no harmful loss of light, outlook or privacy to the occupiers of any adjacent properties. With the proposed green buffer zones in place, the proposal would not result in a significant impact on the amenity of the any adjacent properties, including the recently approved dwellings on the land to the south.
- 6.55 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. The exact design and location of street lighting could be controlled by condition, if all other aspects of the development were considered acceptable, and this would help to ensure that adjacent occupiers were not exposed to unacceptable levels of glare/light pollution.
- 6.56 The introduction of 60 no. dwellings into what are currently open fields would result in increased levels of disturbance to adjacent residential occupiers associated with, for instance, the comings and goings of vehicles and the use of rear gardens. However, it is not considered that this would result in unacceptably harmful impact on the living environment of adjacent residents.
- 6.57 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, complemented by on-site open space provision.
- 6.58 In light of the above, it is considered that the development could be designed to avoid 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 effects of noise, vibration and dust during the construction period could be controlled by a suitably worded condition requiring the submission of a Construction Environmental Management Plan to be approved by the Local Planning Authority.

Highway Impact, Access and Parking

- 6.59 The application is made in outline and includes access to be considered as part of the proposal. To address the highway and transport impacts of the proposal, the application includes a Transport Assessment and Framework Travel Plan. The main highway and access issues to be considered under this scheme are as follows:
- Whether the proposed new vehicular access onto Storrington Road (B2139) is acceptable from a highway safety perspective.
 - Whether the addition of 60 dwellings is appropriate in this location in terms of trip generation and highway impacts.
 - Whether the proposal offers appropriate accessibility to and within the site, for vehicles, cycles and pedestrians.
- 6.60 It should be noted that the detail of the internal roads and footpath layout can be considered under a reserved matters application.

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- 6.61 With respect to the new vehicular access onto Storrington Road, the Highway Authority (West Sussex County Council) has commented that the new access is appropriate in principle. The proposed layout shows a 5.5 metre access road with footpaths on each side running around the radius to tie in with the existing footpaths on Storrington Road. The new access is shown opposite a dwelling called Springfields on Storrington Road and would require the removal of hedges. Taking account of recorded vehicle speeds, the highway authority has commented that, with appropriate visibility splays, the new access proposed would allow sufficient stopping sight distances and would be appropriate from a highway safety perspective.
- 6.62 The highway authority is also satisfied that the trip generation resulting from an additional 60 units in this location would not result in any severe highway capacity impacts. This is based on the TRICS selection parameters put forward which take into account local infrastructure and all other permitted developments, including the Abingworth Nurseries site.
- 6.63 The Transport Assessment reviews access by walking, cycling, and passenger transport for the proposed development. A Framework Travel Plan has also been submitted. The principal objective of the plan is to encourage a shift from the use of the private car, in particular single-occupancy vehicles, to the use of the more sustainable non-car modes for travel to and from the site. The plan would include the appointment of a Travel Plan Co-ordinator, a 'Sustainable Travel Information Pack' and regular surveys of residents.
- 6.64 The highway authority has commented that the review of proposed and existing accessibility is appropriate and that the broad layout of the Framework Travel Plan is appropriate.
- 6.65 If recommended for approval, further details of the proposed transport and access details, such as the submission of a Full Travel Plan and exact details of the road and pavement layout could be secured by condition. On the basis of the submission, the highway authority is satisfied that the scheme would not result in any adverse highway impacts and no objection is raised to the scheme with respect to access and highway safety, subject to conditions.

Arboricultural Impacts

- 6.66 The applicant has submitted a Tree Survey which records 8 individual trees and 13 groups of trees, including mature Oak trees which are located around the borders of the fields of the site. The surveyed trees are dominated by Category B trees (considered to be of moderate to good quality and value) and Category C trees (considered to be of lower value). This reflects the overall fair to moderate quality of the tree stock, largely dominated by the young mature fieldside swathes of naturalised tree belts with scattered larger mature trees. There is a collective value to the boundary stock, with trees of a similar age, quality, contribution and character providing a fairly consistent visual screen and typical arrangement of pastoral enclosure.
- 6.67 Several trees were considered to represent specimens of notably high value (Category A). These are prominent larger trees with high screening value and maturity. The belt mature Oaks are considered to represent a principal screen along the southern reaches of the site and are discernible from across the wider rising landscape of the South Downs.
- 6.68 The scheme would potentially require the removal of a hedgerow tree belt to accommodate the proposed site access from Storrington Road. A section of internal hedgerow tree belt would also be required to be removed to allow access through the site between fields. The report also indicates that there may also be a conflict with a group of trees adjacent Storrington Road and the proposed residential development. Trees within this group may also need to be removed.

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- 6.69 The trees within the groups affected are indicated as Class B and Class C/B trees of moderate quality and value. Having regard to the retention of the majority of trees around the site including the retention of the Class A trees, the loss of some of the trees to accommodate the development is considered acceptable. If recommended for approval, a condition could be imposed requiring the submission of a method statement outlining the exact details of which trees are required to be removed and measures to protect the trees to be retained on site during construction works for the approval of the Local Planning Authority.
- 6.70 Landscaping details are not indicated in this proposal. If recommended for approval, details of the landscaping for the site could be required by condition to be submitted and considered as part of a Reserved Matters application. These details could include replacement trees to replace the ones to be lost on site.

Nature Conservation, Ecology and Biodiversity

- 6.71 The application is supported by Ecological Reports that outline the findings of initial ecological surveys undertaken at the site. The Council's Consultant Ecologist has stated that the proposal is acceptable subject to conditions to secure ecological surveys and mitigation measures specifically in relation to badgers, bats, reptiles and dormice habitats. If recommended for approval, a condition could be imposed requiring the submission of these surveys and details to be approved by the Local Planning Authority.

Flooding and Drainage

- 6.72 The site is located within Flood Zone 1 where there is a low probability of flooding and where residential development is considered acceptable by the NPPF.
- 6.73 Southern Water, West Sussex County Council and the Council's Drainage Engineer have raised no objection to this proposal, subject to the use of a condition requiring the submission and approval of details relating to the proposed means of foul and surface water drainage for the site.

Contamination

- 6.74 As recommended by the Environmental Health Team, the proposal would be subject to a risk assessment for potential land contamination and a series of mitigation measures agreed, depending on the type of contamination identified. The necessary investigation and remediation measures, including implementation, would be controlled by condition, if all other aspects of the development were considered acceptable.

Archaeology

- 6.75 The Consultant Archaeologist has commented that there is potential for archaeology to be present at the site which has not been fully addressed in the submission. As such, a condition could be attached to any planning permission preventing development until such a time that a programme of archaeological work to evaluate the archaeological potential of the site has been agreed with the Council.

Renewable Energy

- 6.76 In accordance with Policies 35, 36 and 37 of the HDPF, if all other aspects of the development were considered acceptable, planning conditions could be used to promote the use of renewable energy sources and to restrict water use, control construction waste and to encourage the use of natural lighting and ventilation.

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Air Quality

- 6.77 Storrington has been designated as an Air Quality Management Area (AQMA) by Horsham District Council. This is an area where pollution levels exceed the UK air quality objectives due to elevated levels of nitrogen oxide, a by-product of combustion and primarily attributed to road traffic emissions. The application site lies just over 1km to the north of the Storrington Air Quality Management Area.
- 6.78 The application is supported by an air quality assessment report prepared by Peter Brett Associates. The assessment provides a qualitative assessment of impacts associated with the construction phase and a dispersion modelling assessment to predict the impact of the proposed development on pollutant concentrations. The Environmental Health Team has commented that there are insufficient mitigation measures identified in the report to meet the requirements of the Horsham District Council's guidance document on Air Quality and Emissions Reduction. The guidance sets out appropriate and reasonable mitigation measures that should be designed into each scheme in order to make the scheme sustainable in air quality terms. The Environmental Health Team has stated that, if recommended for approval, a condition could be imposed to require the submission of a 'Low Emission Strategy' scheme, specific to the proposal, to fully mitigate against the predicted increase in traffic emissions.

Refuse Collection

- 6.79 With respect to refuse collection, the Council would expect a full refuse strategy to be submitted as part of a Reserved Matters application in the event that an outline approval is granted.

Coalescence

- 6.80 Policy 27 of the HDPF states that landscapes will be protected from development which would result in the coalescence of settlements. A number of the objections received have raised coalescence as an issue with this scheme. The proposal does represent an extension of development approved to the south, adjacent the built-up-area boundary with Storrington. Whilst this is considered to create an extension to an urbanised area, the proposal is not considered as coalescence. The development would link some individual houses to Storrington's built-up-area but would not link Storrington to any other village or settlement. Thakeham is the nearest settlement to the application site which is located further to the north separated by several fields. For this reason, the scheme would not result in any significant coalescence between the settlements of Storrington and Thakeham.

Open Space Provision

- 6.81 Under the approved scheme for the land to the south, there is some natural play provision in the open space at the north of that site. Leisure Services have commented that this provision should be expanded and enhanced with additional play equipment to provide a facility equally accessible from both developments. To this end, Leisure Services have commented that the proposed area of play in the north east corner of the proposal should be relocated to the southern boundary and that it should be made clear that there will be access between the two sites through gaps in the boundary. The applicant has been made aware of these comments and should the proposal be otherwise acceptable, this could be satisfactorily controlled through reserved matters or conditions.

Health Provision

- 6.82 Under the Horsham District Infrastructure Study Main Report (2010) health is seen as an essential criteria in the consideration of developments. Lack of health facilities (doctor's

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surgeries and dentists) in the Storrington area has been raised as an issue by the representations received for this proposal

- 6.83 The NHS Coastal West Sussex Clinical Commissioning Group (CCG) have commented that currently the GP practices will struggle to cope with the increasing patient numbers. On this basis, the CCG have commented that S106 funding to be used towards improvements for the existing facilities in and around Storrington and have suggested a tariff for calculating the potential contribution. CCG have been asked to clarify how this money will be spent in the area.
- 6.84 As with all contributions, the contribution towards health provision 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. If considered in accordance with the tests, a contribution could be secured through a recommended S106 agreement (if recommended for approval).

Legal Agreement

- 6.85 In the event that planning permission were to be granted, Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions would be required towards indoor and outdoor sports provision, community facilities, libraries, education, health, transport infrastructure, fire and rescue, highway improvements and affordable housing.
- 6.86 The developer contributions, secured in the event that planning permission is granted, could be allocated towards improvements within the local area, to ensure they benefit local residents. For the reasons outlined above, the provision of a commuted sum for specific local projects is considered a fair approach to deal with the cumulative pressure of additional residents on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in the local area.
- 6.87 Although the applicant has confirmed a willingness to enter into a legal agreement to secure the necessary sums, such an agreement is not yet in place. The development is, therefore, contrary to Policy 39 of the HDPF.

Conclusions

- 6.88 This proposal represents a significant reduction in the quantum of development on site when compared to the previous refused scheme for 107 units. However, taking all matters into account, the proposal is still considered to represent an unsustainable form of development, on a site outside a defined built-up area boundary where the principle of residential development is unacceptable and cannot be supported. 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.
- 6.89 Additionally, the provision of housing in this location would further diminish the rural and open character of this particular part of the landscape, creating a discordant and uncharacteristically urbanised environment.
- 6.90 Whilst the scheme reduces the impact on the setting of the adjacent listed building through the areas of open space proposed around the boundaries of the site, the proposal would still result in less than substantial harm to the setting of the listed building. It is considered that there is insufficient justification for overriding the strong presumption in favour of preserving the setting of the Grade II Listed Building.

- 6.91 The development is therefore considered harmful, even when weighed against the economic and social benefits of the scheme and as such, the presumption in favour of sustainable development, as set out in Paragraph 14 of the NPPF, cannot be applied. When all material considerations are taken into account, and given appropriate weight in the planning balance, the adverse effects of granting outline planning permission would significantly and demonstrably outweigh the benefits. The proposal is therefore recommended for refusal.

7. RECOMMENDATIONS

7.1 To refuse planning permission for the following reasons:

1. The proposed development is located in the open countryside, outside of any defined Built Up Area Boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Development 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 is not essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development that is contrary to the aims and objectives of the NPPF and Policies 1, 2, 3, 4, 15, 25 and 26 of the Horsham District Planning Framework (2015).
2. The provision of housing in this location, at the scale proposed, would diminish the rural and open character of this particular part of the landscape, creating a discordant and uncharacteristically urbanised environment harming the character of the local countryside. The development is, therefore, contrary to the NPPF and Policies 25 and 26 of the Horsham District Planning Framework (2015).
3. The open, green fieldscape of the application site provides the rural landscape in which the historic Grade II Listed Building at Snapes Cottage can be read and interpreted. The provision of up to 60 no. dwellings, within the landscape setting of the Listed Building, would result in less than substantial harm to the setting of the listed building. This would affect the significance of the heritage asset and the appreciation of its sense of rural isolation as a countryside residence. The development is therefore contrary to S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 34 of the Horsham District Planning Framework (2015).
4. The proposed development makes no provision for securing affordable housing units, or for contributions towards improvements to education provision; transport infrastructure; libraries; fire and rescue services; sport facilities; community facilities; and is, therefore, contrary to Policies 16 and 39 of the Horsham District Planning Framework (2015), as it has not been demonstrated how the infrastructure needs of the development would be met.

Note to Applicant:

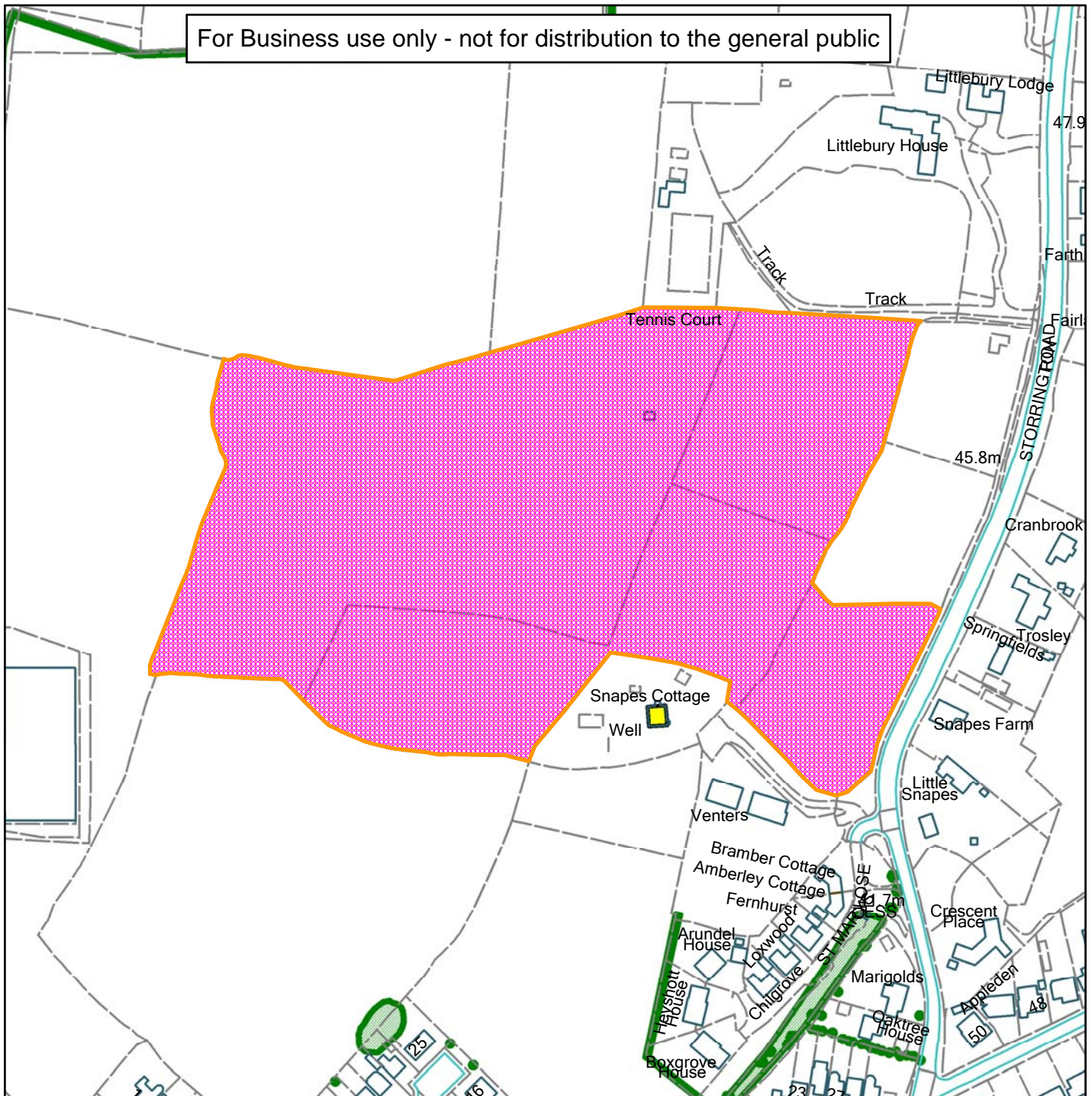
1. The reason for refusal relating to infrastructure contributions and affordable housing provision could be addressed through the completion of a legal agreement. If the applicant is minded to appeal the refusal of this application you are advised to liaise with the Local Planning Authority prior to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

Background Papers: DC/15/2374, DC/15/2126 & DC/13/1265



Land at Storrington Road

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	31/08/2016
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Variation of condition 1 to DC/15/2547 to amend the parking layout to allow for an increase in the provision of parking spaces to achieve 2no. spaces per dwelling for the 20 local worker units; provision of garden sheds for each local worker unit.

SITE: Abingworth Development Site Storrington Road Thakeham West Sussex

WARD: Chanctonbury

APPLICATION: DC/16/1393

APPLICANT: Oakford Homes Ltd

REASON FOR INCLUSION ON THE AGENDA: The development proposed would result in a departure from the Development Plan

RECOMMENDATION: That planning permission be delegated for approval to the Development Manager, subject to completion of a legal agreement and appropriate conditions. The legal agreement will ensure the collection of all benefits previously secured under the previous consents.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application is made under Section 73 of the Town and Country Planning Act 1990. Under this provision, minor material amendments can be made to extant planning permissions through the variation of the condition which relates to approved plan drawings. The current application seeks a variation to allow the following:

- Amend the parking layout to allow for an increase in the provision of parking spaces for the 20 local worker units approved adjacent to Thakeham Mushrooms. The amendment would increase the provision from 1 parking space per dwelling to 2 parking spaces per dwelling. 2 visitor parking spaces are also provided.
- Relocate bin stores to the rear gardens of each local worker unit.
- Provision of a timber garden shed in the rear garden of each local worker unit.

1.3 The principle of the proposed development has already been considered acceptable, by way of granting permission for the scheme under DC/15/2547, DC/15/1242 and DC/10/1314. As such, only the acceptability of the proposed amendments, the impact of any relevant local or national planning policy changes since the last permission, and any other material considerations can be considered when assessing the application.

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- 1.4 It should be noted that the last applications for this site (ref: DC/15/1242, DC/15/2547 & DC/16/0871) were also minor material amendment applications to the original permission for the site (ref: DC/10/1314). The original application permitted the redevelopment of the Abingworth Nursery site for 146 dwellings, comprising 63 open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings and 20 key worker dwellings. In addition to the dwellings, various community and sports facilities were permitted, comprising a village hall and shop, a pre-school facility, community workshops/studio, sports pitches, changing rooms, a cricket pitch and pavilion, a children's play area, access roads, open space and landscaped areas.

DESCRIPTION OF THE SITE

- 1.5 The site is located in Thakeham Parish, to the east of High Bar Lane and to the north east of Abingworth Hall Hotel. The site area is 33.7 hectares, all of which is outside of the built-up area boundary of Thakeham. The majority of the site lies to the east of Storrington Road which formerly included disused mushroom production buildings in the southern section of the site. These buildings have now been demolished. The remainder of the site to the east of Storrington Road comprised unused fields.
- 1.6 The site is bounded to the north, south and east by agricultural land. These boundaries are defined for much of their length by hedgerows and trees. Abingworth Hall Hotel is adjacent to the south west corner of the site. Existing dwellings at Thakeham are also to the west. The site includes a section of land on the western side of the road adjacent to Thakeham Mushrooms. The main village of Thakeham, coming off The Street, comprising Thakeham Conservation Area, lies to the north separated from the site by fields. In terms of topography, the site is gently undulating in the north and centre with a small stream flowing east to west through the north of the site. The site slopes up more markedly towards the south.
- 1.7 The Horsham District Landscape Capacity Assessment April 2014 states that Thakeham and Abingworth are located in the Wealden Greensand National Character Area. The site also falls within area F1 – Pulborough, Chiltington and Thakeham Farmlands in the Horsham District Landscape Character Assessment. Overall the landscape is characterised by an undulating landscape comprising a mix of arable and horticultural uses.
- 1.8 As the site is not allocated in either the local plan or in a neighbourhood plan, the current application is considered as a departure. It should be noted that works have commenced on site in connection with the previous permissions. This includes the construction of the dwellings around the cricket pitch and the Village Hall.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10, 11 and 12.
- 2.3 Planning Practice Guidance (March 2014).

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RELEVANT COUNCIL POLICY

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

- Policy 1: Strategic Policy: Sustainable Development
- Policy 2: Strategic Policy: Strategic Development
- Policy 3: Strategic Policy: Development Hierarchy
- Policy 4: Strategic Policy: Settlement Expansion
- Policy 10: Rural Economic Development
- Policy 15: Strategic Policy: Housing Provision
- Policy 16: Strategic Policy: Meeting Local Housing Needs
- Policy 17: Exceptions Housing Schemes
- Policy 24: Strategic Policy – Environmental Protection
- Policy 25: Strategic Policy: The Natural Environment and Landscape Character
- Policy 26: Strategic Policy: Countryside Protection
- Policy 31: Green Infrastructure and Biodiversity
- Policy 32: Strategic Policy: The Quality of New Development
- Policy 33: Development Principles
- Policy 35: Strategic Policy: Climate Change
- Policy 36: Strategic Policy: Appropriate Energy Use
- Policy 37: Sustainable Construction
- Policy 38: Strategic Policy: Flooding
- Policy 39: Strategic Policy: Infrastructure Provision
- Policy 40: Sustainable Transport
- Policy 41: Parking
- Policy 42: Strategic Policy: Inclusive Communities

2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

NEIGHBOURHOOD PLAN

2.6 The site is within the Parish of Thakeham. Thakeham has produced a Submission Neighbourhood Plan. At the time of writing the report, the plan had been submitted for independent examination via Horsham District Council.

2.7 Policy 4 within the Submission Thakeham Neighbourhood Plan covers the proposals for the redevelopment of the Abingworth Nursery site. The redevelopment of the site is supported subject to criteria.

2.8 PLANNING HISTORY

DC/10/1314	Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctor's surgery), pre-school facility, community workshops/studio (957.5 sq metres), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths)	Permitted 19/04/2013
DC/12/0841 (<i>Chesswood Farm, adjacent to site</i>)	Demolition of existing growing rooms and surrounding ancillary buildings, removal of compost production on site. Erection of new growing rooms (farms) required for the cultivation of mushrooms, a replacement office building, staff cafeteria, pack house building, ancillary plant	Permitted 19/04/2013

structures and provision of open space and landscaped areas (including re-directed footpaths). Refurbishment and extension of existing production and package buildings including alterations to entrance of the site.

DC/15/1242	Minor Material Amendment to planning permission DC/10/1314 (Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctors surgery), pre-school facility, community workshops/studio (957.5sqm), sports pitches and changing rooms, cricket pitch and pavillion, childrens play area, access roads, open space and landscaped areas (including footpaths)) for a revised layout for 21 dwellings in the northern part of the site, relocation of the approved local equipped area for plan (LEAP), sports fields and associated facilities, village hall and shop, amendment to the approved village hall and shop to separate the facilities into two buildings and remove the dedicated doctors surgery space and amendment to the approved football changing room building	Permitted 09/09/2015
DC/15/2547	Variation of Condition 1 of previously approved application DC/15/1242 to amend the design of 21 dwellings and access / parking arrangements.	Permitted 31/03/2016
DC/16/0871	Variation of Condition 1 of previously approved application DC/15/2547 to amend the design and layout of 17 dwellings (Plot 22 to 39). Division of plot 35 into two plots to allow an additional dwelling	Pending : awaiting completion of S106

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.horhsam.gov.uk.

INTERNAL CONSULTATIONS

3.2 **HDC – Housing:** No objection. The housing provision is not affected by this proposal.

3.3 **HDC – Drainage Officer:** No comment.

3.4 **HDC – Environmental Health:** No objection. The current application would not alter the approved low emissions requirements for this site.

3.5 **HDC – Refuse Collections Officer (summarised):** No objection.

OUTSIDE AGENCIES

3.6 **West Sussex County Council – Highways:** No objection.

PUBLIC CONSULTATIONS

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- 3.7 **Thakeham Parish Council:** No objection. Although the Parish's general approach (as per its Neighbourhood Plan) opposes unnecessary parking provision, the Council agreed that in this location it was preferable to design for the reality of an average of two cars per household.
- 3.8 The Parish queried whether the additional hardstanding area will be block paving and water permeable. In response, the applicant has submitted a proposed hard surfaces plan for this area. The plan indicates that the hard surfaces for the access road and parking spaces proposed would mainly comprise permeable block paving. The applicant has also confirmed that surface water would be discharged into a nearby ditch in accordance with the agreed drainage strategy. The Parish have commented that this is satisfactory.
- 3.9 No comments have been received from any adjacent properties or residents on this 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

- 6.1 This application for material amendments is assessed against the relevant policies of the HDPF and the national planning policies contained in the National Planning Policy Framework (NPPF).
- 6.2 This application proposes amendments to the extant permission for development of the site under DC/15/2547. This application amended an earlier scheme which permitted the principle of residential development of the site. As such, the only matters for consideration now are the acceptability of the proposed amendments taking into account any changes to national or local planning policy or any other material considerations. This application covers the same area as that approved by the original planning permission.

Layout and appearance:

- 6.3 The scope of this application relates to the 20 local worker units approved adjacent to Thakeham Mushrooms in the north west corner of the application site. The access to the units remains as approved from Storrington Road. The position and layout of the 20 units also remains largely as approved.
- 6.4 The current proposal seeks to amend the parking provision to allow 2 parking spaces per unit and two visitor spaces. Presently, each unit would benefit from one parking space. The increase in spaces is achieved through additional parking to the front and side of the units and in an enlarged parking area. In front of the 11 units on the west side, additional parking is proposed in front of the units. The parking spaces would be broken up by landscaped areas in between every three parking spaces. The houses on the west side would each retain a small front garden. The houses on the east side of the site would also

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retain their larger front gardens with four additional parking spaces located in front, with a north – south orientation.

- 6.5 The scheme also includes the provision of a timber garden shed in each garden of the local worker units. The sheds would be located in the back gardens of each unit and would be 2.4m in length, 1.8m in width and 2m in height with a pitched roof. The sheds would provide an area for cycle storage. With the sheds in place, each unit would retain an ample sized garden. The original and subsequent permissions for this site include a condition that requires all garden structures/outbuildings to obtain planning permission. This condition would remain applicable for any other additional structures/buildings.
- 6.6 Overall the proposed amendments would be appropriate in respect of their design and layout. The amendments would result in doubling the amount of car parking spaces on this section of the Abingworth development site. However, the parking spaces are spread out around the local worker units and are broken up by landscaped areas. There would be no large areas of car parking which could appear unsightly. Additionally, the scheme retains the layout and design of the houses as approved. The proposed sheds are also considered visually appropriate in the back garden of each local worker unit.

Impacts upon nearby and future residents:

- 6.7 The nearest residential properties to the site for the proposed worker units are located to the south at Hardbarrow Woods. These properties are located a significant distance from the proposed site and are separated by a wooded area. Given this relationship, the proposal would not affect the amenity of any adjacent properties. Additionally, the proposed amendments do not alter the design and layout of the units as previously approved. The addition of the sheds is also appropriate and would not significantly affect the amenity of any existing residents or the future residents of the units.
- 6.8 In terms of vehicle emissions and air quality, the Environmental Health team have commented that the proposed increase in parking provision is acceptable as the current application would not alter the approved low emissions requirements for this site.

Highway and parking impacts:

- 6.9 The proposal would result in two allocated parking spaces per unit and two visitor spaces. The proposal does not alter the approved vehicle access to the site from Storrington Road. West Sussex County Council Highways team have commented that the increase in parking spaces would be beneficial for the site. The increase in parking provision is also appropriate given that the market housing proposed on the east side of Storrington Road generally have more than 2 spaces per unit. This is because the main Abingworth site is a much larger site with more space for parking. The provision of parking for the worker units is limited by the size of this isolated part of the site on the west side of Storrington Road. Two parking spaces for each unit is achievable for the worker units without affecting highway safety and the overall appearance of the scheme would be retained. An increase to two parking spaces per unit is also appropriate for this location where there are limited public services and transport options.

Landscaping & Trees

- 6.10 As outlined above, the proposal would alter the landscaping proposed for this part of the site. With the additional car parking spaces, the proposal would still include adequate landscaping throughout including areas to separate out the car parking spaces. Under the previous application for minor material amendments (DC/16/0871), it was proposed to alter the landscaping condition to allow the details for the landscaping for each phase of the site to be submitted separately for approval. This condition is replicated under this application

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and would ensure that the landscaping details for this part of the site are submitted to and approved by the Local Planning Authority prior to the occupation of the units.

- 6.11 With respect to trees, under the extant permission, consent has been granted for the removal of the trees from this section of the site. None of the trees to be removed are protected by a tree preservation order. The current proposal indicates that two trees on site are to be retained. This is encouraged and the applicant has indicated that the trees would be protected during works with appropriate fencing. The scheme would not affect the trees to the south of the site. The applicant has also commented that these trees would also be protected with fencing during works.

Drainage:

- 6.12 With the additional parking spaces proposed, the scheme would increase the areas of hardstanding for this part of the site. The applicant has indicated that the majority of hard surfaces proposed would be permeable block paving and surface water would be stored beneath the road and discharged into a nearby ditch at the agreed discharge rate, in accordance with the original approved drainage strategy. The Council's Drainage Officer has commented that the proposal is appropriate.

Conclusions

- 6.13 Overall, the proposed amendments are considered appropriate as minor material amendments. The proposal is acceptable in terms of design and is appropriate with respect to potential impact on residential amenity, highway safety, landscaping and drainage.
- 6.14 A deed of variation is required to attach the current application to the approved S106 agreement. The description and infrastructure provisions of the original planning permission (DC/10/1314) remain unaltered as approved by the amendments in the Deed of Variation of the approved S.73 application (DC/15/1242). This includes the provision to secure the local worker units.

7. RECOMMENDATIONS

- 7.1 That planning permission be delegated for approval to the Development Manager, subject to completion of a Legal Agreement and appropriate conditions:
1. List of approved plans and documents.
 2. Not applicable.
 3. The scheme shall be implemented fully in accordance with the details of the finished floor levels of the development in relation to a nearby datum point approved under DISC/15/0359.

Reason: To control the development in detail in the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

4. The scheme shall be implemented fully in accordance with the details of boundary walls and fences approved under DISC/15/0359. The walls and fences shall be implemented in accordance with the agreed details and thereafter shall be retained as approved and maintained in accordance with the approved details.

Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

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5. The dwellings / buildings hereby permitted shall not be occupied until provision for the storage and collection of refuse/recycling bins has been made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved refuse/recycling bin storage and collection facilities shall thereafter be permanently retained for their intended purpose.

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

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

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

7. The scheme shall be implemented fully in accordance with the details outlining measures for protected species and their habitats approved under DISC/15/0374.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 25 of the Horsham District Planning Framework 2015, and in the interests of protected species as listed under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, to ensure that a habitat remains for them during and after development.

8. The scheme shall be implemented fully in accordance with the Arboricultural Method Statement approved under DISC/15/0374.

Reason: To ensure the successful and satisfactory retention of important trees, shrubs and hedges on the site in accordance with Policy 33 of the Horsham District Planning Framework 2015.

9. (a) Notwithstanding the amendments to the design of the dwellings for plots 22-39, the scheme shall be implemented fully in accordance with the schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings approved under DISC/15/0330.

(b) In relation to dwellings approved under application DC/16/0871 at plots 22–39, no development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

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

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

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Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

11. No burning of materials shall take place on the site.

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

12. The scheme shall be implemented strictly in accordance with the disposal of sewage details as submitted and as approved under ref: DISC/15/0331 on the 8th March 2016 and shall thereafter retained as such.

Reason: To ensure that the development is properly drained and in accordance with Policy 38 of the Horsham District Planning Framework 2015.

13. The scheme shall be implemented fully in accordance with the Written Scheme of Archaeological Investigation approved under ref: DISC/15/0325 on the 19th November 2015.

Reason: To ensure appropriate investigation and recording of buried archaeological Heritage Assets on the site before or during new building, infrastructure and landscaping works, in accordance with Policy 34 of the Horsham District Planning Framework 2015.

14. The development, hereby approved, shall not be occupied until such time as the proposed junctions onto the B2139 Storrington Road serving the development have been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include visibility splays of 2.4m by 59metres, which are required at each access.

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

15. The scheme shall be implemented fully in accordance with the details of the roads serving the development approved under DISC/16/0161 and thereafter maintained as such.

Reason: To secure satisfactory standards of access for the proposed development and in accordance with Policy 40 of the Horsham District Planning Framework 2015.

16. No part of the development, hereby approved, shall be occupied until such time as the car parking spaces serving the respective phase or element of development have been constructed in accordance with plans and details to be submitted to and approved, in writing, by the Local Planning Authority. The approved spaces shall thereafter be retained at all times for their designated use.

Reason: To provide car-parking space for the dwellings and in accordance with Policy 41 of the Horsham District Planning Framework 2015.

17. The scheme shall be implemented fully in accordance with the Construction Management Plan approved under DISC/15/0330.

Reason: In the interests of road safety and in accordance with Policies 24 & 33 of the Horsham District Planning Framework 2015.

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18. No part of the development, hereby approved, shall be occupied until such time as the proposed footway improvements and respective pedestrian crossing points along Storrington Road have been provided in accordance with the approved plans and a construction specification which shall have been submitted to and approved in writing by the Local Planning Authority.

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

19. No part of the development, hereby approved, shall be occupied until plans and details of improvements to the rights of way network in the vicinity of the development have been submitted to and agreed in writing with the Local Planning Authority in conjunction with WSCC Rights of Way team. These improvements shall thereafter be implemented in accordance with an agreed timetable.

Reason: To safe guard and improve the existing rights of way network within the vicinity of the development and in accordance with Policy 40 of the Horsham District Planning Framework 2015.

20. The scheme shall be implemented fully in accordance with vehicle wheel-cleaning details approved under DISC/15/0359. The facility shall be retained in working order and be available for use throughout the period of work on site to ensure that vehicles do not carry mud and earth on to the public highway, which may cause a hazard to other road users.

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

21. The scheme shall be implemented strictly in accordance with the details of foul and surface water sewerage approved under ref: DISC/15/0331 on the 8th March 2016 and thereafter retained as such.

Reason: To ensure that adequate means of foul and surface drainage are provided in accordance with Policy 38 of the Horsham District Planning Framework 2015.

22. The scheme shall be implemented fully in accordance with Low Emission Strategy (LES) for the development approved under DISC/15/0374.

Reason: To ensure that a suitable Low Emission Strategy is agreed to offset the impact of the development hereby approved and in accordance with Policy 24 of the Horsham District Planning Framework 2015.

23. A) Within a period of one month from the commencement of works on each Phase (as shown on the phasing plan LPL.01), full details of the soft landscaping buffer to surround that phase (specifically the landscaping to the north of phase 1A and to the east of phases 1B and 2) shall be submitted to and approved in writing by the Local Planning Authority.

The details to be submitted for each phase shall comprise the following:

- A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
- Contour plans, proposed and existing levels, and cross/long sections for all earthworks on the site, including those associated with the allotments and housing in the southern part of the site
- Planting/Seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details

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- A written soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment).
- Walls, fencing and railings - location, type and materials
- An indicative programme of works indicating when the planting works is scheduled to take place

The approved buffer soft landscaping works for each phase shall be fully implemented in the first planting season following the commencement of works on that phase. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

B) Prior to the occupation of any dwelling on each relevant phase, full details of the hard and soft landscaping works for that phase (as shown on the phasing plan LPL.01) shall be submitted to and approved, in writing, by the Local Planning Authority.

The details to be submitted for each phase shall comprise the following:

- A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
- Contour plans, proposed and existing levels, and cross/long sections for all earthworks on the site, including those for the proposed ornamental and wildlife pond and associated with the allotments and housing in the southern part of the site
- Planting/Seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment).
- Hard surfacing materials- layout, colour, size, texture, coursing, levels
- Walls, fencing and railings- location, type and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse units and lighting columns and lanterns

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

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

24. The scheme shall be implemented in accordance with the details of underground services approved under ref: DISC/15/0331 on the 8th March 2016.

Reason: To ensure the underground services do not conflict with satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

25. No part of the development, hereby approved, shall be occupied until a long term Landscape Management and Maintenance Plan for the each phase of the development site has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include:

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- Aims and Objectives
- A description of Landscape Components
- Management Prescriptions
- Details of maintenance operations and their timing
- Details of the Parties who will be responsible for maintaining different areas of the site

It shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of landscaping and open space shall thereafter be maintained in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the Local Planning Authority.

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

26. The scheme shall be implemented in accordance with the tree and hedge protection details approved under DISC/15/0374.

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

27. Other than those works approved as part of this planning application no trees, hedges or shrubs on the site, shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees, hedges or shrubs on the site, whether within the tree protective areas or not, which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed by the Local Planning Authority.

Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 38 of the Horsham District Planning Framework 2015.

28. Should any bats or evidence of bats be found prior to or during works, works must stop immediately and a specialist ecological consultant or Natural England shall be contacted for further advice before works can proceed.

Reason: To ensure that suitable mitigation measures are in the event that bats are found at the site and in accordance with Policy 25 of the Horsham District Planning Framework 2015.

29. The scheme shall be fully implemented in accordance with the scheme for the provision of a buffer zone between the housing and the agricultural land in the east and south east of the site approved under DISC/15/0359. The buffer shall be planted out in accordance with the approved scheme during the first planting season (October to March) following commencement of development.

Reason: This planning condition is necessary to ensure the development complies with the principles of UK Biodiversity Action Plan and Policies 25 and 33 of the Horsham District Planning Framework 2015.

30. The scheme shall be fully implemented in accordance with the scheme for the provision and maintenance of bat refuges approved under DISC/15/0359. The approved details shall be thereafter permanently retained and maintained for their intended purpose.

Reason: This planning condition is necessary to ensure the development complies with the principles of UK Biodiversity Action Plan and Policy 25 of the Horsham District Planning Framework 2015.

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31. The scheme shall be implemented fully in accordance with the surface water drainage scheme, based on sustainable drainage principles, as approved under ref: DISC/15/0331. The scheme shall be managed and maintained in accordance with the approved details thereafter.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with Policies 33 and 38 of the Horsham District Planning Framework 2015.

32. The scheme shall be implemented fully in accordance with the Contaminated Land Assessment details as approved under ref: DISC/15/0331. Any changes to these components require the express written consent of the Local Planning Authority.

Reason: To ensure the protection of controlled waters from contamination associated with historic and recent site uses and in accordance with Policy 24 of the Horsham District Planning Framework 2015.

33. The development, hereby approved, shall not be occupied until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed and in accordance with Policy 24 of the Horsham District Planning Framework 2015.

34. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that any contamination identified during the demolition and construction works is fully characterised and assessed and to minimise pollution in accordance with Policy 24 of the Horsham District Planning Framework 2015.

35. Prior to the commencement of demolition or preparatory works on site, and in accordance with the bat survey, an Ecological Clerk of Works will be commissioned to undertake a final check for bats. The oak tree requiring removal to facilitate the northern access into the site from the Storrington Road shall be felled using the 'reasonable avoidance measures', as outlined on page 8 of the PJC Ecology report, dated 1st July 2015.

Following final checks and/or the 'reasonable avoidance measures', should protected bat species be present work must stop and Natural England be informed. A license may be required from Natural England before works can re-commence.

Reason: To protect bat species that are utilising the wider site and may take the opportunity to later roost in buildings to be demolished, or trees to be felled, in accordance with Policy 25 of the Horsham District Planning Framework 2015.

36. The scheme shall be fully implemented in accordance with the bat sensitive lighting strategy approved under DISC/15/0359 and no other external lighting or floodlighting shall at any time be installed.

Reason: To protect bat species that are utilising the wider site and may take the opportunity to later roost in buildings to be demolished, or trees to be felled, in accordance with Policy 25 of the Horsham District Planning Framework 2015.

37. The scheme shall be fully implemented in accordance with badger surveys approved under DISC/15/0374.

Reason: To protect badgers in accordance with National Planning Policy Framework paragraph 118 and with Policy 25 of the Horsham District Planning Framework 2015.

38. The removal of any buildings, trees and/or shrubs shall be undertaken only between September and the end of February when birds have ceased nesting. If this is not possible and the building or tree/shrub is required to be removed between March and August, and Ecologist shall first check for active bird nests, no more than seven days before works commence. Any active nests found shall be protected, as advised by the Ecologist, until the birds have ceased nesting.

Reason: To protect breeding birds in accordance with National Planning Policy Framework paragraph 118 and with Policy 25 of the Horsham District Planning Framework 2015.

39. Prior to the use of the building as a retail shop hereby permitted, details of external plant to accord with British Standard 4142: 2014 Methods for rating and assessing industrial and commercial sound shall be submitted to and approved in writing by the Local Planning Authority. The external plant shall thereafter be implemented in accordance with the approved details and no further plant installed without the prior written approval of the Local Planning Authority.

Reason: In the interests of amenity of adjacent residents and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

40. Deliveries to and collections from the retail shop hereby permitted shall not take place other than between the hours of 0800-1800 Monday to Saturday and at no time on Sundays or Bank or Public Holidays.

Reason: In the interests of the amenity of adjacent residents and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

41. The first floor side windows to the units at plots 3 (window facing south west), 4 (window facing north east), 9 (window facing south east), 10 (window facing northwest), 17 (window facing east) & 18 (window facing west) around the cricket pitch shall only be glazed with obscure glazing and shall be fixed shut to a height of 1.7m above the finished floor level and thereafter retained as such.

Reason: To limit overlooking between properties in the interests of residential amenity and in accordance with Policy 33 of the Horsham District Planning Framework 2015.

42. Prior to the occupation of any dwelling hereby permitted, details of how the dwellings will be constructed and/or fitted out to restrict the average water usage per person to 110 litres per day, shall be submitted to and approved, in writing, by the Local Planning Authority. The approved methods of water usage restriction shall be fully implemented prior to the occupation of each dwelling and shall thereafter be retained.

Reason: In order to address the impacts of the location of the development within an area of serious water stress in accordance with Policy 37 of the Horsham District Planning Framework.

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Notes to Applicant

The applicant is advised that the details to be submitted pursuant to Condition 23A and B above shall include the following:

- Provision of a broad 5m width informal hedgerow with hedgerow trees on the northern boundary of the site, adjacent to the proposed housing and sports pitches.
- Provision of a minimum of 3m width hedgerow (hedgerow shrubs only) on the boundary with the allotments
- Provision of a 2.5m width of hedgerow planting between the proposed workshops and the existing pond, retaining existing vegetation, where space for construction of the workshops allows
- Detailed proposals for the main access road landscaping taking account of local character and distinctiveness
- Detailed proposals for retention, management and enhancement with new planting of the existing hedgerow and hedgerow trees on Storrington Rd, adjacent to the key worker housing

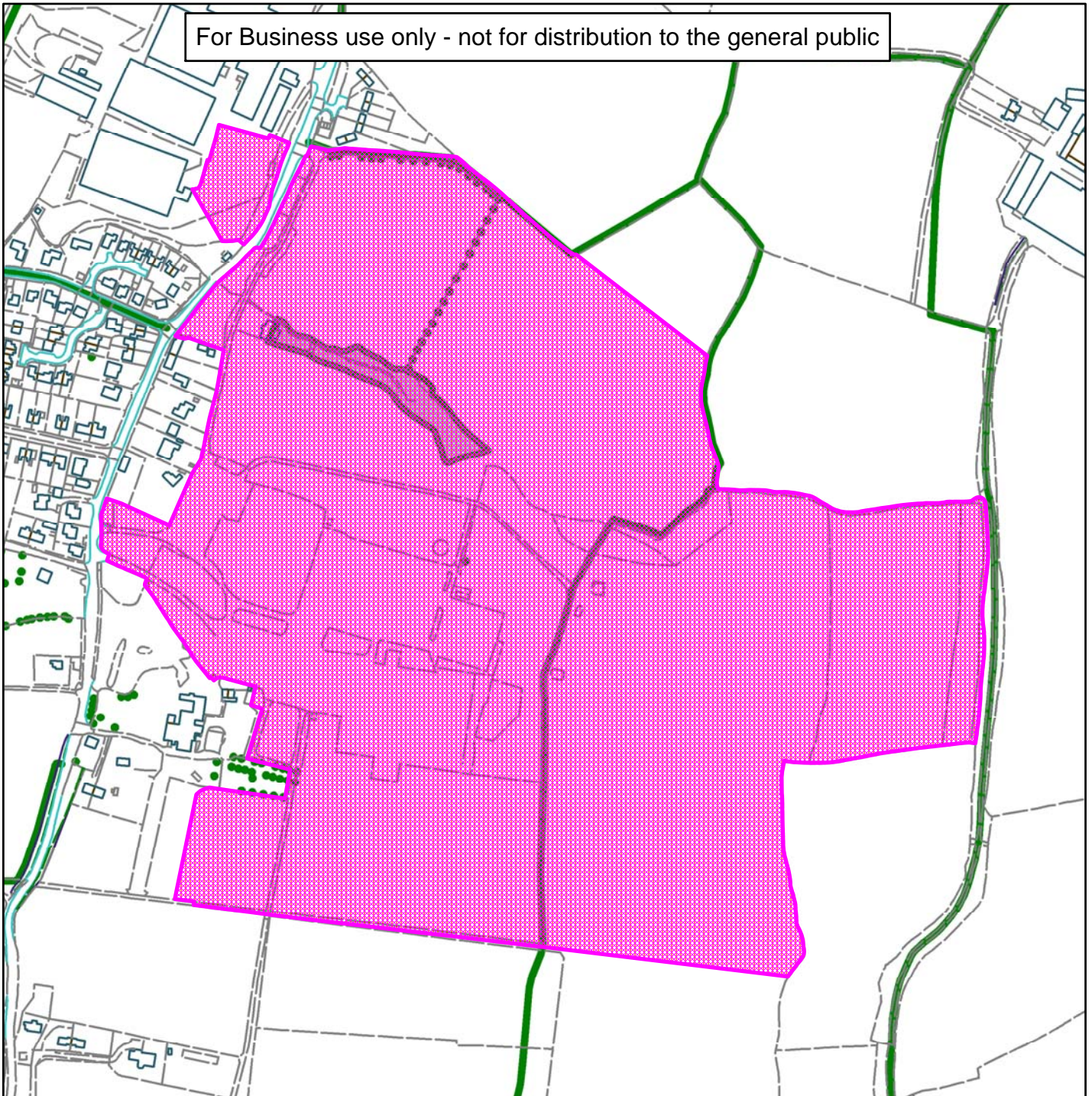
Background Papers: DC/10/1314, DC/12/0841, DC/15/1242, DC/16/0871

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Abingworth Development Site

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Scale: 1:5,000

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Organisation	Horsham District Council
Department	
Comments	
Date	31/08/2016
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Variation of condition 1 of previously approved planning permission DC/15/1382 Relating to a proposed minor material amendment to site access

SITE: Billingshurst Doctors Surgery Roman Way Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/16/1528

APPLICANT: Mr Joseph Fowler

REASON FOR INCLUSION ON THE AGENDA: The development, if approved, would be a Departure from the Development Plan within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999

RECOMMENDATION: To approve the application, subject to conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application proposes an amendment to planning permission DC/15/1382, which granted outline planning permission (appearance, landscaping and scale reserved for later consideration) for 45 dwellings. The access to the site as permitted would be through land currently used as car parking for the adjacent Doctors Surgery. As such, the approved application included provision of a replacement area of car parking within the application site and a new access further east along Roman Way to serve the Doctors Surgery.

1.3 The current application proposes to amend the permitted access arrangements. It removes the previously permitted new Surgery access. Vehicle access to the Surgery is now proposed via the new development access road.

DESCRIPTION OF THE SITE

1.4 The application site is as per DC/15/1382, comprising former allotments accessed from Little East Street.

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2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework, in particular chapters 4, 6, 7, 8, 10 and 11.

RELEVANT COUNCIL POLICY

- 2.3 The Development Plan comprises the Horsham District Planning Framework (November 2015). The relevant Policies of the HDPF include 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 4 (Settlement Expansion), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 25 (District Character and the Natural Environment), 26 (Countryside Protection), 31 (Green Infrastructure and Biodiversity), 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), 41 (Parking) and 43 (Community Facilities, Leisure and Recreation).

NEIGHBOURHOOD PLAN

- 2.4 Billingshurst Parish was designated as a Neighbourhood Plan Area from 30th December 2015. No draft plan is currently available.

PLANNING HISTORY

BL/2/90	Erect new medical centre	Permitted
BL/87/90	Amendment to approval BL/2/90 for the erection of medical centre, re- siting of car parking and new access	Permitted
BL/83/96	Retention of additional car parking areas	Permitted
BL/100/99	Two-storey extension (amendment to BL/15/99)	Permitted
BL/15/99	Two-storey extension to doctors surgery	Permitted
DC/15/1382	Erection of 45 dwellings, associated landscaping and parking, amended access to Billingshurst Doctor's Surgery (Outline)	Permitted

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Housing Services Manager: No additional comments in addition to those previously made in respect of DC/15/1382.
- 3.2 Ecology Consultant: No new comments further to those made in respect of DC/15/1382.
- 3.3 Environmental Health Officer: No objections.

OUTSIDE AGENCIES

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- 3.4 WSCC Highways: No objection, subject to conditions.
- 3.5 Southern Water: No objection. Comments in respect of previous application remain valid.

PUBLIC CONSULTATIONS

- 3.6 Billingshurst Parish Council: No objection
- 3.7 No third party representations were received at the time of drafting this report.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application proposes an amendment to planning application DC/15/1382. The application is made under section 73 of the Town and Country Planning Act 1990, as amended, and proposes the variation of the 'approved plans' condition to substitute an amended site plan showing the alternative access arrangements. The granting of planning permission under S73 results in the issuing of a new planning permission, and the developer then has the option of implementing either the original planning permission or the amended scheme. If a permission is granted under S73, it would be subject to the same time limit for implementation as the original permission. The principle of development has therefore been previously considered acceptable, and remains acceptable. The main consideration for this application is therefore the acceptability of the proposed amendments.
- 6.2 The Highway Authority raises no objection to the proposed alternative access arrangements, although a new condition is proposed to ensure that pedestrian access along the new access road will be provided prior to use of the new car park. No safety concerns therefore arise as a result of the proposed amendment. The proposed car park is shown as accommodating 27 spaces, three of which would be disabled spaces. The previous application did not demark the spaces, but the car park is shown as being the same size as previously permitted.
- 6.3 In terms of the appearance of the proposed development, the amended scheme would no longer necessitate a new access to the surgery site, allowing existing vegetation to remain. The amended scheme would retain an area for planting around the proposed surgery car park, to soften its appearance and provide a buffer to the proposed residential element.
- 6.4 In light of the limited difference between the approved scheme and the proposed amended scheme, Officers recommend approval of the proposal. As stated above, granting permission would result in an entirely fresh planning permission being issued. In this case, it will therefore be necessary to include all of the conditions set out in the previous decision notice. In addition, the previous permission was subject to a S106 agreement securing the provision of affordable housing and infrastructure contributions. That Legal Agreement

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includes provisions to ensure that the planning obligations contained therein remain enforceable in the event that a planning permission under S73 is granted and implemented. As such, it is not necessary to enter into a Deed of Variation in this instance.

7. RECOMMENDATIONS

7.1 To grant planning permission, subject to the following conditions:

1. A condition listing the approved plans
2. Approval of the details of the scale of each building, the appearance of each building, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from 27/06/16, being the date of issuing planning permission DC/15/1382.
Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
4. The development hereby permitted shall be begun either before the expiration of 3 years from 27/06/16, being the date of issuing planning permission DC/15/1382, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
5. Prior to the commencement of development precise details of the finished floor levels of the development in relation to a fixed datum point located outside of the application site shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed and maintained in accordance with the approved details.
Reason: To control the development in detail in the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).
6. Prior to the commencement of any other part of the development hereby permitted, the replacement access and car parking area to serve the Doctor's surgery shall be constructed and made available for use in accordance with details to be submitted to and approved in writing by the LPA.
Reason: To ensure sufficient parking remains available to serve the existing Doctor's surgery during the construction period, in accordance with Policy 41 of the Horsham District Planning Framework (Adopted November 2015).
7. Prior to the commencement of development, details of screen walls and/or fences shall be submitted to and approved in writing by the Local Planning Authority and no dwellings/buildings shall be occupied until such screen walls and/or fences associated with them have been erected. Thereafter the screen walls and/or fences shall be retained as approved and maintained in accordance with the approved details and no additional screen walls or fences over and above those approved shall be erected at any time.
Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).
8. Prior to the commencement of development a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles and secure, covered parking for bicycles shall be submitted to and approved in writing by the Local Planning

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Authority. The areas of land so provided prior to the occupation of the dwelling it serves and shall not thereafter be used for any purpose other than the parking of vehicles and cycles as indicated on the approved drawings.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policies 40 and 41 of the Horsham District Planning Framework (Adopted November 2015).

9. Prior to the occupation of the development details for the provision for the storage of refuse and recycling bins shall be made within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the adequate provision of recycling facilities in accordance with Policies 32 and 33 of the Horsham District Planning Framework (Adopted November 2015).
10. Prior to the commencement of the development hereby permitted, details of a cycle and pedestrian link from the development site to the adjacent area of planned public open space, including timescale for delivery, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure that the development is well connected to its surroundings in order to encourage sustainable transport choices and in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
11. The development hereby permitted shall not commence unless and until the accesses to the site from Roman way have been designed, laid out and constructed in accordance with plans and details to be submitted to and approved by the LPA.
Reason: In the interest of highway safety and in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
12. The development hereby permitted shall not be occupied unless and until the access roads serving the development have been designed, laid out and constructed in accordance with plans and details to be submitted to and approved by the LPA.
Reason: To ensure that the dwellings have a safe and adequate standard of access in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
13. The development hereby permitted shall not commence until a Construction Management Plan (CMP) has been submitted and approved by the LPA to include the following:
 - Construction traffic routeing (this should be along Roman Way and then to and from high street (north) only i.e. not through the village centre)
 - Location of site offices
 - Location of plant and materials storage
 - Area for the loading/unloading and turning of HGV delivery vehicles
 - Location of wheel washing equipment
 - Location of staff and contractor parkingReason: In the interest of highway safety and in accordance with Policy 40 of the Horsham District Planning Framework (Adopted November 2015).
14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C or E of Part 1 of Schedule 2 to the order shall be erected constructed or placed within the curtilages of the dwellings hereby permitted so as to enlarge improve or otherwise alter the appearance or setting of the dwellings unless permission is granted by the Local Planning Authority pursuant to an application for the development.
Reason: In the interest of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).

15. Prior to the commencement of development full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted concurrently as a complete scheme, unless otherwise agreed with the Local Planning Authority, and shall comprise:
- A detailed plan and specification for topsoil stripping, storage and re-use on the site in accordance with recognised codes of best practice
 - Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
 - Tree pit and staking/underground guying details
 - A written hard and soft specification (National Building Specification compliant) of planting (including ground preparation, cultivation and other operations associated with plant and grass establishment)
 - Existing and proposed levels, contours and cross / long sections for all earthworks
 - Hard surfacing materials: layout, colour, size, texture, coursing and levels
 - Walls, fencing and railings: location, type, heights and materials
 - Minor artefacts and structures - location, size and colour and type of street furniture, play equipment, signage, refuse units and lighting columns and lanterns
- The approved scheme shall be implemented in full accordance with these details. Planting shall be carried out according to a timetable to be agreed in writing with the Local Planning Authority prior to commencement of the development. Any plants which within a period of 5 years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
- Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (Adopted November 2015).
16. Prior to the commencement of development a detailed long term 25 year Landscape Management and Maintenance Plan for all landscape areas shall be submitted to and approved by the Local Planning Authority in writing. The plan shall include:
- Aims and Objectives
 - A description of Landscape Components
 - Management Prescriptions
 - Details of maintenance operations and their timing
 - Details of the parties/organisations who will be maintain and manage the site, to include a plan delineating the areas that they will be responsible for
- The plan shall demonstrate full integration of landscape, biodiversity and arboricultural considerations. The areas of planting shall thereafter be retained and maintained in perpetuity in accordance with the approved Landscape Management and Maintenance Plan, unless any variation is approved in writing by the LPA.
- Reason: To ensure a satisfactory development and in the interests of amenity and nature conservation in accordance with Policies 2, 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (Adopted November 2015).
17. The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan reference PJC/3706/15/B contained within the Arboricultural Impact Assessment reference PJC/3706/15 received by the Council on 19th June 2015.
- Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policies 2, 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (Adopted November 2015).
18. Not later than the submission of the first Reserved Matters application pursuant to the permission hereby granted, an Ecological Mitigation and Management Plan and Construction Environmental Management Plan shall be produced to incorporate all recommendations from the supporting ecological information. This will include details of the

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proposed reptile receptor site, planting details for the western boundary, and felling recommendations for Category 2 trees in addition to mitigation and enhancement for other species. This plan shall be submitted to, and agreed in writing by, the Local Planning Authority. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the ecology and biodiversity of the area and in the interests of protected species as listed under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, to ensure that a habitat remains for them during and after development in accordance with Policy 31 of the Horsham District Planning Framework (Adopted November 2015).

19. Not later than the submission of the first Reserved Matters application pursuant to the permission hereby granted, a bat sensitive lighting scheme shall be produced in liaison with the consultant ecologist and in accordance with the recommendations made in the Preliminary Ecological Assessment (PJC Ecology) received by the Council 19th June 2015, and the Tree Assessment Report (the Ecology Company) received by the Council 2nd November 2015. The development shall thereafter be carried out in accordance with the approved details and no additional external lighting shall be erected or placed within the site or attached to any building without prior approval in writing from the Local Planning Authority.

Reason: To safeguard the ecology and biodiversity of the area and in the interests of protected species as listed under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000, to ensure that a habitat remains for them during and after development in accordance with Policy 31 of the Horsham District Planning Framework (Adopted November 2015).

20. Prior to the commencement of development full details of the design and construction of all sustainable urban drainage features shall be submitted to and approved by the Local Planning Authority in writing. The details shall include:

- Plan showing existing and proposed levels and contours and cross sections
- Location, design and material of inlet and outlet structures

The scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that the development is properly drained in accordance with Policies 2, 37 and 38 of the Horsham District Planning Framework (Adopted November 2015).

21. Prior to the commencement of development, a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed buildings shall be submitted to and approved by the Local Planning Authority in writing. All materials used shall conform to those approved.

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

22. No work for the implementation of the development hereby permitted shall be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work shall be undertaken on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

23. Prior to the commencement of development hereby permitted, full details of the foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The drainage works shall be thereafter constructed prior to the occupation of the development in accordance with the approved details, and thereafter retained and maintained as approved.

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Reason: To ensure that the development is properly drained in accordance with Policies 2, 37 and 38 of the Horsham District Planning Framework (Adopted November 2015).

24. The burning of any materials from site clearance or from any other source shall not take place within 10m of the furthest extent of the canopy of any tree, group of trees, or hedgerow, targeted for retention on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in accordance with Policies 2, 25, 26, 31, 32 and 33 of the Horsham District Planning Framework (Adopted November 2015).

25. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) The site investigation results and the detailed risk assessment (c) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority.

The scheme shall be implemented as approved.

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

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

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

27. Prior to the commencement of the development hereby permitted, the developer shall provide evidence that their approved building control provider has been notified of the requirement to apply the optional requirement for water efficiency to the development (limiting water use within the dwellings hereby permitted to less than 110 litres per person per day). The development shall thereafter be carried out in accordance with the optional requirement for water efficiency standard set out in the Building Regulations.

Reason: In the interests of managing water use in this area of Serious Water Stress, in accordance with Policy 37 of the Horsham District Planning Framework (Adopted November 2015).

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28. The use of the new doctor's surgery car park hereby permitted shall not commence unless and until the vehicular and pedestrian access arrangements as shown on the approved plan have been designed, laid out and constructed in all respects to the satisfaction of the LPA.

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

Notes To Applicant:

- a. The Applicant is reminded that the provisions of the Legal Agreement of DC/15/1382 remain applicable in the event that this permission is implemented.
- b. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
- c. The water efficiency standard required under the above conditions is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

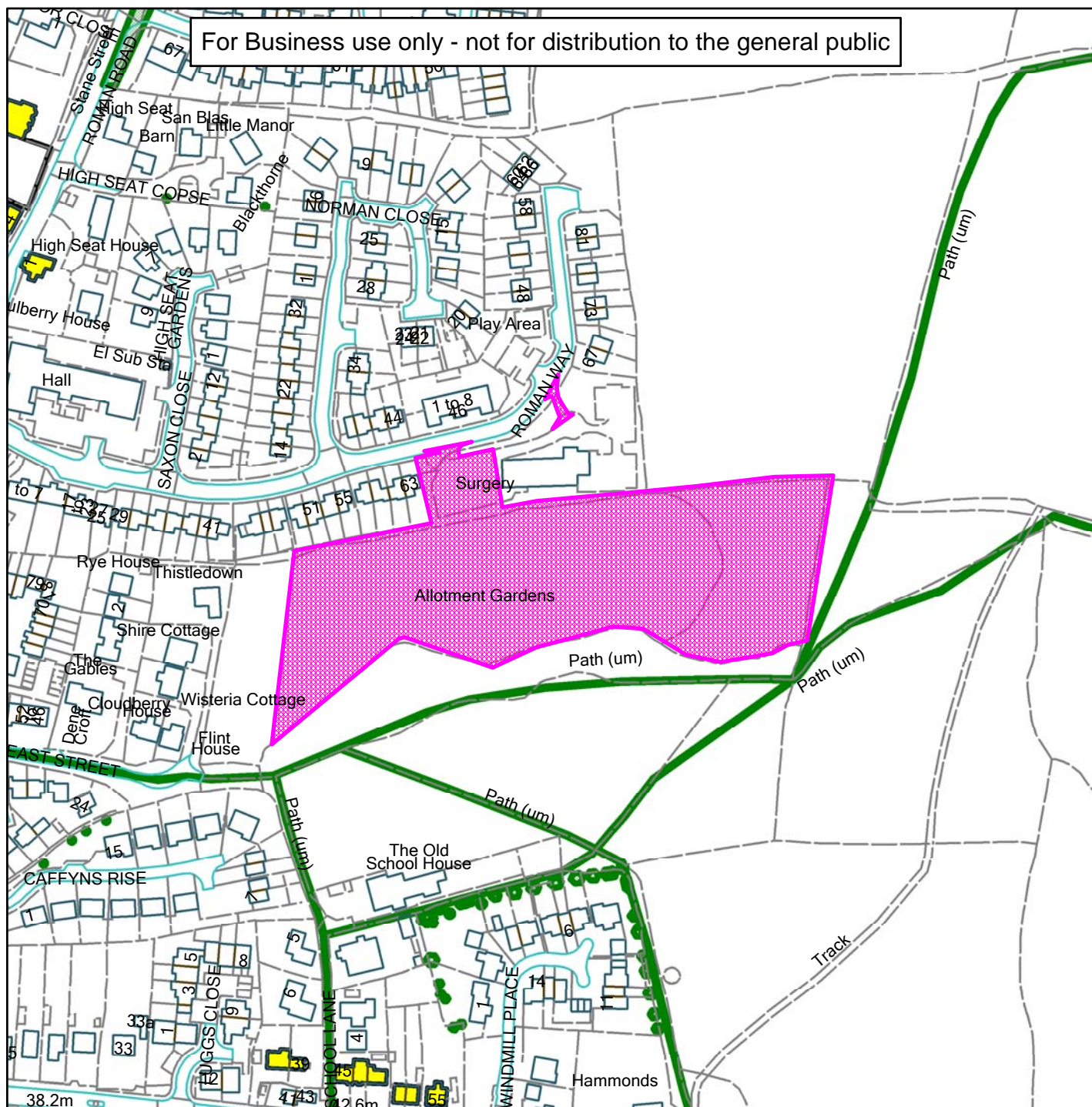
Background Papers: DC/15/1382

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Billingshurst Doctors Surgery

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)
BY: Development Manager
DATE: 20 September 2016
DEVELOPMENT: Two dwellings and access (Outline)
SITE: Land at Coombelands Lane Pulborough West Sussex
WARD: Pulborough and Coldwaltham
APPLICATION: DC/16/1082
APPLICANT: Dr. Simon Burton

REASON FOR INCLUSION ON THE AGENDA: The application if permitted would represent a departure within the meaning of the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks outline planning permission for the construction of two dwellings and associated access. The application seeks only the determination of the principle of development with all matters reserved at this time.

DESCRIPTION OF THE SITE

- 1.2 The application site is situated in a rural location outside of any defined built up area boundary. It is located to the east of Coombelands Lane. This part of Coombelands Lane is a narrow country lane characterised by sporadic, isolated dwellings. To the west of Coombelands Lane is the boundary to the South Downs National Park. The application site is an open grassed paddock with a hedgerow to the boundary to Coombelands Lane. To the eastern boundary is a wooded copse. Within the site is a wooden field shelter with a gated access at the southern and northern end of the site. Oak House Farmhouse to the south of the site is a Grade II Listed Building.

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 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- 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

2.3 National Planning Policy Guidance 2014 (NPPG).

RELEVANT COUNCIL POLICY

2.4 The relevant policies of the Horsham District Planning Framework are considered to be policy 1, 2, 3, 4, 10, 25, 26, 30, 21, 30, 32, 33, 35, 36, 37, 40 and 41.

2.5 The Regulation 16 consultation on the Pulborough Neighbourhood Plan closed on 8 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 and are in discussions with the Parish Council as to how the plan should move forward.

PLANNING HISTORY

There is no relevant planning history for the application site.

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 **Landscape Architect** (summarised) – Insufficient detail has been submitted to fully consider the application.

3.3 **Ecology** – No objection in terms of ecology.

3.4 **Conservation and Design Officer** – Due to the sites location and the topography of the land it is not considered the proposal would have an adverse impact on the setting of the Listed Building known as Oak House Farmhouse.

3.5 **Environmental Management Waste and Recycling** – No objection to the application.

OUTSIDE AGENCIES

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- 3.6 **West Sussex County Council Highways** – Further information has been requested before a formal response can be made.
- 3.7 **Southern Water** (summarised) – There are no public foul sewers in the area to serve the development. The applicant is advised to examine alternative means of foul sewage disposal.
- 3.8 **South Downs National Park Link Officer** – The South Downs Park Authority have concerns with regards to the application causing harm to the setting of the South Downs National Park and do not consider such development appropriate.

PUBLIC CONSULTATIONS

- 3.9 **Pulborough Parish Council** – Objection to application, and would request to speak at committee.
- 3.10 Eleven letters have been received objecting to the application on the following grounds;
- Proposal out of character with the area
 - Proposal would set a precedent
 - Proposal would increase housing density in locality
 - Site outside the built up area boundary on a greenfield site
 - Single lane already causes concern
 - No mains sewerage or services
 - Site near to a Site of Special Scientific Interest
 - Increase in light pollution
 - Site close to Listed Buildings.

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 key issues for consideration in relation to this proposal are:
- The principle of the development
 - Impact on the character and appearance of the surrounding area
 - Impact on Heritage Asset
 - Highway impacts
 - Ecology

Principle of development

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the

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approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.

- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal moves to be considered in the context of paragraph 55 of the NPPF, and Policy 3, 4 and 26 of the Horsham District Planning Framework (HDPF).
- 6.4 Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land. As the site is outside of the built-up area boundary of a town or village it would not meet the requirements of Policy 3 of the HDPF.
- 6.5 Policy 4 relates to settlement expansion and states that; *“Outside built-up area boundaries, the expansion of settlements will be supported where;*
a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
b.the level of expansion is appropriate to the scale and function of the settlement type.
c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.
d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.” The Council can demonstrate that it has a 5-year HLS against this newly adopted strategy.
- 6.6 The site has not been allocated for development in any Made Neighbourhood Plan or within the HDPF and the application has not sought to demonstrate how it would meet identified housing needs, nor would it maintain or enhance the locality’s landscape character features. It is therefore considered that the proposal does not comply with Policy 4.
- 6.7 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.
- 6.8 The proposed development of the site for residential purposes would not constitute a development which is essential to this countryside location, neither is it considered that the proposal would contribute to existing rural enterprises, activities or recreational opportunities. The proposal does not involve the conversion of existing rural buildings. The proposal therefore fails to accord with the NPPF and with Policy 26 of the HDPF.
- 6.9 The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. This strategy was examined through the Examination in Public and was found to be sound and the plan was adopted in November 2015. On these grounds the proposal is not in accordance with Policies 1, 2, 3, 4 and 26 of the HDPF Development Plan and thus is not acceptable in principle.

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Impact on the character and appearance of the surrounding area

- 6.10 The application site is situated in a rural location, where development is sporadic and organic in form. Section 7 of the NPPF provides guidance relating to design and states that good design is a *"key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* It also notes in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.11 As the application is outline in form, the full impact of the proposed development cannot be fully considered at this stage. However, it would appear from the size of the site area that two units could be accommodated within the site. In terms of the acceptability of the proposed scheme in relation to the amenity levels of future occupiers of any new dwellings, as the proposal is only submitted in outline form as noted above with an indicative layout, it is not possible to accurately consider this issue at this stage. However, the indicative layout provided does show that the number of dwellings proposed, could, with careful consideration of siting, landscaping and screening, be provided within the site without a likelihood of giving rise to significant amenity issues for future residents.
- 6.12 However, it is considered that whilst the site may be of sufficient size to accommodate two dwellings, the proposed construction of two new dwellings in this rural location on the edge of the South Downs National Park would have an adverse impact on the rural character of the area. It is considered that the introduction of two dwellings with their associated domestic built form, paraphernalia and lighting, would have an adverse visual impact on the setting of the National Park. Policy 30 of the HDPF notes that development close to protected landscapes will be supported where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes. It is not considered with regards to the current application that the proposal meets the requirements of Policy 30 in this respect.

Impact on Heritage Asset

- 6.13 The application site is located to the north of Oak House Farmhouse which is a Grade 2 Listed Building. Oak House Farmhouse is situated approximately 67 metres from the southern boundary of the site. It is considered due to the distance between the application site, the existing boundary treatment and the sites topography that the proposed development would not have an adverse impact on the setting of the neighbouring Heritage Asset.

Highways

- 6.14 The application seeks to provide a common shared access to the north of the site onto Coombelands Lane. Paragraph 32 of the NPPF states that *'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'* The Highways Authority has considered the proposal and has requested additional information with regards to the proposed access. The requested information has yet to be submitted by the applicant. Therefore at this stage it has not been demonstrated that the site would be acceptable in highway safety terms and thus the proposal is contrary to Policy 40 of the HDPF.

Ecology

- 6.15 The application site is located within a Site of Special Scientific Interest and therefore the comments of the Councils Ecologist have been sought with regards to the application. The Councils Ecologist has considered the proposal and has raised no objection to the scheme.

Conclusion

- 6.16 The application site is located outside of the defined built up area boundary. The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. The site has not been allocated for development in the Neighbourhood Plan or the Local Plan, and is not essential to its countryside location. It is therefore considered that the proposal does not comply with policy 1, 2, 3, and 26 of the HDPF and paragraph 55 of the NPPF.

7. RECOMMENDATIONS

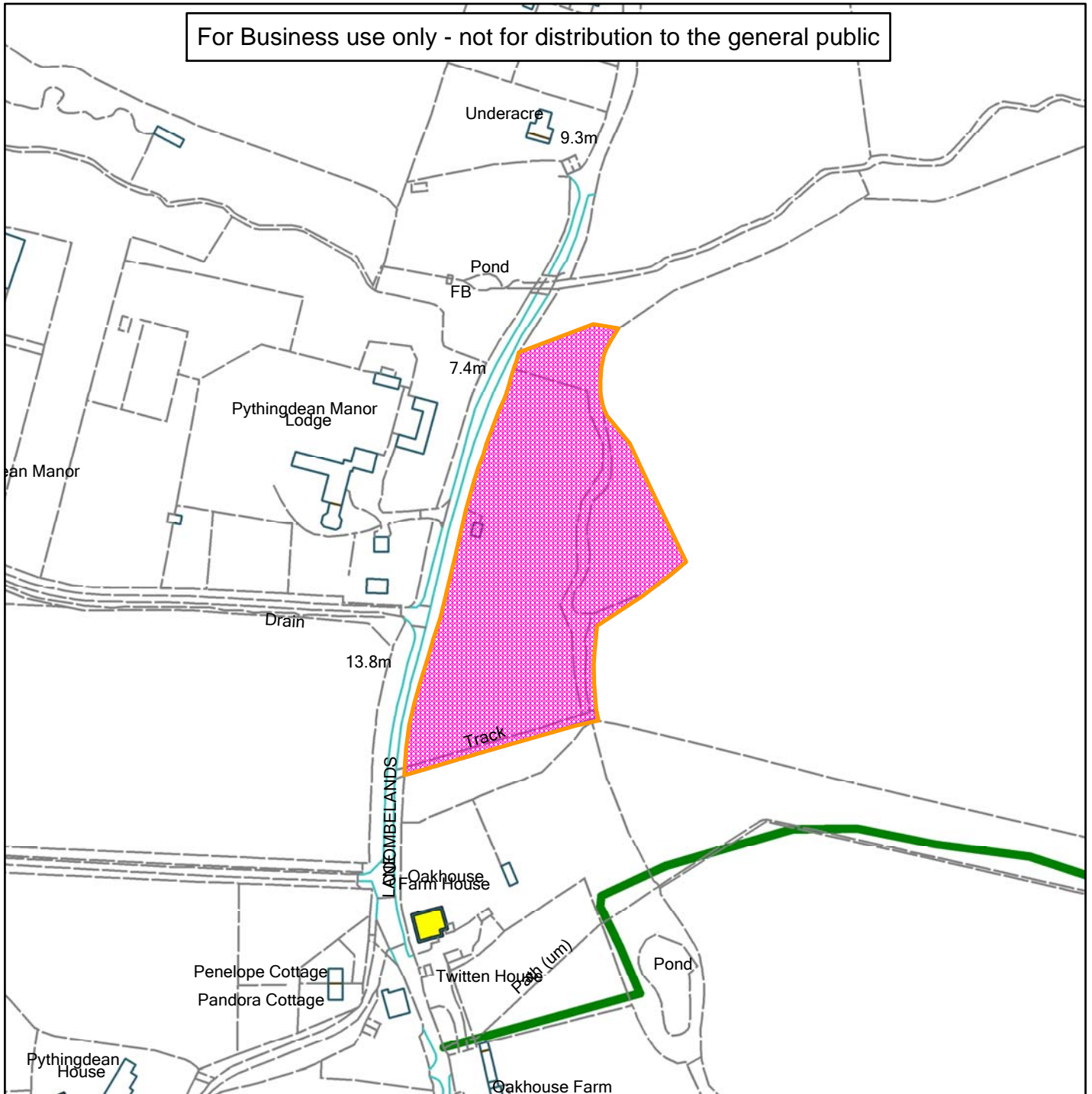
- 7.1 It is recommended that planning permission is refused for the following reasons;
1. The proposed development would be located outside of a built-up area boundary on a site not allocated for development within the Horsham District Planning Framework, or in an adopted Neighbourhood Development Plan. The proposed development would therefore be inconsistent with the overarching strategy for development set out within the Horsham District Planning Framework. The proposed development is therefore contrary to Policies 1, 2, 3 and 4 of the Horsham District Planning Framework (2015) and to the National Planning Policy Framework (2012).
 2. The site lies within a rural location outside the limits of any existing settlement and does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with Paragraph 55 of the National Planning Policy Framework, and with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework 2015.
 3. The proposed dwellings by reason of their siting, plot subdivision, and associated domestic paraphernalia would be out of keeping with the character of the area and would represent a form of development which would be detrimental to the rural appearance of the area. The proposal therefore conflicts with paragraph 64 of the National Planning Policy Framework, and policies 30 and 33 of the Horsham District Planning Framework 2015.
 4. The applicant has failed to demonstrate that appropriate visibility splays can be provided on the site and that the proposed development would provide a safe and suitable access. The proposed development is therefore contrary to Policy 40 of the Horsham District Planning Framework 2015.

Background Papers: DC/16/1082



Land at Coombelands Lane

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Construction of three bedroom detached dwelling

SITE: 1 Woodcot New Road Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/16/1415

APPLICANT: Mr Peter Coulstock

REASON FOR INCLUSION ON THE AGENDA: The application if permitted would represent a departure within the meaning of the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999.

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of a detached three bedroom dwelling with access onto New Road. The proposed dwelling would be 11.8 metres wide, 6 metres deep with a height to the ridge of 6 metres. The building would be timber clad and oak framed with a tile roof. Accommodation would be provided within the roof slope with roof lights placed to the front and rear.

DESCRIPTION OF THE SITE

- 1.2 The application site is an irregular triangular shaped plot located outside of the defined built up area boundary in a rural location. It is sited on the northern side of New Road, to the east of 1 Woodcot. To the front of the site is a wooden gate with post and rail fencing set behind a hedge fronting onto New Road. Opposite the site entrance is a pair of two storey semi-detached dwellings. 1 Woodcot is a semi-detached two storey dwelling with a rendered ground floor and timber cladding to the first floor. To the side of the dwelling is a detached garage, whilst to the rear of the dwelling is a stable block. On the boundary between the application site and 1 Woodcot is a hedgerow and associated trees, with further mature trees to the rear and eastern boundaries. The site is higher than 1 Woodcot.

2. INTRODUCTION

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STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 National Planning Policy Framework 2012 (NPPF).

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

2.3 National Planning Policy Guidance 2014 (NPPG).

RELEVANT COUNCIL POLICY

2.4 The relevant policies of the Horsham District Planning Framework are considered to be policy 1, 2, 3, 4, 24, 25, 26, 30, 21, 31, 32, 33, 35, 36, 37, 40 and 41.

RELEVANT NEIGHBOURHOOD PLAN

2.5 Billingshurst was designated as a Neighbourhood Plan Area in December 2015.

PLANNING HISTORY

BL/148/03	Erection of double garage/workshop with leisure room over Site: 1 Woodcot New Road Billingshurst	PER
BL/1/88	Single storey extension (From old Planning History)	PER
BL/130/73	Continued use of dwelling without compliance with cond 2 of permission granted on 05/05/48 (ref no 2859) (From old Planning History)	PER
BL/36/82	Detached garage (From old Planning History)	PER
BL/57/81	2 bed detached bungalow Comment: Land adj. (From old Planning History)	REF
BL/112/93	First floor extension Site: 1 Woodcot New Rd Billingshurst	PER
BL/12/97	Single-storey rear extension Site: 1 Woodcot New Road Billingshurst	PER
BL/61/99	Construction of an all weather exercise area Site: 1 Woodcot New Road Billingshurst	PER

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Environmental Management, Waste and Recycling** – Comments are awaited and will be reported verbally to the committee.

OUTSIDE AGENCIES

- 3.3 **Southern Water** – There are no public sewers in the area to serve the development.
- 3.4 **West Sussex County Council Highways** (summarised) – A plan should be provided showing the visibility from the proposed access. New Road is subject to a 60mph speed restriction, and therefore the maximum achievable visibility spays should be provided.

PUBLIC CONSULTATIONS

- 3.5 **Billingshurst Parish Council** has objected to the application.
- 3.6 **Two letters** have been received objecting to the application on the following grounds;
- Concern with regards to noise and disturbance due to position of entrance
 - The existing hedge and trees should be preserved
 - Concern with regards to highways safety
 - Change of use of land would be unattractive for the overlooking houses and dangerously close to the road.

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 key issues for consideration in relation to this proposal are:

- The principle of the development
- Impact on the character and appearance of the surrounding area
- Highway impacts

Principle of development

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal moves to be considered

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in the context of paragraph 55 of the NPPF, and policy 3, 4 and 26 of the Horsham District Planning Framework (HDPF).

- 6.4 Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land. As the site is outside of the built-up area boundary of a town or village it would not meet the requirements of Policy 3 of the HDPF.
- 6.5 Policy 4 relates to settlement expansion and states that; *“Outside built-up area boundaries, the expansion of settlements will be supported where;*
a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
b.the level of expansion is appropriate to the scale and function of the settlement type.
c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.
d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and
e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.” The Council can demonstrate that it has a 5-year HLS against this newly adopted strategy.
- 6.6 The site has not been allocated for development in any Made Neighbourhood Plan or within the HDPF and the application has not sought to demonstrate how it would meet identified housing needs, nor would it maintain or enhance the locality’s landscape character features. It is therefore considered that the proposal does not comply with Policy 4.
- 6.7 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.
- 6.8 The proposed development of the site for residential purposes would not constitute a development which is essential to this countryside location, neither is it considered that the proposal would contribute to existing rural enterprises, activities or recreational opportunities. The proposal does not involve the conversion of existing rural buildings. The proposal therefore fails to accord with the NPPF and with policy 26 of the HDPF.
- 6.9 The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. This strategy was examined through the Examination in Public and was found to be sound and the plan was adopted in November 2015. On these grounds the proposal is not in accordance with Policies 1, 2, 3, 4 and 26 of the HDPF Development Plan and thus is not acceptable in principle.

Impact on the character and appearance of the surrounding area

- 6.10 The application site is situated in a rural location, where development is sporadic and organic in form. Section 7 of the NPPF provides guidance relating to design and states that good design is a "key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." It also notes in paragraph 64 that permission should be refused for development of poor design that fails

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to take the opportunities available for improving the character and quality of an area and the way it functions.

- 6.11 The proposed dwelling would be single storey in height with accommodation provided within the roofspace. The proposed dwelling would be lower in height than 1 Woodcot and would be set behind the existing hedgerow. It is considered that whilst the existing hedgerow to the front of the site may screen the development, it is not considered that because the dwelling may not be clearly visible this would make the development acceptable. Such arguments could be repeated often to the serious detriment of the character, if not always public appearance of the countryside as a whole. The character of the area is rural in form with the houses immediately to the south and west of the site forming a small cluster of development on a lane which otherwise has intermittent residential development. It is considered that the provision of a new dwelling in this location would consolidate sporadic development in the countryside and would therefore be contrary to policy 25, 26, 32 and 33 of the HDPF.
- 6.12 Notwithstanding the principle of development as outlined above it is considered that the proposed development due to its siting and design would not have an adverse impact on the amenities of neighbouring properties. The proposed dwelling would be orientated with its principle elevation to the north, and would be situated 1.5 metres from the front boundary of the site, and some 11 metres from the facing wall of the dwelling to the south. The dwelling would be located 24.5 metres from the flank wall of 1 Woodcot. It is considered that the distance and the existing boundary treatment between the proposed dwelling and 1 Woodcot would preserve the privacy of the occupiers of 1 Woodcot, whilst to the south of the site the proposed dwelling would be separated from the neighbouring property by New Road. It is therefore considered that the proposed development would not have an adverse impact on the amenities of neighbouring properties.
- 6.13 The application site is enclosed by a hedgerow and mature planting on each of its boundaries. It is considered that this enclosure of the site would result in shading and a minimal outlook for the occupiers of the proposed dwelling. It is therefore considered that the quality of the resulting residential environment for future occupiers would not be acceptable in this instance.

Highways

- 6.14 The application seeks to utilise the existing access onto New Road. Paragraph 32 of the NPPF states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' The Highways Authority has considered the proposal and has requested additional information with regards to the extent of visibility splays that could be provided on the site. The requested information has yet to be submitted by the applicant. Therefore at this stage it has not been demonstrated that the site would be acceptable in highway safety terms and thus the proposal is contrary to Policy 40 of the HDPF.

Conclusion

- 6.15 The application site is located outside of the defined built up area boundary. The strategic approach of the HDPF is very clear in that it seeks to concentrate development within the main settlements of the District, where there is the best concentration of services and facilities to support new development. The site has not been allocated for development in the Neighbourhood Plan or the HDPF, and is not essential to its countryside location. It is therefore considered that the proposal does not comply with policy 1, 2, 3, and 26 of the HDPF and paragraph 55 of the NPPF.

7. RECOMMENDATIONS

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

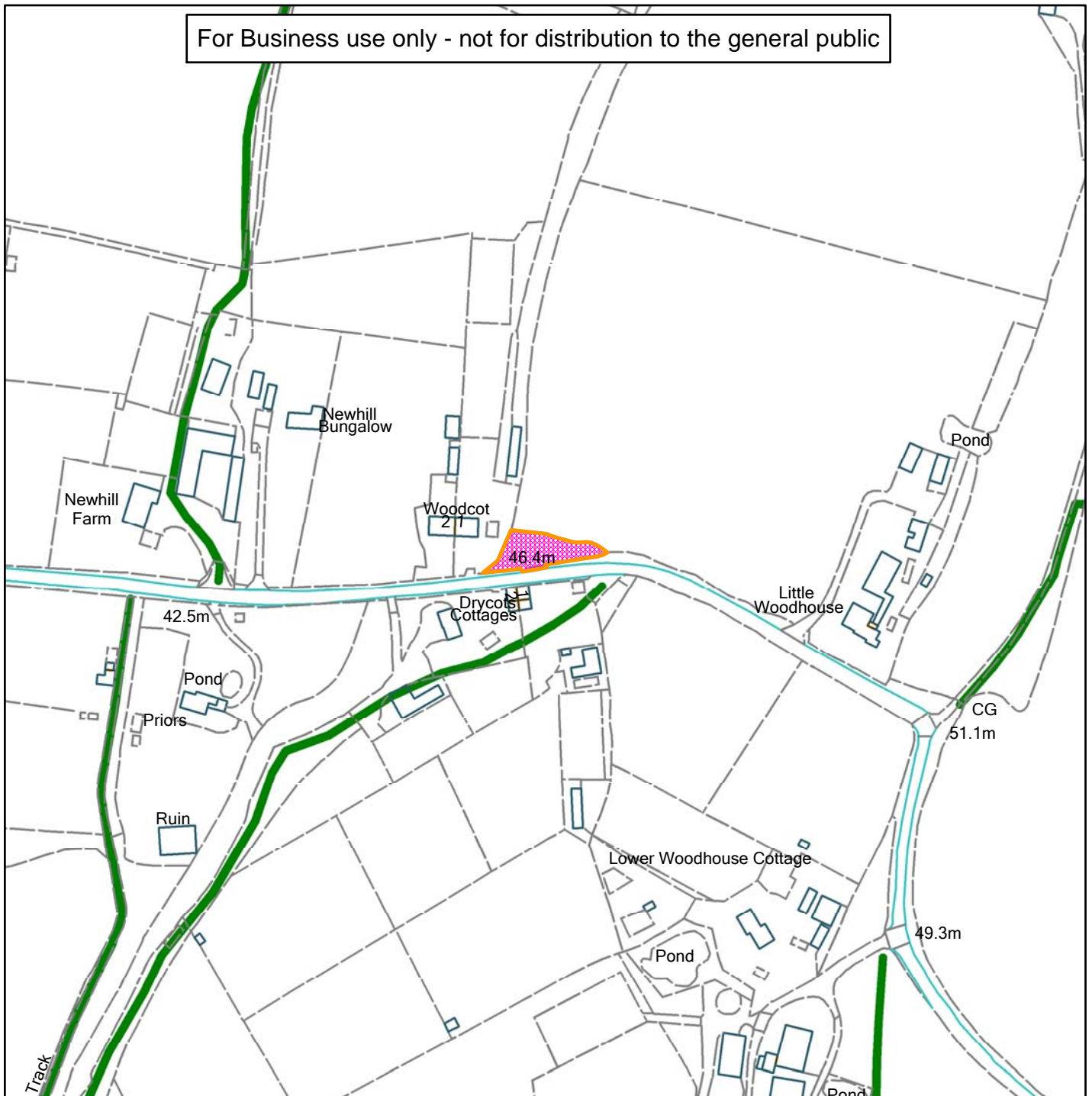
1. The proposed development would be located outside of a built-up area boundary on a site not allocated for development within the Horsham District Planning Framework, or in an adopted Neighbourhood Development Plan. The proposed development would therefore be inconsistent with the overarching strategy for development set out within the Horsham District Planning Framework. The proposed development is therefore contrary to Policies 1, 2, 3 and 4 of the Horsham District Planning Framework (2015) and to the National Planning Policy Framework (2012).
2. The site lies within a rural location outside the limits of any existing settlement and does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with Paragraph 55 of the National Planning Policy Framework, and with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework 2015.
3. The applicant has failed to demonstrate that appropriate visibility splays can be provided on the site and that the proposed development would provide a safe and suitable access. The proposed development is therefore contrary to Policy 40 of the Horsham District Planning Framework 2015.
4. The site is enclosed by a hedgerow and mature planting on each of its boundaries. It is considered that the enclosure of the site would result in shading and a minimal outlook for the occupiers of the proposed dwelling. The proposal would therefore result in a form of development which would have an adverse impact on the residential environment of future occupiers. The proposal would therefore be contrary to Policies 32 and 33 of the Horsham District Planning Framework 2015.

Background Papers: DC/16/1415



1 Woodcot

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	31/08/2016
ISA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Erect a timber building in the same style as existing timber stable block to provide daytime mess, changing area with toilet and washing facilities

SITE: Manton Stud Okehurst Lane Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/16/1418

APPLICANT: Miss Jacky Matlock

REASON FOR INCLUSION ON THE AGENDA: More than 5 letters of representation have been received contrary to the Officer's recommendation.

RECOMMENDATION: Grant planning permission subject to conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks full planning permission for the construction of a timber building 7.2 metres wide, 3.6 metres deep, with a height to the ridge of 3.167 metres. The building would be used to provide daytime mess facilities with a changing area, toilet and washing facilities.

DESCRIPTION OF THE SITE

- 1.2 The application site is approximately 00.84 hectares, although the site as a whole covers an area of 2 hectares and occupies a position on the north side of Okehurst Lane. The land is relatively flat with open views to the dwelling to the north of the site (Oakwood Farm). There are no public footpaths immediately adjacent to the site however, there is one located to the east of the site accessed from Okehurst Lane (ROW1345), adjacent to Chalk Farm, which joins other public right of way routes. To the south of the site on the opposite side of Okehurst Lane is Minstrels Wood a Grade 2 Listed Building.
- 1.3 The site is accessed via an existing track off of Okehurst Lane which is shared with Oakwood Farm. There is an area of hardstanding to the north of the existing stables.
- 1.4 The site currently comprises structures which include a hay barn, a stable block with four stables, a tack room and feed store, a further stable block with two stables, a temporary stable block, a temporary field shelter, a shed for tool storage and a mobile home which is

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occupied by the applicant and her partner which does not benefit from planning permission. A sand school is located to the north of the yard area.

- 1.5 The site is located outside of any defined Built up Area Boundary and is thus located within the countryside in an area characterised by fields, agricultural land with sporadic residential dwellings along Okehurst Lane.

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 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- 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

- 2.3 National Planning Policy Guidance 2014 (NPPG).

RELEVANT COUNCIL POLICY

- 2.4 Relevant policies within the Horsham District Planning Framework 2015 are considered to be Policy 1, Policy 2, Policy 3, Policy 4, Policy 20, Policy 26, Policy 29, Policy 32, and Policy 33.

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Billingshurst was designated as Neighbourhood Plan Area in December 2015.

PLANNING HISTORY

DC/10/2508	Stable block, hay barn and sand school	PER
DC/14/1023	Change of use of part of site for provision of a mobile home to be used in association with Manton Stud during day time only and provision of a sewage treatment plant (Affects the setting of a Listed Building)	WDN
DC/14/1231	Retrospective application for re-positioning and alterations to approved stables and hay barn	PER
DC/14/2663	Erect a Timber Building in the same style as the existing timber stable block and hay barn, to be used for overnight accommodation	REF

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Strategic and Community Planning** (summarised) - principle of this development would accord with Policy 26 of the HDPF (Countryside Protection) and Policy 10 (Rural Economic Development).
- 3.3 **Technical Services (Drainage)** – No comment to make on application.
- 3.4 **Public Health and Licensing** (summarised) – Conditions suggested if application was to be approved.

OUTSIDE AGENCIES

- 3.5 **West Sussex County Council Highways** (summarised) - no objection to the application.

PUBLIC CONSULTATIONS

- 3.6 **Billingshurst Parish Council** has objected to the application.
- 3.7 **Six letters** have been received objecting to the application on the following grounds;
- Appeal has already been dismissed
 - Proposed out of character with the area
 - Concern at narrowness of lane
 - No business is being run from the site
 - The occupation of the building could not be enforced.
 - No need for facility.
 - Impact on drainage and surrounding pond/ditches.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application seeks full planning permission for a day mess room following the refusal at appeal of DC/14/2663. The application seeks to provide washing and changing facilities for the applicant and her partner whilst they, or other carers of the horses, are on site.
- 6.2 The dismissed appeal related to the provision of a temporary timber structure (similar to the current application proposal) to be occupied as living accommodation. The Inspector's

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decision on the appeal is a material consideration in the determination of the current application and is attached as an appendix to this report.

Principle

- 6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the starting point for determining any application for planning permission are the policies of the Development Plan and any decision should be in accordance with these policies unless there are material considerations to outweigh their provisions.
- 6.4 The application site lies in the countryside outside any defined built-up area and the countryside protection policies of the Development Plan therefore apply. The current application differs from the appeal proposal in that the application seeks only day mess room accommodation and is not to be occupied as living accommodation. It is considered that in this instance it would be reasonable to assess the current application against Policy 29 Equestrian Development.
- 6.5 Policy 29 states that development for equestrian related development will be supported provided that:
1. *It can be demonstrated that the re-use of existing buildings on site for related equestrian use is not appropriate; before new or replacement buildings are considered.*
 2. *The proposal would be appropriate in scale and level of activity, and be in keeping with it's location and surroundings, and where possible is well related to existing buildings;*
 3. *The proposal should where possible be well related to a bridleway network.*
- 6.6 The applicant currently has nine ponies on the holding which consists of:
- a Fell pony mare – 27 years old (owned by the applicant since a foal) - retired;
 - a Fell pony mare – 15 years old – daughter of the mare above and bred by the applicant- retired;
 - a Dales pony mare – 26 years old (owned by the applicant since a foal) - retired;
 - a Dales pony mare – 12 years old – daughter of the mare above and bred by the applicant;
 - an Exmoor mare – 24 years old – retired;
 - a New Forest mare – 19 years old – retired;
 - a New Forest gelding – 18 years old – riding pony;
 - a Fell x Dales gelding – 26 years old – retired; and
 - a Highland pony – 5 years old – riding pony.
- 6.7 It is considered with regards to policy 29 that there are no other buildings on the site that could be used to form the facilities required, and that the building would be well related to existing buildings as it would adjoin the existing stables. The appeal Inspector as part of the dismissed scheme noted that *“the provision of some form of mess and changing area with toilet and washing facility may be reasonable in the circumstances.”* It is therefore considered that the provision of day accommodation would in principle be acceptable in this instance and would comply with policy 29 of the HDPF.

Amenities of Neighbouring Properties

- 6.8 Concerns have been raised with regards to the impact of the proposal on the amenities of neighbouring properties. Policy 33 of the HDPF relates to design principles and requires proposals to amongst other criteria to *“ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development.”*
- 6.9 The Inspector in the earlier appeal stated; *“The views of local residents have been taken into consideration and I have already dealt with what I regard as the main planning issue. I*

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note the concerns of the occupier of Aspen Place in Okehurst Lane regarding loss of privacy from the proposal, however, given the isolation of the site of the proposal behind the trees along the lane, the limited openings in its single storey structure, and its clustering with the stables, there would be no materially harmful impact on the living conditions of surrounding occupiers.” It is therefore considered that the application proposal which is similar in siting and design to the appeal proposal, would comply with Policy 33 for the same reasoning.

Impact on Listed Building

- 6.10 The Inspector also considered the impact of the development at that time on the listed building to the south of the site Minstrels Wood; *“The Council has indicated that to the south of the site, on the opposite side of the lane is a Grade II listed building called Minstrels Wood. While the Council does not object to the proposal in terms of the impact on its setting, I have nevertheless undertaken my statutory duty pursuant to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting, or any features of architectural or historic interest which it possesses. In view of the lane between the sites, the density of the tree planting on both sides of it, and the modest scale and location of the proposed building next to the stables, I consider that the setting of the listed building would be unaffected and therefore preserved.”* It is therefore considered that an objection to the application with regards to the impact on the listed building could not be sustained at appeal.

Conclusion

- 6.11 An application for overnight accommodation on this site was refused and dismissed at appeal in 2016. The current application whilst similar in size and scale to the refused scheme seeks to provide day accommodation only. It is considered that the Inspector dismissed the appeal on the grounds that there was no essential need for a dwelling in this location and that the proposal therefore failed to comply with the Development Plan. The current scheme seeks permission for only day accommodation, and therefore it is considered taking into consideration the comments of the Inspector in terms of need and design that the proposal would now comply with policy 29 and 33 of the HDPF.
- 6.12 At present there is a mobile home on the site to the rear of the approved stables. The mobile home does not benefit from planning permission and is subject to an investigation by the Council’s Compliance Team who will pursue the appropriate action.

7. RECOMMENDATIONS

- 7.1 That the application is approved subject to the following conditions;

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

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

2. No development shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for external walls and roofs of the proposed building(s) have been submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved.

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

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3. The structure hereby approved shall be used as day room accommodation in association with Manton Stud only and shall not be used for any other purpose including overnight residential accommodation.

Reason: In the interests of amenity and in accordance with Policies 26, 29 and 33 of the Horsham District Planning Framework (2015).

4. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

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

Background Papers: DC/14/2663 and DC/16/1418

Appeal Decision

Hearing held on 5 May 2016

Site visit made on 5 May 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 June 2016

Appeal Ref: APP/Z3825/W/15/3138237

Manton Stud, Okehurst Lane, Billingshurst, West Sussex RH14 9HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Jacqueline Matlock against the decision of Horsham District Council.
 - The application Ref DC/14/2663, dated 10 December 2014, was refused by notice dated 18 May 2015.
 - The development proposed is described as to erect a timber building in the same style as the existing timber stable block and hay barn, to be within the curtilage of the existing buildings and for the use of the applicant and her partner. To have overnight accommodation to be granted on a temporary basis due to the declining health of the applicant's partner and the need for the applicant to care for his needs and the needs of the animals at the property.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since it issued its decision, the Council has adopted the Horsham District Planning Framework 2015 (HDPF). Both parties have provided representations regarding the decision in the light of the policies of the HDPF, and I have taken these into account in reaching my decision.

Main Issue

3. While the Council's reason for refusal referred to the essential need for an equestrian worker to live on the site, it is clear from the statements of both parties and from the discussion at the Hearing that the appellant does not operate a business from the site. Instead, she cares for eight, rare-breed horses, many of which are elderly and which she has looked after for many years and to which she has grown attached. While looking after her horses involves work, she derives no reward other than the personal satisfaction of knowing they are happy and well cared for.
4. In light of this, I see no need to explore further whether the circumstance of rural workers' accommodation which may be permitted outside the built-up area as provided for under Policy 20 of the HDPF would apply. Accordingly, I consider the main issue to be whether there are any personal circumstances justifying the proposed dwelling as an exception to local and national planning policies which generally seek to restrict development in the countryside.

Reasons

Background

5. The site is part of a holding of around 2 hectares which is used to house and look after rare-breed horses. It is given over largely to grazing paddock and contains a sand school, stables, a hay barn and a field shelter. It is located beyond any built-up area boundary, in the countryside, around one mile from Billingshurst which is classified in the HDPF as a small town.
6. The horses have relatively modest care needs. The appellant attends to them at 05:00, turning out half their number in the morning and the other half in the afternoon, before locking-up at 21:00. Between these three points in the day, and overnight, they require no attention, but between times she maintains the holding, cleaning, mucking out, cutting grass and performing general duties. During inclement weather, the horses are stabled and provided with forage.
7. The appellant presently cares for her partner who has complex health needs, which require him to have access to a toilet and to be able to rest properly during the day. As she is his only carer, the appellant finds herself in the predicament of having to be in two places at once; to look after her partner off-site, as well as her horses on-site, a predicament which would be solved by a dwelling on the appeal site.
8. The appellant used to live in Ifold, around seven miles from the site. However, as her partner can no longer manage the stairs in that property and they cannot afford accommodation in the local area, they have both moved into a caravan on the appeal site. Council enforcement action which followed this has prompted the application the subject of this appeal.

Planning policy

9. HDPF Policies 3 and 4 set the development hierarchy for the District, supporting expansion of settlements outside the built-up area boundary where sites have been allocated in the Local Plan or in a Neighbourhood Plan. HDPF Policy 26 protects the rural character and undeveloped nature of the countryside from inappropriate development and requires proposals outside the built-up area boundaries to be essential to their countryside location and to support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreation; or enable the sustainable development of rural areas. Policy 25 of the HDPF protects the landscape character of the District including the development pattern, from inappropriate development.
10. Turning to the Framework, this says in paragraph 55 that local planning authorities should avoid new, isolated homes in the countryside unless there are special circumstances.
11. In terms of Horsham's spatial strategy, there is no evidence that the proposal would be essential to its countryside location, and in this respect it would not safeguard the rural character and undeveloped nature of the countryside, as required by HDPF Policy 26. Similarly, the site has not been allocated in the HDPF or in a Neighbourhood Plan, which would bring the proposal into conflict with HDPF Policy 4. The proposal would not therefore comply with the spatial strategy of the HDPF.

Effect of the development

12. The Council raises no objection to the appearance of the building which would be sited close to the existing cluster of stables, would be little different to their scale and form, and would share many of their materials.
13. However, the Council described at the Hearing how Okehurst Lane, though its agricultural uses have diminished, still retains a degree of tranquillity and a rural character underpinned by the informal pattern of development of paddocks, equestrian uses and some sporadically sited houses, scattered along its length. It considers that the introduction of a residential use on this site, with the accompanying domestic paraphernalia which it would entail, would harm the rural character of the countryside.
14. The appellant contends that the Council exaggerates the rural character of the lane; it has recently permitted a large, rural worker's dwelling to the north of the site as well as a solar farm beyond it, and the lane contains some warehouse storage as well as houses on the opposite side of the lane. She considers that the domestic paraphernalia referred to by the Council would amount to much the same as the paraphernalia associated with the present use, and, by being largely out of view from the lane, the proposal would not harm the rural character in any case.
15. I agree that the existing houses at this end of the lane lend a residential element to its character; however, these are limited in number and well separated. While the proposed dwelling would be set well back behind the trees which line the boundary to the lane, it would still be visible from surrounding land. I take into account the modest scale of the proposal and its siting in the existing cluster of buildings, as well as the fact that much of the paraphernalia of the equine use is similar to the proposed residential use.
16. While I note the presence of the solar farm and the other development in the area, my impression of the site is that it is part of a landscape which has an overwhelmingly open, agricultural and equine character, consistent with the surrounding countryside. In this context, the rural connection between the site and the surrounding land would be harmed by the intensification of residential use in this part of the lane which would result from the proposed development. In this respect, the proposal would conflict with Policy 25 of the HDPF.
17. The Council raises no objection to the proposal in terms of the sustainability of its location. I noted on my site visit that the site is around 300m from the A29 Stane Street which is served by buses into Billingshurst. While there is no footway in Okehurst Lane, the distance from the site to the main road is relatively short, and there is a path along Stane Street into Billingshurst. On this basis, I have no reason to disagree with the Council's position on the location of the site.
18. However, while the site may be in a sustainable location, paragraph 55 of the Framework refers to promoting sustainable development. The development of one house would boost the supply of housing in accordance with paragraph 47 of the Framework, and it would bring social benefits and some economic uplift. However, for the reasons above, the proposal would have a materially harmful effect on the environmental quality of the countryside. In this respect, the proposal would not satisfy the environmental dimension of sustainability. I

turn now to whether there are any special circumstances sufficient to outweigh this harm.

Personal circumstances

19. I acknowledge the difficult circumstances of the appellant, who explained at the Hearing that it was originally her intention to submit an application for a development which would provide toilet facilities and a place of shelter or mess room during the day. As the horses need no overnight care, the principle of such a course may resolve her predicament of her having to be in two places at once, i.e. allowing her to attend to the horses, while being close to her partner on site. However, the appeal before me is not for such a proposal.
20. I understand that the horses require attention and that the appellant provides for their needs; however it is clear that there is no ordinary need for anyone to remain on the site after they have been returned to their stables at around 21:00, until half of them are let out at 05:00 the next morning. Even during the day, there is no ordinary need for someone to live on-site in order to be able to change over the horses for grazing, provide forage or undertake the general duties associated with the use. As referred to above, while the provision of some form of mess and changing area with toilet and washing facility may be reasonable in the circumstances, a dwelling, as proposed here, which provides overnight accommodation, is not commensurate with this need.
21. I appreciate the dilemma of the appellant; that the health of her partner requires her attention which would prevent her from coming to the site unless he were able to accompany her, and that his condition requires toilet and rest facilities on the site. I am mindful of the cost of housing and its shortage but this circumstance is by no means unusual. Moreover, the appellant has not demonstrated that there is no accommodation in the area which she could afford that might allow her partner to remain at home while she attended, even intermittently, to the horses.
22. While I note that she is unwilling to receive state assistance in looking after her partner and that she intends to resolve her present lack of accommodation by herself, which would relieve the state of providing care and housing, this does not in itself justify the consent for a dwelling in this location. Although I take account of the appellant's personal circumstances, in this case they are not sufficient to outweigh the conflict with the development plan that I have identified.
23. I note that the appellant would be willing to accept conditions limiting the use of the building to five years and restricting it to the appellant and her partner. However, impermanence of the development would not outweigh its environmental harm. The Planning Practice Guidance states that only exceptionally should planning permission for development that would not normally be permitted be justified because of who would benefit from the permission. I do not think that a personal permission would be consistent with that guidance in the circumstances of this appeal.
24. I note the appellant's reference to an appeal in Pulborough¹, however as this relates to a Traveller site wherein a decisive factor was the shortage of Traveller pitch provision in the District, the parallels to this case are limited.

¹ Appeal Ref: APP/Z3825/A/14/2218650

Other matters

25. The views of local residents have been taken into consideration and I have already dealt with what I regard as the main planning issue. I note the concerns of the occupier of Aspen Place in Okehurst Lane regarding loss of privacy from the proposal, however, given the isolation of the site of the proposal behind the trees along the lane, the limited openings in its single storey structure, and its clustering with the stables, there would be no materially harmful impact on the living conditions of surrounding occupiers.
26. The Council has indicated that to the south of the site, on the opposite side of the lane is a Grade II listed building called Minstrels Wood. While the Council does not object to the proposal in terms of the impact on its setting, I have nevertheless undertaken my statutory duty pursuant to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting, or any features of architectural or historic interest which it possesses. In view of the lane between the sites, the density of the tree planting on both sides of it, and the modest scale and location of the proposed building next to the stables, I consider that the setting of the listed building would be unaffected and therefore preserved.

Conclusion

27. I conclude that the proposal would be harmful to the rural landscape and would not accord with the spatial strategy for the district. It would be in conflict with Policies 4, 25 and 26 of the HDPF. Whilst I have taken account of the personal circumstances put forward by the appellant, for the reasons given above they are not sufficient to outweigh the conflict with the development plan that I have identified.
28. Article 1 of the First Protocol of the European Convention on Human Rights concerns enjoyment and deprivation of possessions. Article 8 states that everyone has a right to respect for his home, his private life, and his correspondence. These are qualified rights, whereby interference may be justified in the public interest, but the concept of proportionality is crucial. Dismissing the appeal may interfere with the appellant's and her partner's rights under Articles 1 and 8.
29. However, having regard to the legitimate and well-established planning policy aims which seek to restrict development in the countryside and which protect its rural character and undeveloped nature, a refusal of permission would be proportionate and necessary. It would not unacceptably violate the appellant's and her partner's rights under Articles 1 and 8. The protection of the public interest cannot be achieved by means that are less interfering of their rights. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should not succeed.

Patrick Whelan

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Jacqueline Matlock
Paul Overington
S Overington

Appellant
Husband of the appellant's niece
Appellant's niece

FOR THE LOCAL PLANNING AUTHORITY:

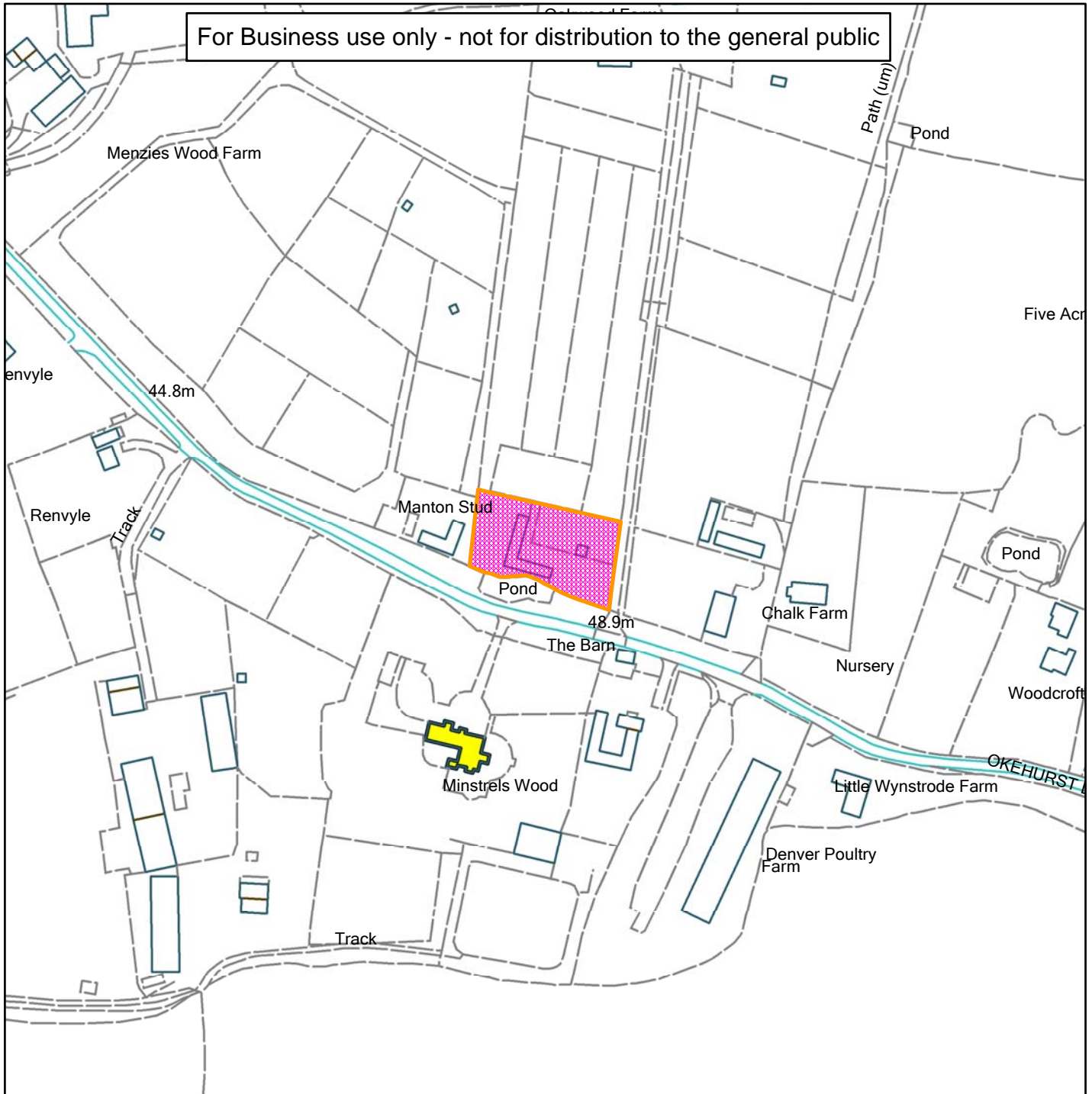
N Mason
J Scrivener

Senior Planning Officer, Horsham District Council
Reading Agricultural Consultants



Manton Stud

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Comments	
Date	01/09/2016
MSA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20th September 2016

DEVELOPMENT: Erection of detached dwelling and detached garage

SITE: Towne House The Village Ashurst Steyning

WARD: Steyning

APPLICATION: DC/16/1347

APPLICANT: Mr and Mrs E Tamlyn

REASON FOR INCLUSION ON THE AGENDA: The application, if permitted, would represent a departure within the means of the Town and Country (Consultation) (England) Direction 1999

RECOMMENDATION: To refused planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission to erect a detached dwelling and garage. The proposed residential curtilage would amount to approximately 0.63ha, and would utilise the existing access serving Towne House, with an access drive proposed to extend from the west of this.
- 1.2 The proposed two storey dwelling would be positioned centrally within the plot and would measure 11m x 10.6mm amounting to a total floor area of approximately 233m². The proposed would incorporate a half-hipped roof extending to an overall height of 8.46m with two dormer-like features to the front elevation.
- 1.3 The proposed dwelling would provide an entrance hall, dining room, breakfast/family room/kitchen, lounge and utility room to the ground floor, with a master bedroom with ensuite, 3 x bedrooms, bathroom, and study on the first floor.
- 1.4 A detached double garage is also proposed to the south-east of the dwelling and this would measure 6m x 6m, and would incorporate a half-hipped roof extending to an overall height of 4.6m. The garage would be oriented to face north-east and would be positioned between 1m and 3.6m from the southern boundary. Additional hard and soft landscaping is

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proposed to accommodate the new driveway/hard standing in front of the garage, and to enclose the site along the boundaries.

DESCRIPTION OF THE SITE

- 1.5 The application site is positioned to the north of Towne House, outside of any designated built up area boundary. The site is accessed utilising the existing access to the east of the B2135 and currently consists of open grassland with access to the Towne House to the east and south. The site is bound by hedging and post and rail fencing, and lies on relatively flat ground.
- 1.6 The surrounding properties are positioned to the north of the site, and these are built along a relatively continuous build line, consisting of a mix of terraced and detached dwellings. The properties face onto the site from the rear, and are positioned at a distance of approximately 8m from the northern boundary, with the site separated by 1.8m high fencing.
- 1.7 A detached garage servicing Towne House is positioned to the east of the site, with hardstanding provided adjacent to this.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 **National Planning Policy Framework:**
 - NPPF6 - Delivering a wide choice of high quality homes
 - NPPF7 - Requiring good design
 - NPPF11 - Conserving and enhancing the natural environment
 - NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

- 2.3 **Horsham District Planning Framework (HDPF 2015)**
 - HDPF1 - Strategic Policy: Sustainable Development
 - HDPF2 - Strategic Policy: Strategic Development
 - HDPF4 - Settlement Coalescence
 - HDPF3 - Strategic Policy: Development Hierarchy
 - HDPF15 - Strategic Policy: Housing Provision
 - HDPF16 - Strategic Policy: Meeting Local Housing Needs
 - HDPF26 - Strategic Policy: Countryside Protection
 - HDPF32 - Strategic Policy: The Quality of New Development
 - HDPF33 - Development Principles
 - HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 **Steining, Bramber, Wiston and Ashurst Development Plan Area**
 - Designated September 2014

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PLANNING HISTORY

AH/2/00	Single & two-storey extensions & double garage Site: Town House The Village Ashurst	PER
AH/1/77	Outline 1 dwelling and 2 double garages on land adjacent to townhouse (From old Planning History)	REF
AH/11/76	Erection of two bungalows (From old Planning History)	REF
AH/11/77	Erection of stable block and 3 loose boxes and 1 tack room (From old Planning History)	PER
AH/3/61	Alterations to existing house and extension (From old Planning History)	PER
AH/7/73	Erection 1 detached dwelling with garage Comment: Land to north - appeal rejected 31/05/74 (From old Planning History)	REF
AH/8/64	Site for service bungalow (From old Planning History)	PER
DC/09/1357	Conversion and extension of existing garage/store into 2-bed dwellinghouse	REF
DC/10/1308	Conversion and extension of existing garage/store into 2-bed dwellinghouse	REF

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 Env Management, Waste and Cleansing, consulted on the 4 July 2016. There was no response from this consultee at the time of report preparation.

OUTSIDE AGENCIES

- 3.2 County Council - Highways, consulted on the 4 July 2016. The response received 20 July 2016 can be summarised as follows: No Objection
- 3.3 Southern Water, consulted on the 4 July 2016. The response received 25 July 2016 can be summarised as follows: No Objection

PUBLIC CONSULTATIONS

- 3.4 Parish Council Consultation, consulted on the 4 July 2016. The response received 19 July 2016 can be summarised as follows: Objection on the following grounds:
- Increase in vehicles and impact upon traffic and highway safety
 - Only affordable housing should be provided in the village
 - Impact upon neighbouring dwellings along School Lane
- 3.5 One letter of objection was received that held concern over the increase in traffic and the potential noise pollution caused by the development.

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the erection of a detached dwelling and garage to the north of Towne House, The Village, Ashurst.

Principle of Development

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any 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 settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced. Furthermore, Policy 26 seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.
- 6.3 With regard to new dwellings in the countryside, paragraph 55 of the NPPF states that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities” and “should avoid isolated homes in the countryside unless there are special circumstances”. These special circumstances include: the essential need for a rural worker to live permanently at or near the site; where the site would represent the optimal use of a heritage asset; where the development would re-use redundant or disused buildings and lead to an enhancement in the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling.
- 6.4 Since the adoption of the Horsham District Planning Framework in November 2015, the Council is able to demonstrate a full 5-year housing land supply to meet the needs of the District to 2031. The policies within the development plan set out the spatial strategy for sustainable development within the District by establishing a development hierarchy, and setting out policies that allow settlements to grow and expand over the lifetime of the plan.
- 6.5 The surrounding area is characterised by sparse and sporadic residential development, located outside of any built-up area boundary. As such, in policy terms the site is considered to be within a countryside location, isolated from infrastructure, amenities and services. As stated within Policy 4 of the Horsham District Planning Framework,

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development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan. The application site is not identified in the Local Plan and there is currently no made Neighbourhood Plan for Ashurst. Therefore, it is considered that the principle of the proposed development within the countryside is contrary to the overarching spatial strategy and principles of the National Planning Policy Framework and Local Development Plan.

- 6.6 It is noted that the Design and Access Statement considers the proposal to be a windfall site, contributing to the 750 units set out within Policy 15 of the Horsham District Planning Framework. However, it is the Council's view that windfall units should be within built up areas, in accordance with Policy 3, or should satisfy the requirements of Policy 4 for sites outside built-up area boundaries.
- 6.7 The proposal fails to satisfy these policies, and would not be essential to its countryside as required by Policy 26 of the Horsham District Planning Framework. Therefore, the proposed development would not meet the core principles of sustainable development, contrary to Policies 1, 2, 3, 4, 15, and 26 of the Horsham District Planning Framework.

Character of the site and surroundings

- 6.8 Policies 25, 32 and 33 of the Horsham District Planning Framework promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.9 The proposed two storey dwelling would be set back from the public highway and positioned centrally within the plot. The dwelling would measure 11m x 10.6m, amounting to a total floor area of approximately 233m². The proposed building would incorporate a half-hipped roof extending to an overall height of 8.46m with two dormer-like features to the front elevation. The proposed detached two-bay garage building would be positioned to the south-east of the site and would extend to a width of 6m and a depth of 6m. The garage would be oriented to face north-east and would incorporate a half-hipped roof extending to an overall height of 4.6m.
- 6.10 The site is surrounded by an eclectic array of detached, semi-detached and terraced dwellings of varying size, design and appearance. There is no overarching vernacular or architectural style, however the built form primarily comprises styles and design commensurate to the rural environment. The surrounding properties are characterised by a material palette that includes render, facing brick, tile hanging, and clay tiles.
- 6.11 Whilst noted that the plot size itself could accommodate such a large footprint and dwelling, consideration needs to be given to the setting of the proposal within the context of the surrounding built form. The footprint of the building is not considered to sympathetically reflect that of the surrounding properties, which on most accounts, are smaller in size. In addition, the squared nature of the layout, coupled within the form and design of the proposal is considered to be of a bulk and mass that would appear overbearing within the context of the relatively modest built form of the surrounding properties. The design of the proposal, with limited visual break along the elevations, is also considered to enhance the sense of imposing bulk created by the dwelling. As such, the proposed two storey dwelling is considered to be of a scale, bulk and mass that would fail to relate to the built form of the surroundings, which due to its bulk and lack of articulation would appear visually overbearing within the context of the built surroundings, contrary to Policies 32, and 33 of the Horsham District Planning Framework.

Amenities of the occupiers of neighbouring properties

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- 6.12 Policy 33 of the Horsham District Planning Framework states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.13 The proposed two storey dwelling would be positioned centrally within the site, adjacent to the outbuildings positioned to the north of the site, and approximately 20m from the row of terraced cottages to the north-east of the site. The proposed dwelling would be positioned to face to the east, with two ground floor side windows proposed on the northern elevation. The existing landscaping along the northern boundary is proposed to be maintained as existing, with additional hedging added to the southern boundary.
- 6.14 The proposed dwelling is considered to be of a siting, distance, and orientation, in the context of the neighbouring properties, to ensure no material harm to the amenities of neighbouring properties through loss of light, overlooking, or loss of privacy. In addition, whilst the existing soft landscaping cannot be relied upon to mitigate potential impact of a proposal, this is considered to limit the visual impact of the proposal and reduce any perceived overlooking.
- 6.15 As such, the proposed dwelling and detached garage is not considered to result in unacceptable harm to the amenities of neighbouring properties, in accordance with Policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Conditions

- 6.16 Policy 41 of the Horsham District Planning Framework states that development should provide safe and adequate parking, suitable for all anticipated users. The existing access serving Towne House would be utilised for the proposal, with a driveway extending from the existing hardstanding. Following consultation with WSCC Highways, the proposal is not considered to have a detrimental impact upon the functioning or safety of the public highway. Furthermore, the size and scope of the proposed garage is considered sufficient to provide adequate off-road parking for vehicles. As such, the proposal is considered to provide safe and adequate parking, suitable for all users, in accordance with Policy 41 of the Horsham District Planning Framework.

Conclusion

- 6.17 The proposed dwelling would be located within the countryside, isolated from infrastructure and amenities, and would not be essential to its countryside location. In addition, the scale, bulk and mass of the proposed dwelling is considered to be of a nature that would be unsympathetic to the built form and character of the rural surroundings. As such, the proposal is considered to be contrary to Policies 1, 2, 3, 4, 15, 25, 32, and 33 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

It is recommended that the application be refused for the following reasons

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not 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 proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location. Consequently, it represents unsustainable

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development contrary to Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

- 2 The proposed two storey dwelling when considered against the pattern and character of the surrounding development would represent an unsympathetic form of development out of character with the surrounding development. The scale, bulk, mass and design of the proposal in particular, would be unrelated to the built form of the surroundings, which due to its bulk and lack of articulation would appear visually overbearing within the context of the built surroundings, contrary to Policies 32, and 33 of the Horsham District Planning Framework.

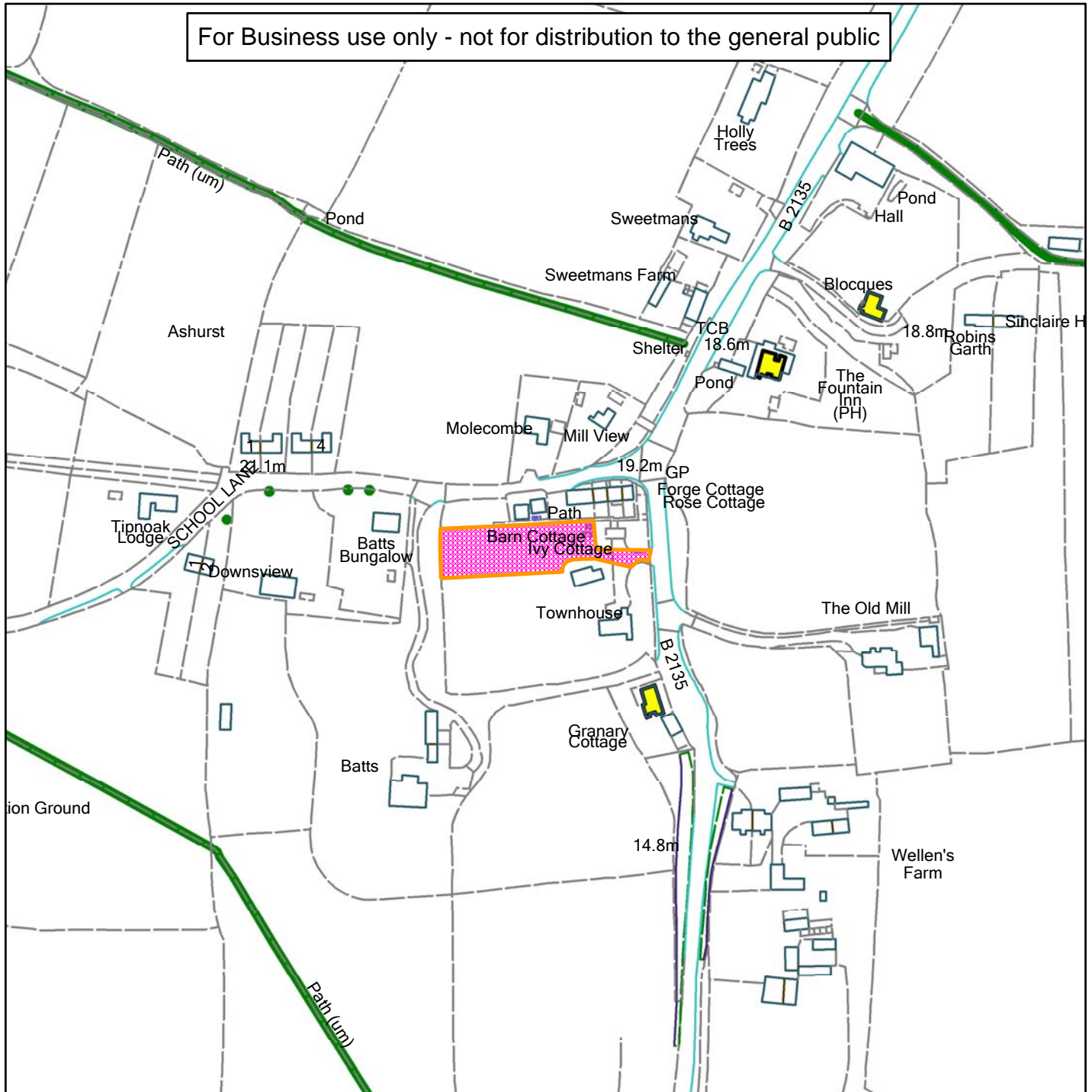
Background Papers: DC/16/1347

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Towne House

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Date	31/08/2016
MA Number	100023865

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee

BY: Development Manager

DATE:

DEVELOPMENT: Proposed live/work unit in connection with existing B1 light industrial use of site

SITE: The Piggery West End Lane Henfield West Sussex

WARD: Henfield

APPLICATION: DC/16/1356

APPLICANT: Mr and Mrs Lee McCatty

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, represents a departure from the development plan, and more than 5 letters of support have been received.

RECOMMENDATION: Application Refused

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the erection of a new dwelling on the site, to be habituated in connection with the existing B1 Industrial business on the site. The existing workshops in association with the business would be retained, with the existing access also retained and the hardstanding re-built and extended up to the proposed dwelling.
- 1.2 The proposed dwelling would be positioned to the south-west of the site, within 6.1m of the western boundary, and 10m of the southern boundary. The dwelling would extend to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls and cedar shingles to the roof. The dwelling would be of a single storey with attic space incorporated, and would provide 4 x bedrooms (including master bedroom with ensuite), kitchen/dining/family room, bathroom, utility room, and boot room.

DESCRIPTION OF THE SITE

- 1.3 The application site is currently under B1 (Industrial Use) and is used by a local joinery business. The site consists of 3 x workshop buildings used as a machine room, assembly

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workshop, and joinery store, with two separate sheds on the site utilised for the storage of raw timber.

- 1.4 The site is accessed from the south of West End Lane, outside of the designated built up area of Henfield. The site lies to the rear of a ribbon of residential development, with the dwellings fronting the highway and positioned approximately 68m from the proposed site of the dwelling. The surrounding landscape consists of an orchard and a number of mature trees, with open countryside to the south.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

National Planning Policy Framework:

NPPF1 - Building a strong, competitive economy

NPPF3 - Supporting a prosperous rural economy

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF14 - Presumption in favour of sustainable development

RELEVANT COUNCIL POLICY

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

HDPF7 - Strategic Policy: Economic Growth

HDPF9 - Employment Development

HDPF10 - Rural Economic Development

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF26 - Strategic Policy: Countryside Protection

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

Henfield Parish Development Plan 2015-2035

- Made April 2016

PLANNING HISTORY

PE/15/0138	Erection of a single dwelling	CLO
HF/5/01	Change of use of redundant agricultural buildings to b1-business use & extension of existing b1 use to adjoining buildings Site: The Piggery West End Lane Henfield	REF
HF/11/7/88	Change of use from garage/workshop to shoe repair workshop Comment: Appeal allowed 09/11/89 (From old Planning History)	PER

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HF/10/97	Erection of 3 dwellings (outline) Site: Land Adj Willows West End Lane Henfield	REF
HF/58/98	Demolition of existing light industrial and agricultural buildings and erection of a single dwelling house Site: Land Adj Willows West End Lane Henfield	REF
HF/107/99	Conversion of buildings into one dwelling Site: The Piggery West End Lane Henfield	REF
DC/15/1078	New single dwelling with existing access drive and existing septic tank	WDN

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

Public Health And Licensing (Env. Health), consulted on the 30 June 2016. Their comments dated 30 August 2016 can be summarised as follows: Concur with the recommendations contained within the report. Should the Planning Authority be minded to grant planning permission, a suitably worded pre-commencement condition may be applied.

Env Management, Waste and Cleansing, consulted on the 30 June 2016. The response received 08 August 2016 can be summarised as follows: No objection.

OUTSIDE AGENCIES

County Council - Highways, consulted on the 30 June 2016. The response received 18 July 2016 can be summarised as follows: No anticipated highway safety concerns.

Southern Water, consulted on the 30 June 2016. There was no response from this consultee at the time of report preparation.

Environment Agency, consulted on the 30 June 2016. There was no response from this consultee at the time of report preparation.

PUBLIC CONSULTATIONS

Parish Council Consultation, consulted on the 30 June 2016. Their comments dated 8 July 2016 can be summarised as follows: No Objection

50 letters of support were received, and these expressed support on the following grounds:

- Sympathetic to surroundings
- Encourage economic development
- Enhance the amenities of the site
- Sustainable construction
- Improve security of the business

7 letters of objection from 5 households of objection were received, and these expressed concerns on the following grounds:

- Not essential
- Set an unacceptable precedent
- Built on greenfield land
- Scale not in keeping
- Inadequate site access

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- Would not provide employment additions
- Unsustainable location
- Impact on traffic and highway safety
- Will not create new or local jobs
- Isolated and not essential to the countryside location

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 The application seeks full planning permission for the erection of a new dwelling to be occupied in conjunction with the B1 use of the site.

Principle of Development

- 6.2 Policies 3 and 4 of the Horsham District Planning Framework state that development will be permitted within towns and villages that have defined built-up areas. Any 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 settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced.
- 6.3 Furthermore, policy 26 seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.
- 6.4 In addition, paragraph 55 of the National Planning Policy Framework states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need to for an agricultural worker to live at or near the site; where such development would represent the optimal viable use of a heritage asset; where the development would re-use redundant or disused buildings and lead to enhancement of the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling.

ITEM A08 - 5

- 6.5 The proposal seeks to erect a dwelling on the site, which as submitted within the Design and Access Statement, would be occupied in connection with the existing joinery business (under Class B1 Industrial Use) on the site.
- 6.6 The site lies approximately 1.6km from the centre of Henfield, and is positioned outside of the designated built-up area. For this reason, in policy terms, the site is located within a countryside location. As stated within policy 26 of the Horsham District Planning Framework, development outside of built-up area boundaries must be essential to its countryside location, and in addition meet one of the stated criteria. The proposed dwelling would not be related to agriculture or forestry, would not enable the extraction of minerals or the disposal of waste, and would not provide for quiet informal recreational use. Furthermore, whilst it is noted that the applicant operates the joinery business on the site, no justification has been provided to outline an essential need for the applicant to live on the site.
- 6.7 Whilst living on the site, in close proximity to the business, may be desirable, this is not considered essential. As such, given the nature of the development and its position outside of the built-up area, the proposal is not considered to enable the sustainable development of the rural area or meet any of the other criteria as stated within policy 26 of the Horsham District Planning Framework. Therefore, the proposed residential dwelling is considered to be contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).

Character of the site and surroundings

- 6.8 Policies 25, 32 and 33 of the Horsham District Planning Framework promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.9 The proposed dwelling would be of a single storey, extending to a length of 24.6m and a total depth of 7.4m, incorporating a pitched roof extending to an overall height of 6m. The proposed dwelling would incorporate two oak gable features to the northern elevation, and would be finished in oak featheredge board to the walls, and cedar shingles to the roof.
- 6.10 The wider surroundings are characterised by two storey detached and semi-detached dwellings that front the public highway, along a continuous build line. These are of an eclectic vernacular incorporating facing brick, tile hanging, and render, with hardstanding built in front. Although positioned within close proximity to this ribbon of residential development, the set back and setting of the site as a whole is more reflective of the surrounding countryside than the urbanised development to the north. The proposed design of the dwelling seeks to reflect this rural character, utilising natural materials that would be reflective of the countryside character of the site and surroundings.
- 6.11 Whilst the local vernacular of the surrounding properties consist of facing brick, tile hanging, and render, it is recognised that the site itself reflects a rural context, set back from the built form of the surroundings. The proposed finish and design of the residential dwelling, utilising a 'natural' finish of cedar shingles and oak cladding is therefore considered to appropriately reflect the context of the site and the landscape character of the area. Furthermore, although set back from the recognised build line of the surroundings, the proposed siting is considered to reflect the built form of the workshop and associated buildings within the site itself. As such, the scale and siting of the dwelling is considered to sit appropriately within the site and the context of the surroundings, in accordance with policies 25, 32 and 33 of the Horsham District Planning Framework.

Amenities of the occupiers of neighbouring properties

- 6.12 Policy 33 of the Horsham District Planning Framework states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.
- 6.13 The proposed dwelling would be positioned to the south-west of the site, approximately 68m from the rear elevation of the adjacent properties. Whilst noted that the boundary treatment of the adjacent properties consists of post and rail fencing, the distance between the proposed dwelling and neighbouring properties is considered sufficient so that the proposal would not result in unacceptable outlook or loss of privacy. It is proposed to plant mixed deciduous and coniferous landscape screening to the north, west and south of the site, and whilst this cannot be relied upon to make a scheme acceptable, this is considered sufficient to mitigate potential impact. Therefore, given the distance between the properties, and the addition of landscape screening, the proposal is not considered to result in harm to the amenities of neighbouring properties, in accordance with policy 33 of the Horsham District Planning Framework.

Existing Parking and Traffic Conditions

- 6.14 Policy 41 of the Horsham District Planning Framework states that development should provide safe and adequate parking, suitable for all anticipated users.
- 6.15 Whilst objection has been raised within public representations in regard to increased traffic movements and inadequate access, the proposal would utilise the existing, established access, with hardstanding provided to the front of the dwelling. This established access would continue to service the joinery workshops, as well as the new dwelling.
- 6.16 No previous highway issues have been raised with the use of the established access, and this conclusion is retained by WSCC Highways within the consultation response submitted. As such, the residential nature of the development is not considered to result in further intensification or impact upon public highway safety, in accordance with policy 41 of the Horsham District Planning Framework.

Other Matters

- 6.17 The proposed development is located within the curtilage of, and in close proximity to, existing commercial activities. An adequate assessment of exposure to noise for future residents by a suitably competent person has not been submitted. Furthermore, the application identifies that the site has a history of agricultural use and proposes to introduce residential receptors onto this land.
- 6.18 Paragraph 122 of the NPPF clearly states that planning decisions should be based on adequate site investigation information, prepared by a competent person, which demonstrates suitability for use. Without this information it is not possible to fully assess this application.
- 6.19 The agent has since supplied a Contamination Assessment, with the Environmental Officer re-consulted for comments. This response concurs with the recommendation within the submitted report, and as such, no objection is raised.

Conclusion

- 6.20 The proposed residential dwelling, located outside of the built up area, would not accord with the criteria as outlined within policy 26 of the Horsham District Planning Framework, and is therefore considered to result in unsustainable and inappropriate development within

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the countryside, contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework.

7. RECOMMENDATIONS

The application be refused on the following grounds:

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not 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 proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location. Consequently, it represents unsustainable development contrary to policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

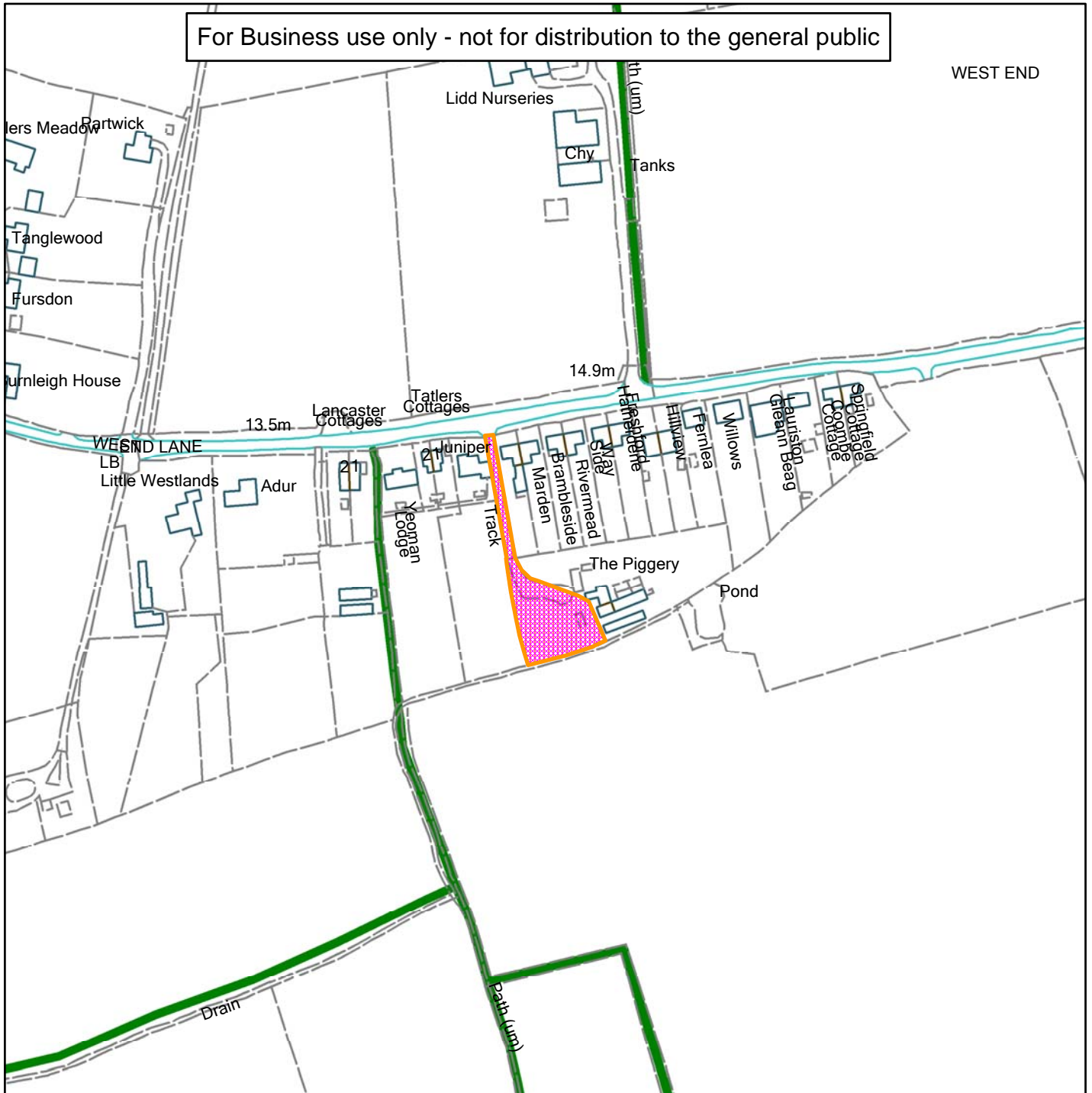
Background Papers: DC/16/1356

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The Piggery

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**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Single storey extension for new w.c. facilities including w.c. for the disabled and ramp access

SITE: Womens Hall 81 High Street Billingshurst West Sussex

WARD: Billingshurst and Shipley

APPLICATION: DC/16/1389

APPLICANT: Mrs Sue Samson, Trustee

REASON FOR INCLUSION ON THE AGENDA: 5 letters of objection have been received within the statutory consultation period, contrary to the Officer's recommendation.

RECOMMENDATION: To grant planning permission subject to conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the erection of a single-storey side extension to the southern elevation of the building to provide new WC facilities, including a new disabled WC. The addition would project some 4m from the side elevation, spanning 6.7m in width, and would include a half-hipped roof to match the main roof, standing at an eaves height of 3.7m, and maximum ridge height of approximately 7m. The roof of the addition would be set 0.4m below the ridge of the main roof of the building. The application also includes a small verandah area over the southern elevation of the proposed addition, including a new ramped access.

DESCRIPTION OF THE SITE

- 1.2 The application relates to a detached community building sited on the northern side of the High Street, Billingshurst. The building is composed of a stock brick facing, including a half-hipped roof with plain clay tiles, and is raised above ground level on a brick plinth. The curtilage itself is raised above the street level, which includes a set of steps to the front, and a ramped entrance to the side, which is accessible via the children's play park to the south. The surrounding area is mixed in character, composed of dwellings and commercial units of varying uses, styles, and ages.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (March 2012) Section 7
2.3 National Planning Policy Guidance (March 2014)

RELEVANT COUNCIL POLICY

- 2.4 The relevant policies of the Horsham District Planning Framework are considered to be policy 1, 2, 33, and 40.

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Billingshurst Parish Neighbourhood Planning Document – Designated (Regulation 5 and 6)

PLANNING HISTORY

BL/109/02	Tree felling & surgery Site: Womens Hall 81 High Street Billingshurst	PER
BL/119/88	Fell 2 and surgery on 5 cherry trees Comment: Land fronting 83 high street (From old Planning History)	PER
BL/13/70	Use of hall for playgroup (From old Planning History)	PER
BL/124/99	Surgery on 1 lime 1 weeping ash 2 sycamore and 1 cherry trees Site: 83 High Street Billingshurst	PER
DC/05/3013	Reduction of hedge to form a smaller hedge and lateral pruning (Work to Trees in Conservation Area)	PER
DC/09/1076	Surgery to 1 Weeping Ash (T2) and 1 Lime (T3) trees (Work to Trees in a Conservation Area)	PER
DC/10/1338	Surgery to mixed hedge (G3 and G5), Horse Chestnut, Ash and Sycamore (T2) trees (Work to Trees in a Conservation Area)	PER
DC/13/1788	Surgery to hedge consisting of Hawthorne, Holly, Ash and mixed Hazel	PER

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **Horsham District Council Access Forum** – improved ramp access and disabled WC facilities to the site are welcomed.

OUTSIDE AGENCIES

- 3.3 **West Sussex County Council Highway Authority** - The LHA does not consider that the proposal would have 'severe' impact on the operation of the Highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and advises that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

- 3.4 **Billingshurst Parish Council** – No objection.
- 3.5 Five letters of representation have been received objecting to the proposal on the following grounds:
- Concerns raised in regards to use of parking area at Jubilee Court (neighbouring elderly home to the south) for use to hall
 - Potential danger from construction vehicles parking on Jubilee Court
 - No pre-application advice has been sought

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 principal issues in the determination of the application are:
- a) Design and appearance;
 - b) Impact on neighbouring amenity, and;
 - c) Highway safety
- 6.2 In regards to design and appearance, policy 33 of the Horsham District Planning Framework states that developments should be required to ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings. The policy continues to state that permission will be refused where a development may negatively impact on neighbouring amenity.

Design and Appearance

- 6.3 The proposed side addition would project some 4m from the southern elevation of the building, spanning 6.7m in width. The roof of the addition has been designed to match that of the main part of the building, incorporating a half-hip, maintaining the eaves height of the existing roof, in which the ridge is set some 0.4m below the main roof. Given the modest scale of the extension, and the setting of the ridge of the proposed roof below that of the main roof of the building, it is considered that the proposal is of an appropriate scale and design which is in-keeping with the character of the existing building.
- 6.4 The application also includes a modest covered verandah area to the southern elevation of the addition, which would provide sheltered access to the extension via the proposed ramp.

The proposed verandah would comprise a similar appearance to the existing front verandah, which is lightweight, and of a suitable construction. This, combined with the proposed ramp, is not considered to appear unduly bulky or out of character in relation to the main building. Further to this, the application proposes to utilise matching materials as to avoid disturbing the appearance of the existing building. With this and the above in mind, the application is considered in accordance with Policy 33 of the Horsham District Planning Framework in regards to its design and appearance.

Impact on Amenity

- 6.5 The proposed extension would be sited on the southern elevation of the existing hall. Immediately to the south of the hall is an existing playground, which is associated with the hall, and is open to the public at all hours. Within the curtilage of the playground is No. 83 High Street, which is occupied by the caretaker of the hall. To the east, the site backs on to the rear of St. Mary's Church graveyard. In this respect, given the southern and eastern boundaries do not directly neighbour residential dwellings, coupled with the infrequent use of the hall; the proposed addition is not considered to result in any harmful or undue amounts of overlooking, overshadowing, or nuisance to neighbouring residential properties. The proposal is therefore considered in accordance with Policy 33 of the Horsham District Planning Framework in regards to its impact on neighbouring amenity.

Transport Issues

- 6.6 Concern has been expressed in regards to the use of the parking area at Jubilee Court for the purposes of the hall during the extensions construction, and following the completion of the development – Jubilee Court is a retirement/sheltered living block of flats located to the south of the playground. West Sussex County Council Highways have stated that visitors to the hall would be required to park on street or to utilise the nearest public off street car parking facility. The proposed works would not result in increasing the hall space, or increasing any planned activities, meetings, or events. Therefore, it is not considered that a material increase in traffic to the site would be expected. Although it is appreciated that the disabled ramp and facilities may encourage more visitors, it should be noted that parking restrictions nearby prohibit dangerous parking in the vicinity of the site, and any increase would not be of a scale to warrant refusal on these grounds.
- 6.7 Furthermore, it should be noted that Jubilee Court is private and any parking along this road should be dealt with by the proprietor of the private access road as it is not maintained by West Sussex County Council. The Highway Authority does not consider that the proposal would have a severe impact on the operation of the highway network, and advise that there are no transport grounds to resist the proposal.

Conclusion

- 6.8 The application has been proposed in order to provide additional WC facilities to the site, including disabled WC for the hall, and a ramped access for disabled users. The Horsham District Council Access Forum has commented on the application, stating that the proposed disabled facilities would be a welcome addition to the site. Given the proposal's siting and modest scale, it is not considered that it would have a detrimental impact on the residential amenities of the neighbouring properties, or the character and appearance of the streetscene, and is therefore considered acceptable. Furthermore, there are no transport grounds to resist granting permission for the proposal.

7. RECOMMENDATIONS

7.1 That the application be approved, subject to the following conditions:

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

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

2. The materials and finishes of all new external walls and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

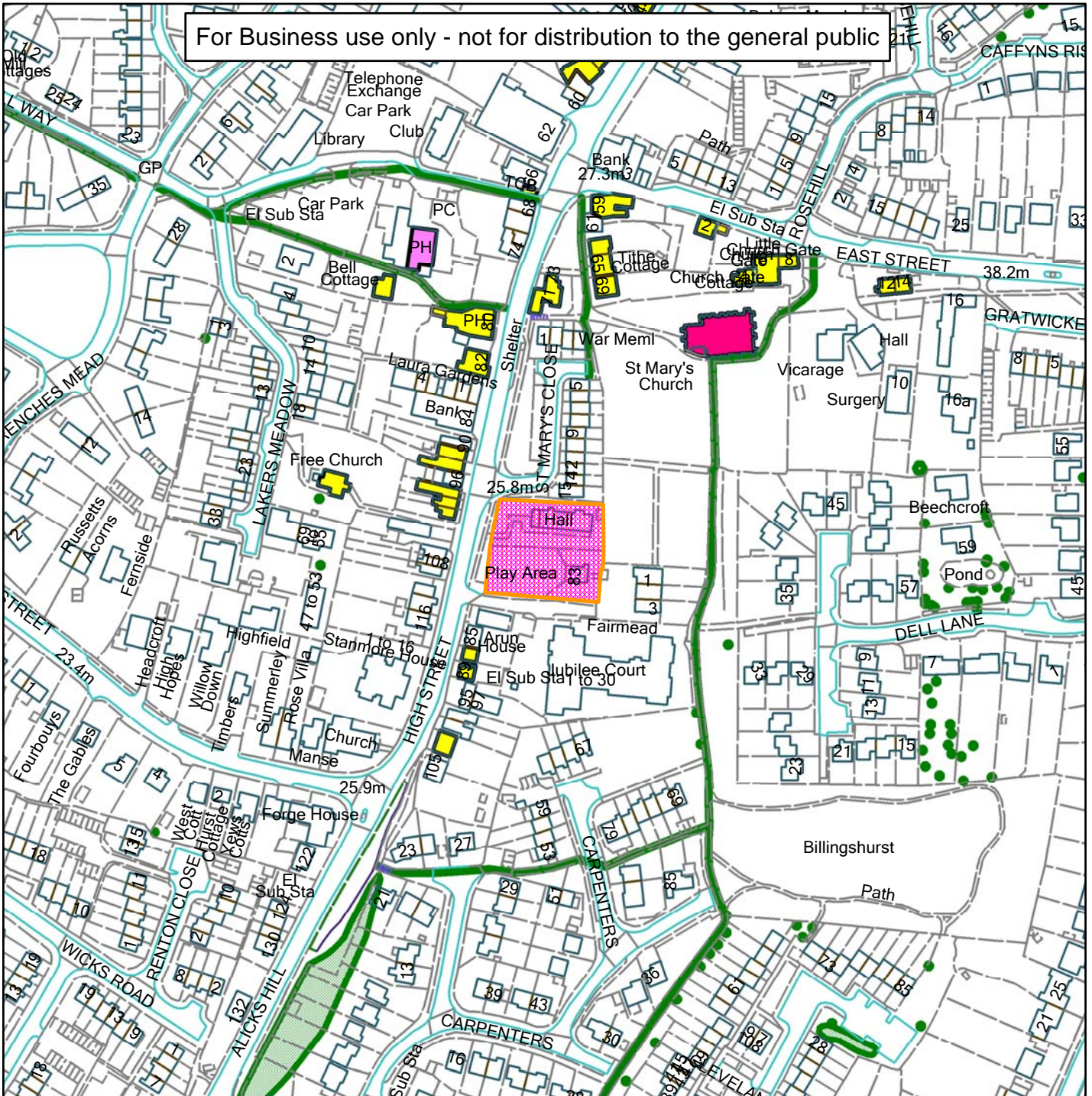
Background Papers: DC/16/1389

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Womens Hall, 81 High Street

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**Horsham
District
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DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 20 September 2016

DEVELOPMENT: Revised proposal for creation of disabled facilities including a 1.5 storey rear extension, single storey side extension and roof alterations to existing dormers following refusal of application DC/16/1171

SITE: Little Paddocks Crays Lane Thakeham Pulborough

WARD: Chanctonbury

APPLICATION: DC/16/1702

APPLICANT: Mr David Perry

REASON FOR INCLUSION ON THE AGENDA: More than 5 letters of representations have been received contrary to the Officer's recommendation.

RECOMMENDATION: To refuse planning permission.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Planning permission is sought for the erection of a one and a half storey rear extension, which would project approximately 10.2m towards the rear boundary of the site, spanning 11.5m in width, comprising a half hipped roof with an eaves height of 5.2m and maximum ridge height of 7.3m, set some 1.2m below the ridge of the main roof of the dwelling. The rear addition would include a ground floor single-storey element, spanning the length of the proposed addition, a side hipped roof dormer, rear facing open hipped gable with floor to ceiling glazing, a large side facing open gable projection, and side dormer which would connect to the existing rear facing box dormer. The application also includes a hipped roof to the existing rear facing dormer window.

DESCRIPTION OF THE SITE

- 1.2 The application relates to a detached one and a half storey dwelling sited on the north-western side of Crays Lane, Thakeham. The dwelling is composed of a stone facing to the ground floor on all elevations and comprises a 8.6m high steep pitched roof with open side gables, with front and rear facing tile hung dormers, including a sun room to the north western elevation with balcony overhead, and a single storey rear utility and boot room addition. The site is raised above street level, behind heavy screening, and the land steeps sharply to the north-east beyond the rear garden curtilage of the site. The site is located

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outside of the built up area, and therefore within the countryside. The surrounding area is characterised by sporadic development, comprising detached dwellings of varying styles and ages.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (March 2012) Section 7

- 2.3 National Planning Policy Guidance (March 2014)

RELEVANT COUNCIL POLICY

- 2.4 The relevant policies of the Horsham District Planning Framework are considered to be policy 1, 2, 26, 28, and 33

RELEVANT NEIGHBOURHOOD PLAN

- 2.5 Thakeham Parish Neighbourhood Planning Document – Designated (Regulation 5 and 6)

PLANNING HISTORY

T/1/70	Residential bungalow Comment: Outline (From old Planning History)	PER
T/11/71	Erection of single detached dwellinghouse (use of existing bungalow (rowan cottage) to be discontinued) (From old Planning History)	PER
T/21/88	Removal of condition 3 on t/1/70 (requiring demolition of building) (see 1256/t/87 for history) (From old Planning History)	PER
T/29/68	New 14ft. vehicular access with sight lines and splays to serve land (use agricultural) (From old Planning History)	PER
T/44/70	Dwelling (use of existing bungalow (rowan cottage) to be discontinued) (From old Planning History)	PER
DC/12/0282	Retrospective permission for a field shelter	PER
DC/16/1171	Creation of disabled facilities including a 1.5 storey rear extension, single storey side extension and roof alterations to existing dormers	REF

3. OUTCOME OF CONSULTATIONS

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

PUBLIC CONSULTATIONS

- 3.2 **Thakeham Parish Council** have expressed no objection to the proposal, and note that their position remains unchanged from the previous application, DC/16/1171, which acknowledged the size of the addition and was warranted by the disability of the needs that the proposal sought to address.
- 3.3 Six letters of representation (including one letter of support from the Applicant's Doctor) have been received supporting the application on the following grounds:
- Development would improve facilities available to allow comfort and care for the applicant
 - The development has no adverse affect on neighbouring or adjacent properties, or surrounding areas
 - The extent of the proposed development is in line with neighbouring development
 - The proposed addition is sympathetic and reasonable in scale

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 principle issues in the determination of the application are:
- a) Design & appearance, and;
 - b) Impact on neighbouring amenity
- 6.2 In regards to design and appearance, Policy 33 of the Horsham District Planning Framework states that developments should be required to ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings. The policy continues to state that permission will be refused where a development may negatively impact on neighbouring amenity.
- 6.3 In regards to development within the countryside, Policy 28 of the Horsham District Planning Framework states that household extensions will be supported if the development can be appropriately accommodated within the curtilage of the existing dwelling, and should be in-keeping with the scale and character of the existing dwelling.

Design and Appearance

- 6.4 The proposed addition would comprise an overall maximum height of approximately 7.3m, which would be set some 1.2m below the ridge of the main roof of the dwelling. The proposed addition would consume an overall ground floor area of approximately 112m², compared to the dwelling's existing 151m² foot print (including the side sunroom and rear utility additions), resulting in a footprint increase of approximately 74%. Due to the increase

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in footprint, and dominating scale and bulk, the addition is not considered to display any level of subservience to the main dwelling. Ultimately, the addition is not considered to be viewed as a small element in relation to the main dwelling, and would appear unduly prominent in relation to the main dwelling, thus contrary Policy 33 of the Horsham District Planning Framework.

- 6.5 It is acknowledged that the rear elevation of the dwelling is well screened from neighbouring and public view. However, this does not stand as sufficient justification to contradict the Council's policy on development principles. With this and the above in mind, the proposed addition is considered contrary to Policy 33 of the Horsham District Planning Framework.
- 6.6 The proposed extension would provide wheelchair accessible living space at ground floor level, including a kitchen, therapy room, and WC, and an open plan bedroom area with lift access at first floor level. Policy 28 specifically states that extensions should not be disproportionate to the size of the existing dwelling, and should also in addition, be in keeping with the scale and character of the existing dwelling. Due to the dominating size and appearance of the proposed addition, the application is considered contrary to Policy 28.
- 6.7 The policy continues to state that extensions should be in keeping with the scale and character of the existing dwelling. Whilst the site does include a generous curtilage, given the size of the dwelling, the overall size of the addition is not considered in keeping with the scale and size of the existing dwelling. Further to this, the rear elevation of the addition would be built close to the rear boundary of the curtilage of the site, and is therefore not considered appropriately accommodated within the curtilage of the site.
- 6.8 Some level of subservience has been attempted, in that the ridge of the addition would be set 1.2m below that of the main roof. However, this attempt to display subservience is negated by the dominating size of the addition and the further variation of the roof form and pitches, especially to the north-western elevation. Further to this, the proposed appearance of the extension, mainly relating to the proposed dormers on the north western elevation, is not considered of an appropriate design to the site, given the existing variations in roof forms. Paragraph 60 of the National Planning Policy Framework (NPPF) states policy should not impose architectural styles through unsubstantiated requirements to conform to certain development forms or styles. However, the NPPF states that it is proper to seek to promote or reinforce local distinctiveness. The resulting appearance is not considered to promote or reinforce the character of the dwelling, and would appear incongruous in relation to the main part of the dwelling and the wider surrounding area, and is thus considered contrary to the NPPF.

Impact on Amenity

- 6.9 Due to the sites location outside of the built area, to which the proposed addition would be sited facing away from any directly neighbouring dwellings, no impact by way over overlooking, overshadowing, or overbearing is foreseen.

Other Considerations

- 6.10 The Local Planning Authority has every sympathy with the applicant regarding the justification for the size of the addition. This includes incorporating wider hallways, larger separating room apertures, and a wheel chair lift, as the current living situation is not currently suitable for wheelchair access. Whilst the requirement for this level of accommodation is appreciated in order to enable this, the applicant's personal circumstance is not considered to overcome material planning considerations, or override the conflict identified within local planning policy. It should be noted that the Local Planning Authority does not object to the principle of a large rear extension, as the site could

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accommodate such an extension. However, an addition of this size is not considered an acceptable scale or design, to which the benefits to the personal circumstance would not outweigh the identified harm which would arise if planning permission were granted.

Conclusion

- 6.11 There is no objection in principle to an extension to the property, however, the proposed rear extension is considered a dominant and inappropriately scaled addition to the dwelling. Whilst the Local Planning Authority sympathises with the applicant with regards to the requirements for this level of accommodation, the applicant's personal circumstance is not considered to overcome material planning considerations, or override the conflict identified within local planning policy. The proposal is therefore considered contrary to policies 28 and 33 of the Horsham District Planning Framework, and Paragraph 60 of the National Planning Policy Framework.

7. RECOMMENDATIONS

- 7.1 That the application is refused for the following reason:

The proposed rear extension, by virtue of its scale, massing, and design, would represent a dominant, and inappropriately scaled addition to the site, which would have a detrimental impact on the character and appearance of the dwelling within the wider surrounding area, and is therefore considered inappropriately designed and unsympathetic in character, contrary to Policies 28 and 33 of the Horsham District Planning Framework, and Paragraph 60 of the National Planning Policy Framework

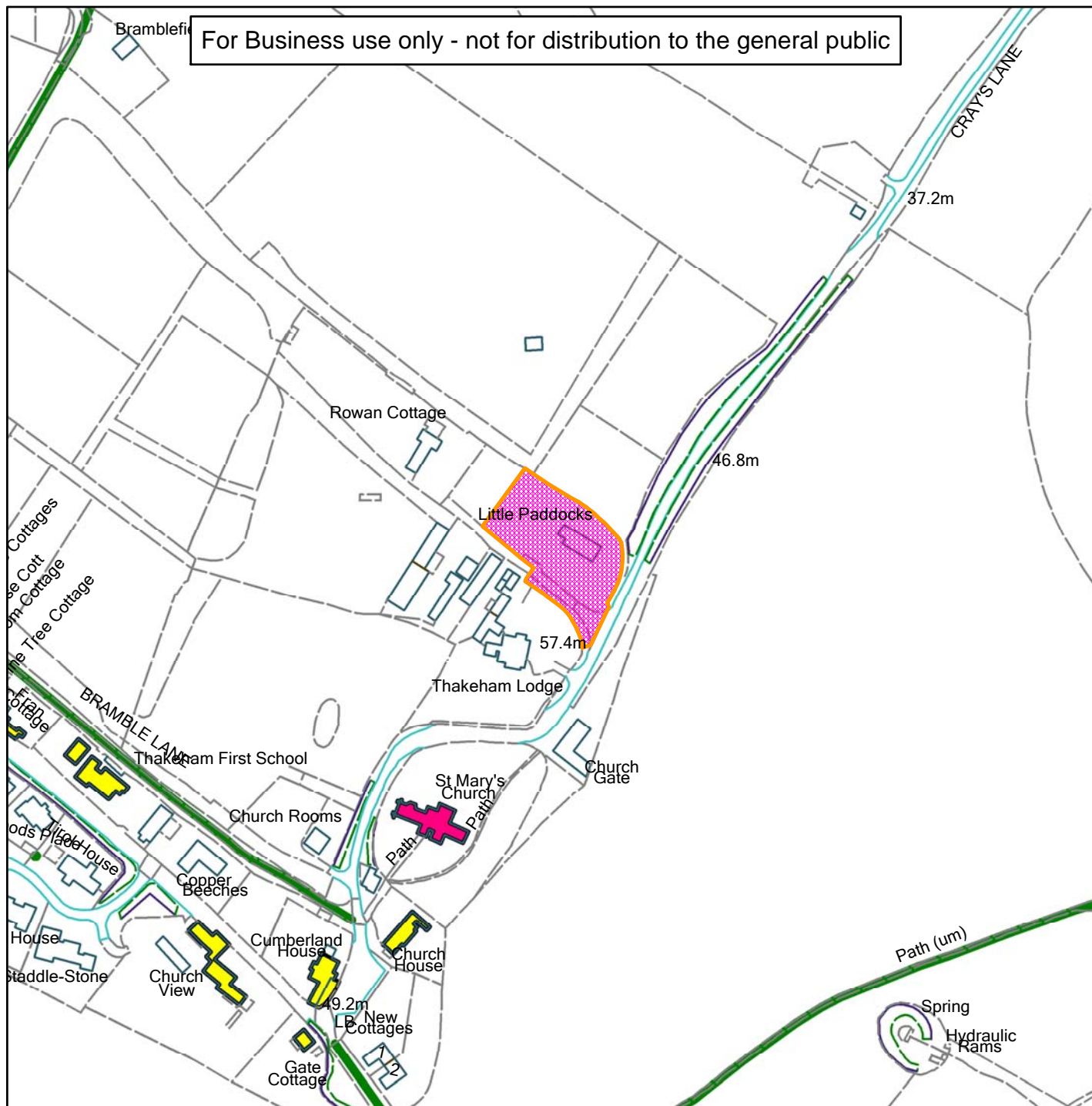
Background Papers: DC/16/1171

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Little Paddocks

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