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Planning Committee (North)

Tuesday, 21st March, 2017 at 6.00 pm
Conference Room, Parkside, Chart Way, Horsham

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

You are summoned to the meeting to transact the following business

Agenda

	Page No.
1. Apologies for absence	
2. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
3. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	
To consider the following reports of the Development Manager:	
4. Summary Report of DC/16/2856 and DC/16/2855	3 - 4
Applications for determination by Committee:	
5. DC/16/2856 - Horsham Golf and Fitness, Worthing Road, Southwater (Ward: Southwater) Applicant: Reside Developments Ltd and Horsham	5 - 42

Football Club

6. **DC/16/2855 - The Holbrook Club, North Heath Lane, Horsham (Ward: Holbrook East) Applicant: Reside Developments Ltd and Horsham Football Club** 43 - 70

7. **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



Horsham District Council **PLANNING COMMITTEE** **REPORT**

TO: Planning Committee North

BY: Development Manager

DATE: 21 March 2017

SUMMARY:

Two applications are being presented to the committee at its meeting on March 21st 2017 for development at Horsham Golf and Fitness, Worthing Road, Southwater and the Holbrook Club, North Heath Lane, Horsham:

- **DC/16/2856:** Horsham Golf and Fitness, Worthing Road.
Proposed 3G Football Ground (including main pitch and training pitch), clubhouse, stands, access, parking and landscaping (to serve as the home ground for Horsham Football Club). 20m high netting and posts to adjacent golf driving range
- **DC/16/2855:** The Holbrook Club, North Heath Lane, Horsham.
Residential development of playing fields providing for 58 new dwellings including a new access from Jackdaw Lane.

Whilst each application must be determined separately Members need to take into account their interrelationship which can be summarised as follows:

- As a package the applications offer the ability to secure community benefits including long term security for the Holbrook Club, the provision of a permanent new home for Horsham Football Club and new 3G pitches which would be available for community use
- The Holbrook Club is reliant on the provision of the 3G pitches at Horsham Golf and Fitness to compensate for the loss of playing fields proposed under DC/16/2855.
- The delivery of the new ground for Horsham Football Club facility is reliant on the funds generated by the housing development at the Holbrook Site.

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 21 March 2017

DEVELOPMENT: Proposed 3G Football Ground (including main pitch and training pitch), clubhouse, stands, access, parking and landscaping (to serve as the home ground for Horsham Football Club). 20m high netting and posts to adjacent golf driving range

SITE: Horsham Golf and Fitness Worthing Road Southwater RH13 9AX

WARD: Southwater

APPLICATION: DC/16/2856

APPLICANT: Reside Developments Ltd & Horsham Football Club

REASON FOR INCLUSION ON THE AGENDA: (1) More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.
(2) The application is defined as a departure application under the Town & Country Planning (Development Management Procedure) (England) Order 2015 and the recommendation of the officer would represent a departure to the development plan.

RECOMMENDATION: To resolve to grant planning permission subject to expiration of the public consultation period for the amended proposal, and delegation to the Development Manager to consider any representations received as a result of that consultation. Planning permission is also subject to the completion of a legal agreement and appropriate conditions. The legal agreement will secure the following:

- Highway works to improve the pedestrian safety and access to the site along Worthing Road and from Hopp Oast Park and Ride.
- Contribution towards waiting restrictions on Worthing Road.
- Details of a scheme to monitor crossing demands at Worthing Road from the Park and Ride to be undertaken by Horsham Football Club (HFC).
- Restriction on the use of the new HFC facility to retain the community facility.
- Details of rights of way improvements including the new cycle path.

1. THE PURPOSE OF THIS REPORT

- 1.1 The purpose of this report is to consider the planning application in conjunction with the separate proposal for the redevelopment of playing fields at the Holbrook Club, North Heath Lane for 58 dwellings (ref: DC/16/2855).

DESCRIPTION OF THE APPLICATION

- 1.2 The proposed development involves the creation of a new sports facility to include a senior pitch (106mx70m) and practice pitch (75mx48m), both floodlit, both with 3G surfaces to make them all-weather pitches. The site is intended to be the main home ground for Horsham Football Club and will also be available for use by the local community, including two displaced teams from the Holbrook Club (Chesworth Rovers FC and Holbrook FC 3rd team). The proposal includes a single-storey Club House which includes changing rooms, a function room, a retail unit for the club, offices and toilets. Horsham Football Club currently plays in the Ryman Isthmanian League South Division with an average attendance of 245 spectators.
- 1.3 The Club currently runs four youth teams and a senior first eleven. The club has stated that the proposed ground will enable the club to expand its sporting opportunities for the community by introducing new youth, girls and ladies teams, offering quality coaching to groups and individuals, and providing to local schools and clubs facilities. The club is run by its Committee, Board and Trustees who are all un-paid volunteers. A Limited Company was set up in 1980 for liability purposes and to be able to sign contracts and hold assets. The club is now looking at a new legal restructure to create a separate entity to protect the Club's assets, namely the new ground and The Holbrook Club. This entity would be controlled by a board of trustees independent of the football entity. The club has commented that they would seek to invite members of the local community to participate as trustees, potentially members of local councils.
- 1.4 Other built development proposed includes a separate single storey building for toilets for spectators and storage of groundskeeping equipment. The proposal includes three stands, one adjacent to the Club House which provides a covered area for standing spectators (125 spectators); a covered stand to the north of the pitch beside the centre line (providing covered seating for 307 spectators); and a further covered standing area to the west (for 125 spectators). The site would be entirely fenced off both to enclose the facility and to prevent access to the areas of Ancient Woodland nearby. The height of the fencing will be increased at either end of the grounds to prevent balls leaving the site.
- 1.5 There is a surfaced area for parking 62 cars, 7 motorcycles, 4 disabled parking spaces, 2 coach spaces and bike storage for 26 bicycles. The scheme includes additional landscaping and the proposal also involves filling in one section of an existing pond and extending the pond in a different direction to compensate for the loss.
- 1.6 The new facility is located to the east of Worthing Road within the grounds of Horsham Golf and Fitness, opposite the Hopp Oast Park and Ride car park. The facility would be accessed from Worthing Road via an existing road which leads to Horsham and Fitness and residential properties beyond. The proposal includes a new access off this road as well a new pathway from Worthing Road along the northern edge of the existing road. Six 15m high floodlights are proposed to the main pitch and four 12m high floodlights are proposed to the training pitch. The scheme would include a 15m buffer zone to protect the Ancient Woodland located to the west and south of the site. The smaller training pitch would be set north of the main pitch. The club house, amenity building and parking area set to the east of the main pitch.

- 1.7 During the consideration of this application, the scheme was amended to include 20m high netting and posts proposed around the boundary of the adjacent driving range.
- 1.8 This proposal follows a refusal for a facility on this site in 2015 (ref: DC/14/1090). The changes from the previous application are as follows:
- Reduction in the size of the clubhouse to single storey (from 2-storeys), resulting in:
 - a reduction in floor area of approximately one third (from 363m² to 212m²);
 - a reduction to the maximum height of the building from 9.75m to 7.6m and more generally from 9.75m to 5.97m;
 - a reduction in the function capacity of the clubhouse.
 - Reduction in the maximum capacity from 1,950 spectators to 1,300 spectators;
 - Amendment to the design of club house to a Sussex barn vernacular.
 - Reduction in floodlighting from 4 No. 18m columns to 6 No. 15m columns on the main pitch and from 4 No. 15m columns to 4 No. 12m columns on the training pitch. In addition, the quality of lighting has improved with a different type of lamp, which effectively reduces light spill from areas outside of the site.
 - Further assessment has been made of various highways scenarios which have been incorporated into an expanded Travel Plan.
 - Pedestrian and cycle improvements including an improved design to the crossing of Worthing Road.
 - Relocation of the full-size pitch and training pitch so that two Grade A trees and three other trees are now retained.
- 1.9 This application is accompanied by the following supporting documents:
- Design and Access Statement
 - Planning Statement
 - Statement of Community Involvement
 - Transport Statement
 - Travel Plan
 - Floor Risk Assessment
 - Existing Tree Schedule
 - Accommodation Schedule
 - Tree Schedule
 - Arboricultural Impact Assessment
 - Sustainability Statement
 - Sequential Site Assessment
 - Football Club Statement
 - Environmental Statement and Appendices
 - Air Quality Assessment

DESCRIPTION OF THE SITE

- 1.9 The site is located approximately 2km south of Horsham and 2km north of Southwater. It forms part of the existing Horsham Golf and Fitness Club site and shares the same access from Worthing Road (B2237). It is close to the junction of Worthing Road with the A24. Other development in the area includes a Civic Amenity Site and a Park and Ride facility for Horsham Town Centre.
- 1.10 The site has an irregular shape of approximately 3.6ha and contains mature trees, and is bordered by Ancient Woodlands to the east and south boundaries, and a pond containing a protected species of newts to the north of the site. The site was previously included within the approved Golf course application. The Golf Driving Range borders the proposed site to the north east.

- 1.11 To the north west of the site lies land used for horses, currently in connection Gate Cottage. Gate Cottage is a Grade II listed building fronting Worthing Road. Further listed buildings are located beyond the golf course to the north east of the site. These are part of residential properties at Denne Park, including Denne Park House. Denne Park House has been converted into apartments and many of the adjoining buildings are now converted to residential properties. This forms a distinct residential enclave outside of any urban area.
- 1.12 The land immediately to the south and east of the application site is occupied by the golf course and associated club house and buildings. A residential property has been constructed to the south east of the proposed site. This property, along with two further dwellings to the east share the access road from Worthing Road with the Golf Club. The nearest right of way is a path which cuts across the golf course north to south (ROW1666). This pathway links Horsham and Southwater.
- 1.13 The boundary of the application site to the west is formed with ancient woodland and screens the site from Worthing Road. There is both woodland and a less dense tree screen to the north and east and further woodland to the south fronting the existing access road.

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, 3, 4, 7, 8, 10, 11 & 12.
- 2.3 Planning Practice Guidance (March 2014).

RELEVANT COUNCIL POLICY

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

Policy 1: Strategic Policy: Sustainable Development
Policy 2: Strategic Policy: Strategic Development
Policy 3: Strategic Policy: Development Hierarchy
Policy 4: Strategic Policy: Settlement Expansion
Policy 7: Strategic Policy: Economic Growth
Policy 9: Employment Development
Policy 10: Rural Economic Development
Policy 24: Strategic Policy – Environmental Protection
Policy 25: Strategic Policy: The Natural Environment and Landscape Character
Policy 26: Strategic Policy: Countryside Protection
Policy 27: Strategic Policy: Settlement Coalescence
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 43: Community Facilities, Leisure and Recreation

2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

NEIGHBOURHOOD PLAN

2.6 The site is within the Parish of Southwater. A Neighbourhood Plan Designation was approved in May 2016. Currently, the Parish do not have a draft neighbourhood plan.

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/2855	Holbrook Site: Residential development of playing fields providing for 58 new dwellings including a new access from Jackdaw Lane.	Pending
DC/14/1090	Horsham Golf and Fitness Site: Construction of football ground to include two pitches, a stand and associated dug-outs, clubhouse and associated structures, lighting, access and car parking, and landscaping works (Affects the setting of a Listed Building)	Application Refused on 17.02.2015
DC/14/1091	Holbrook Site: Residential development of recreational land to provide for 57 one-, two-, three- and four-bedroom, two and two and a half storey houses with associated car parking and access off Jackdaw Lane (full planning permission)	Application Refused on 17.02.2015
DC/09/0746	Horsham Golf and Fitness Site: Change of use of stud farm to golf course, re-configuration of existing golf course (including importation of inert material) to form a 18 hole golf course plus junior/beginners short course; bunds, mounding, landscaping and 3 new ponds. Demolition of existing farmhouse, farm buildings, green keepers compound and bothy. Refurbishment and extension of existing clubhouse to include hospitality/function facilities, new fitness suite building and extension to existing car park.	Application Permitted on 11.12.2009

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 - Strategic Planning (Summarised):** Contrary to policy but no objection subject to mitigation. The principle of recreational and leisure development has already been established on the land with the approval and establishment of the golf course and the

associated fitness centre. The development is broadly in accordance with Policy 43 of the HDPF and will provide enhanced facilities over those to be lost at the Holbrook Club. There is also a clear need to provide land for the re-location of Horsham Football Club and 3G pitches in the District. It was noted that there are potential adverse impacts arising from the intensification of the use and it would need to be demonstrated that these can be satisfactorily mitigated so as not to conflict with policies 25 (The Natural Environment and Landscape Character), 26 (Countryside Protection) and 31 (Green Infrastructure and biodiversity) in particular.

- 3.3 **HDC – Technical Services (Drainage)**: No objection subject to a condition requiring the submission of further detailed drainage information for the approval of the local planning authority.
- 3.4 **HDC – Refuse Collections Supervisor (summarised)**: No objection subject to a condition requiring details of refuse collection.
- 3.5 **HDC – Environmental Health (summarised)**: No objection subject to conditions.
- 3.6 **HDC – Parks & Countryside**: Support.
- 3.7 **HDC – Ecology Consultant (summarised)**: No objection subject to conditions.
- 3.8 **HDC – Leisure Services (summarised)**: Support. Horsham Football Club is strategically important not just to football but also as a consequence of the facilities that this proposal would deliver in terms of 3G pitches from which other clubs and children's football would benefit. This proposal very much adds to the football and sports offer in the Town and District.
- 3.9 **HDC – Conservation Officer**: No objection.
- 3.10 **HDC Archaeology Consultant**: No objection subject to a condition requiring the submission of a written scheme of investigation for the approval of the local planning authority prior to commencement of development.
- 3.11 **HDC Landscape Officer**: No objection subject to conditions.
- 3.12 **HDC – Access and Equalities Officer**: Comment. The applicant is referred to guidance for accessible integrated seating for wheelchair users.
- 3.13 **HDC – Air Quality Officer**: No objection subject to measures to reduce the reliance on cars and encourage low emission technologies.
- 3.14 **HDC Economic Development**: Support.

OUTSIDE AGENCIES

- 3.15 **West Sussex County Council – Flood Risk Management Consultant (summarised)**: No objection. The Flood Risk Assessment proposes sustainable drainage techniques which are acceptable in principle. Development shall not commence until a finalised surface water drainage design and details of the maintenance and management of the SuDS system have been submitted to and approved by the Local Planning Authority.
- 3.16 **West Sussex County Council - Highways (summarised)**: No objection subject to conditions. On the basis of the mitigation proposed, the Highway Authority is satisfied that potential highways and transport matters can be appropriately resolved without resulting in any severe highway impacts.

- 3.17 **West Sussex County Council – Rights of Way Team (summarised)**: No objection.
- 3.18 **Southern Water (summarised)**: No objection subject to conditions and an application to Southern Water for formal approval.
- 3.19 **Environment Agency**: No comments received.
- 3.20 **Sussex Police (summarised)**: Comment. The applicant is referred to the Secured by Design Commercial Development Document 2015 for in-depth crime prevention advice.
- 3.21 **Sport England**: No objection subject to conditions.
- 3.22 **Natural England (summarised)**: No objection. The proposal is unlikely to affect any statutorily protected sites or landscapes. Natural England refers the Council to its standing advice on Protected Species.
- 3.23 **Horsham District Cycle Forum (summarised)**: Comment. The Forum is pleased that the travel plan includes cycle provision and an off-road cycle route. The Forum recommends further improvements for the provision of safe cycle access.
- 3.24 **The Woodland Trust (summarised)**: Comment. The Trust is pleased that the need to protect the Ancient Woodland is recognised and that the scheme includes a 15m buffer. There is however concern that the buffer is insufficient and the Trust recommend a buffer of 50m.
- 3.25 **The British Horse Society (summarised)**: Comment. The residents of the adjacent stables and equestrian users of a nearby bridleway will be affected by this development. Horses are sentient beings and are sensitive to raised and sudden noises and light levels.

PUBLIC CONSULTATIONS

- 3.26 **Southwater Parish (summarised)**: Objection on the following grounds:
- The application will affect the amenity of adjacent land and listed buildings through noise and floodlighting. This would affect the rural character of the area which has historic value.
 - The proposal is considered highly dangerous on terms of access to the site off Worthing Road and from the Park and Ride.
 - There would be a loss of habitat for protected species with the proposed realignment of the pond and removal of trees and hedging.
 - There is no community gain for Southwater. Concern is raised over access to the site by schools and cycle paths are inaccessible.
 - The scheme is a departure from the local plan. The developers chose not to promote their site through the Neighbourhood Plan. The Council question why this wasn't included in the District's development policies.
- 3.27 **Worthing Road Residents Group (summarised)**: Objection on the following grounds:
- Essentially the same as previous refused scheme. Still a 7 day a week business with the same capacity as before.
 - The proposal is still inappropriate development in the countryside. The proposal does not result in 'quiet and informal recreation' as outlined in the HDPF for development in rural locations.
 - The proposal will have a detrimental impact on the setting of listed buildings.
 - The scheme results in urbanisation and coalescence.
 - The access to the site is unsafe, dangerous and unusable.

- The scheme is contrary to the Sport and Open Space Recreation Document. There are more appropriate sites for new 3G pitches.
- The scheme fails to meet the criteria of Policy 43 of the HDPF in relation to loss community facilities. The scheme would not offer any community benefits for the local area.
- This is an unsustainable location for this proposal.
- The scheme will detrimentally affect the adjacent equestrian use. The applicant's assertion on the impact on horses is incorrect and not in accordance with the British Horse Society's comments.
- HFC are better suited going back to the Holbrook Club site. Alternatives should be sought such as ground sharing or looking for provision in the North Horsham site.
- Concern is raised regarding the enabling argument and the precedents this would set.
- The proposal results in flood risk.
- Concern is raised over the use and reliance on the Park and Ride. Supporters should pay towards this use.

- 3.28 **The Horsham Society (summarised)**: Support. HFC is important and integral to the town.
- 3.29 **Stammerham Amenity Association (summarised)**: Object. The grounds of objection are as follows:
- Alternatives for a new HFC ground should be fully explored. HFC should be located back at the Holbrook Club.
 - The application is not sustainable.
 - There will be danger from golf balls from the adjacent golf course and the high netting will be detrimental to this rural setting and wildlife.
 - The site does not have adequate access for pedestrians or cyclists.
 - This is an inappropriate location in the countryside.
 - The scheme will detrimentally affect the amenity of adjacent properties through noise, light pollution and increased traffic.
 - The scheme will detrimentally affect the setting of adjacent listed buildings.
 - The site is not allocated in the HDPF for development.
 - The proposal would result in flooding.
- 3.30 **Horsham Rotary Club**: Support. The scheme would secure the future of both the football club and the Holbrook Club. It is appropriate for Horsham to have its own football ground.
- 3.31 **Denne Park Avenue Ltd (summarised)**: Object. The proposal would lead to accidents, especially at night, when supporters are leaving the ground. The proposal will result in problems with transport and access. There is no material change from previous refusal.
- 3.32 **Campaign to Protect Rural England (summarised)**: Objection. The grounds of objection are as follows:
- The proposal would detrimentally affect the setting of adjacent listed buildings through light spill and noise.
 - The scheme would have an urbanising effect and a detrimental impact on the character of the area's landscape.
 - The scheme would have a detrimental impact on the amenity of adjacent properties and cause serious annoyance in a countryside location.
 - The archaeology assessment seems to under assess the archaeological potential of this area.
- 3.33 **Ashington Parish Council**: Support. The amenity could be used by the wider community and would meet the need for football pitches in the District. The site is also appropriate with easy access from the A24 and Horsham.

- 3.34 **360** representations of support have been received. The grounds of support are as follows:
- Horsham FC is well known and respected senior football club. This is great opportunity for the club to have its own ground. The proposal will ensure the survival of the football club and the Holbrook Club. HFC has long history in the town and does a lot of good in the city including charity work. Football is part of the town's social heritage and the club should be supported to ensure its long term future.
 - The club also welcomes families and schools and encourages a healthy attitude to competitive sport. The supporters of the club also have a good reputation as being well behaved.
 - The pitches are much needed to supply facilities for the community. The 3G training pitch will be great for children and youth football teams to use to develop local talent. 3G pitches are available for use all year round.
 - The proposal would provide jobs.
 - HFC provides great publicity for the city especially when they are on an FA cup run.
 - The scheme is well thought out and in an ideal location benefitting from necessary transport links. On the edge of town, well away from residential properties, the proposal has minimal disturbance to traffic with virtually unlimited parking. The scheme also has minimal landscape impact as it is surrounded by trees on existing leisure land.
 - The new application reflects councillor's concerns raised in the previous failed application (reduced clubhouse size, better travel plans etc), and thus should be approved to ensure this sporting club over 130 years of age can flourish again.
 - The scheme will provide Horsham with a ground it can be proud of.
 - If the scheme is not approved, it is questionable whether the club will survive. This would be a significant loss to the town.
 - Horsham faces significant further growth in housing. The opportunity to complement that growth with enhanced leisure facilities, at no cost to the public purse, should be supported wholeheartedly.

- 3.35 **237** representations of objection have been received. The grounds of objection are as follows:
- The access to the site from Worthing Road is dangerous as there are inadequate pavements which are unlit. This road is also dangerous for cyclists. The traffic studies are not accurate for this location. The proposal would result in traffic problems on an already congested road.
 - Access to the Park & Ride on match days is likely to cause congestion on the Worthing road, as spectators arrive. The Park and Ride should not be used for this purpose.
 - HFC should not be given special treatment. This is not a community facility.
 - The scheme is not in compliance with planning policy and is merely a rehashed version of the previously rejected plan. The application is out of keeping with the rural location of the site. The scheme results in urbanisation between Southwater and Horsham.
 - Access to the site is problematic due to the distance of the site from Horsham town and dangerous footpaths and roads leading up to the site.
 - The proposal is too close to an adjacent equestrian centre. The proposal will put equestrian users in risk of injury through loud noises. The scheme is contrary to the advice of the British Horse Society.
 - The scheme would greatly affect the surrounding wildlife and biodiversity. The proposed nets will detrimentally affect bats.
 - The club house is still two storeys and the square footage is now bigger than the last application made.
 - The proposal has not changed since it was last refused.

- Concern is raised over the marshalling of the access on match days.
- This is an inappropriate site for this proposal in an area of countryside and nearby listed buildings. The site is too far from Horsham and Southwater. This is also an area with ancient woodland. Siting the football pitch and clubhouse close by will ruin the tranquillity of this area.
- There is not a need and no obvious case for more football pitches. HDC sports and recreation policy refers to an 'over provision of football' with pitches proposed in Broadbridge Heath and Southwater. The football club should wait until the Sports and Open Space Recreation document is reviewed.
- The lighting will negatively affect local houses and will be highly visible.
- Southwater has already experienced the loss of green fields, wildlife habitat to the development by Berkeley Homes and other smaller but none the less intrusive housing. This will be another nail in the coffin for Southwater. Southwater will receive no benefit.
- The infrastructure cannot support any more kind of development.
- The submission includes inaccuracies in some of the assessments made.
- Concern is raised over the use of the RSPCA site for parking.
- A football club is a large development and an unknown quantity. If there is success, then this may result in expansion. If there is no progression this could result in loss of interest after which there would need to be change of use.
- The football should not be sited next to a driving range. This is a huge safety concern.
- This is also going to be used as a commercial venture not just supporting a local football club.
- The site is not included in 2015 local plan and is in direct conflict with policies for development in the countryside. HFC should be allocated a site in the local plan.
- The development would be contrary to the opinion of the Woodland Trust.
- The scheme does not include a traffic light crossing as requested by councillors.
- The proposal would set a precedent for similar proposals in the countryside.
- The proposal would result in flooding.

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 material issues for consideration in the determination of this proposal include the following:

- i) Whether the principle of development is appropriate in this location;
- ii) Community benefits of the proposal;
- iii) Impact on the landscape character and appearance of the surrounding area;

- iv) The acceptability of all relevant material considerations including the amenity of neighbouring land uses, the introduction of a commercial use and highway safety and capacity;
 - v) The appropriateness of the development in respect of other environmental considerations including arboricultural impacts, ecology, ancient woodland, archaeology, flooding and sustainability aspects;
 - vi) In light of the above, whether there are any adverse impacts arising from the proposed development that would significantly and outweigh the benefits of the proposal.
- 6.2 In addition to the above, the previous refusal for the development of this site in 2015 (ref: DC/14/1090) is also a material consideration in the determination of this application. This application was refused on the grounds of inappropriate development in the countryside resulting in urbanisation and coalescence, introduction of a disruptive commercial use in the countryside, an unsustainable location by virtue of having poor pedestrian and cycling access along Worthing Road and the lack of S106 agreement.

Principle of Development and Community Benefits:

- 6.3 Policy 26 of the HDPF states that outside built-up areas, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and of an appropriate scale to its location and character. The policy states development should provide for 'quiet informal recreation use.'
- 6.4 The site is outside any defined settlement boundary and is therefore classed as countryside development. The site is not allocated in a neighbourhood plan. Southwater Parish have yet to publish a draft Neighbourhood Plan. Additionally, the site is not an allocated site for development in the HDPF. On this basis, the development of this countryside location is classed as a departure from the development plan.
- 6.5 It is acknowledged that the proposal does not represent an opportunity for quiet recreation in the countryside. The proposed development contains new buildings, car parking and floodlighting and will generate activity and attract additional traffic, both vehicular and pedestrian. Although there are mitigation measures in place some trees will be lost and existing protected species will be disturbed. Therefore, there must be strong reasons for the development to be accepted in such a location as the proposals are contrary to the Development Plan.
- 6.6 In this instance, the community benefits of the proposal are a material consideration in the determination of this application. Additionally, in comparison to the previous refusal, the current proposal has reduced the scale of the clubhouse building, and amended its design to a more appropriate traditional form. The current proposal also retains more trees than previously proposed. As outlined below, the HDC Landscape Architect raises no objection to the proposals, advising that the landscape impact of the development is minimal given its location surrounded by trees and woodland. This takes into account the context of the development in relation to the surrounding area which has been significantly modified over time. On this basis, it is considered that the proposal would not result in significant harm to the landscape character of the area (as outlined below).

Landscape Impact and Design:

- 6.7 Policy 25 of the HDPF states that the natural environment and landscape character of the District, landform and development pattern, will be protected against inappropriate development.

- 6.8 The application site relates to an area of land which is part of Horsham Golf and Fitness club. The area in question is currently an open field and was previously used as two holes as part of the golf course. The site is currently unused and remains part of the Golf Club. To the immediate south of and east is the remaining area of Horsham Golf and Fitness, including the golf course, driving range and golf club buildings. The boundaries of the site are defined by Ancient Woodland to the west and south with a significant conifer belt to the north. Beyond the northern tree belt is a private equestrian use at the Gatehouse.
- 6.9 The majority of the landscape in the vicinity of the site has been much modified by relatively recent developments. The Park and Ride area is urban in nature and has a raised grass embankment to screen the parking area and does not follow the natural lie of the land, with the large and prominent new Hopp Oast depot being a dominant feature of the northern side of Worthing Road. The whole area occupied by the Golf Club has been subject to ground remodelling and the facility with its fairways and greens, although retaining many mature trees, is a modern development and has significantly altered the traditional landscape character. To the south of the east of the site, there is also a relatively new dwelling at Harwood Farm House, granted permission in 2010.
- 6.10 The Denne Park Estate lies to the north east of the site, separated by the golf course. The estate is accessed via a tree lined entrance which runs along the northern boundary of the golf course. This estate relates to an earlier period and the landscape is typical of a managed country estate. The most significant feature of the landscape in the immediate site area is the remaining ancient woodland which is of high value both intrinsically and historically. It should be noted that the Denne Park Estate is set a significant distance from the proposed site separated by the golf course substantial tree boundaries.
- 6.11 The Club House would be located well back from Worthing Road with the pitches and woodland between it and Worthing Road. The Club House and associated parking would only be easily visible from the access road to the Golf Club buildings. The development would not be conspicuous in the wider landscape when used at a low level of activity. It is considered that there would be some impact when evening matches or practice sessions were taking place with the floodlights on as although these are inward facing the glow from the lights could not be entirely contained within the site.
- 6.12 The current scheme also revises the appearance of the proposed clubhouse when compared to the previous refused scheme (DC/14/1090) in response to the previous reasons for refusal. In the previous scheme, a two-storey club house was proposed of modern design. The current proposal has reduced the size of the clubhouse to single storey resulting in a reduction in the maximum height of the building from 9.75m to 7.6m and more generally from 9.75m to 5.97m. This reduces the visual impact of the club house. The appearance of the club house has also been amended to a Sussex barn vernacular which is more appropriate for this countryside setting.
- 6.13 The scheme requires the removal of a number of trees on site. None of these are subject to a Tree Preservation Order. Whilst the removal of trees would have an impact internally to the site, the proposal would retain the majority of trees around the site, including the Ancient Woodland. These retained trees and the woodland form a good screen for this proposal and would assist in mitigating the visual impact of the facility. Additionally, the landscape strategy includes extensive planting around the site which would enhance some of the screening and provide for the continued protection of the ancient woodland. It should also be noted that the current proposal has moved the position of the proposed pitches to enable the retention of five trees, including two Grade A trees, which were previously proposed to be removed.

- 6.14 The site is located in countryside between Horsham and Southwater, but the development would not in itself result in settlement coalescence. In this location, the scheme would not result in a significant reduction in the openness between Southwater and Horsham and not result in the merging of the two towns.
- 6.15 As amended the scheme includes 20m high netting and posts. The netting is proposed around the south and west boundaries of the golf driving range adjacent the site. The netting is required to stop the potential danger of golf balls from the driving range entering the site. In terms of visual impact, the netting would be affectively screened from view by the large conifers which form the boundaries of the driving range. The posts proposed would be visible above the existing tree line but this would not in itself result in any significant visual impact and is appropriate in the context of the driving range. Additionally, the netting and posts would not be visible beyond the confines of the golf course as a result of the tree screen. Therefore, the visual impact of the high netting is very limited. A condition is recommended requiring full details to be submitted for the approval of the local Planning Authority prior to its installation.
- 6.16 The Council's Landscape Architect has commented that it is acknowledged that some adverse character and visual effects will occur as result of the development proposals, but due to the existing context of the site, substantial tree cover and surrounding topography, these are not considered significant or harmful to the wider landscape character and visual appearance of the open countryside.
- 6.17 It is therefore considered that in the context of this site, surrounded by trees and woodland, the proposed facility would not significantly detract from the landscape character of the area and is acceptable in accordance with Policy 25.

Community Benefits:

- 6.18 The new ground would provide two 3G all weather pitches (a full sized pitch and a training pitch) which would meet FA standards. Unlike normal grassed playing fields, 3G pitches can be used all year round and are more durable than grass. The pitches would also have the benefit of floodlighting and the pitches would be available for outside use up to 10pm on weekdays and at the weekends, when HFC do not have a home match. The pitches can also be used for rugby. There is currently a lack of 3G pitches in the District, as highlighted by the Council's Leisure team. With the addition of the high netting and subject to conditions, Sport England have commented that they have no objection to the proposal as it provides a good-quality new sporting facility.
- 6.19 The applicant has undertaken a Sequential Site Assessment which has been submitted as part of the proposal. The assessment is a desk and field based study of all the sites considered by HFC since 2008. It includes sites proposed historically, but also those suggested by HDC, Crickmay Chartered Surveyors and Southwater Parish. The assessment looks at landscape character, access and highways and other potential impacts. The assessment includes the Holbrook site, the strategic site at North Horsham and the current site. A number of sites, including the North Horsham site, are dismissed on the basis that they are not available. The Holbrook site was dismissed given the previous refusal in 2008 for the development of the site as a football stadium for HFC (DC/08/0734). The assessment indicates that the current site at Horsham Golf and Fitness is the most appropriate site in terms of size, access and availability.
- 6.20 The Sport, Open Space and Recreation Assessment: February 2014 (SOSR) is a background document to the local development framework. Policy 43 states that the document is to taken into consideration in the provision of new community facilities. The Leisure Service Manager has commented that SOSR 2014 is likely to be updated through minor changes following a new sports pitch and facility audit which will be completed in the

Autumn. However, he is not expecting exhaustive changes to this document, and the Leisure Services consultation response in respect of this application, and the linked application at Horsham Golf and Fitness, supports the current proposals.

- 6.21 The SOSR 2014 identifies quantity and quality standards for a range of sports facilities in the District. There is currently a deficiency of 3G pitches in the District as identified in the SOSR. The SOSR recognises the importance of 3G pitches and states that towns and larger villages in the District should have at least sufficient 3G artificial turf pitches to accommodate a proportion of local football demand. It does not identify a deficit of adult football pitches but it does state (Pg.11 Sports Pitches) that 'all of the club and private facilities play an important role in meeting demand by offering opportunities for individuals to join a facility-owned club'.
- 6.22 It also identifies a deficiency in youth, mini and 3G artificial pitches. The proposal would provide high quality 3G pitches which could be used by adult and youth teams to alleviate some of the difficulty with pitch deterioration as identified in the SOSR. The submission confirms that the pitches would be available for community use for the majority of the week. On Saturdays and Sundays, the pitches would be used for HFC matches and are also reserved for the two displaced teams from the Holbrook Club. The proposal is therefore considered to be in accordance with Policy 43 of the HDPF.
- 6.23 As previously proposed, this application and sits alongside application DC/16/2855, which seeks to provide a 58 dwellings at the Holbrook site. Taking into account the two schemes, the community benefits of the proposals are threefold:
- The proposal would secure the long term future of the Holbrook Club. The Holbrook Club is a well established facility which offers wide range of sports facilities and community facilities. The Leisure Services Manager has commented that the Holbrook Club is a key provider of Sport and Physical Activity, particularly in North Horsham, and has strategic importance from a Community and Culture perspective. Currently, club does not benefit from a long term lease which restricts their development. The Holbrook Club and Horsham Football Club have agreed a new 25 year lease which will only be triggered if HFC are granted permission for their new ground at Horsham Golf and Fitness and the development at the Holbrook Club. The new lease will enable the Holbrook Club to be eligible for funding from various sporting bodies and will secure the long term future of the club as an asset for the local community.
 - The proposal would secure the future of Horsham Football Club with a new ground. Horsham FC is a well known and respected senior football club and this is an opportunity for the club to have its own ground. Currently, the club shares its ground with the YMCA. The YMCA have confirmed that this agreement will end in May 2017. HFC will then be homeless and are currently looking for a new ground share. While HFC could move to the Holbrook Club, this would result in a reduction in the level of other sports and leisure provision currently provided at the Holbrook Club. Additionally, this would mean that HFC would have drop down the football leagues as the Holbrook Club would not offer adequate FA standards. The proposal will ensure the survival of both the football club and the Holbrook Club. HFC has long history in the town and is recognised for its charity and community work. The Leisure Services Manager has stressed the importance of ensuring the long term future of the club as the District's leading football club.
 - The proposal at Horsham Golf and Fitness would provide 3G pitches for the community with new facilities which could be used all year round with the benefit of floodlights. This provision is supported by the Council's Leisure Services team and provides much needed 3G provision for football and rugby for the District. Currently, there is lack of 3G pitches in the district as identified in the SOSR.

6.24 Having regard to the significant community benefits which would be brought about by the two proposals for the HFC site and the Holbrook site, it is considered that the benefits outweigh the limited landscape harm arising from the development in this countryside location and is considered to be acceptable in this instance. This takes into account the design of the proposal, the amendments to the scheme when compared to the previous refusal and the lack of any significant harm to the landscape setting of the area.

Impact on Amenity:

6.25 Policy 33 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers / users of nearby properties and land.

6.26 In the location proposed, the facility would not result in a loss of amenity to adjacent properties in relation to loss of light, overlooking or an increased sense of enclosure. Given the nature of the facility, it is recognised that the proposal will generate additional noise in the countryside, particularly on match days and during functions in the clubhouse. Additionally, consideration needs to be given light spillage from the proposed floodlights and the potential impact this would have on adjacent properties.

6.27 The nearest residential property is at Harwood Farm House to the south of the site. This is within 62m of the proposed entrance to the facility of the access road. There are also two properties at Home Farm Cottage and Harwood Cottage further to the south east of the site. Gate Cottage to the north west of the site and Denne Park Estate to the north east are set a significant distance from the site. However, it would be anticipated that these properties would be able to hear the facility and be able to perceive floodlighting, when the facility is in use, especially on match days.

6.28 Accordingly, a Noise and Vibration Assessment has been undertaken by the applicant and submitted as part of an Environmental Statement. The noise assessment demonstrates the impacts of the proposal in the following scenarios in relation to the adjacent properties (referred to as receptor points):

- Match days.
- Football training.
- Functions.

6.29 The noise assessment concludes that, even for match days, noise levels associated with the proposal are below 55dB at all receptor points. To put this in context, 55dB is the noise levels associated with light traffic. This reflects the worst case scenario based on maximum spectator capacity. The assessment acknowledges that there will be some instances when the noise effects on the nearest residential property to the south of the site will rise above 55dB. This could be through loud shouts and whistles. It should be noted that these instances would be short and only occur during the 23 home league matches (not including any cup games). Noise associated with the training pitch is indicated as significantly lower than that of the main pitch. The maximum noise predicted from the training pitch is 48dB at the receptor points. This is considered well within acceptable limits.

6.30 In summary, the assessment concludes 'the vast majority of calculated noise levels are below the aspirational maximum threshold of 50dB, taking into account a worst case maximum capacity scenario (1300 spectators). During a typical uplifted match event (557 spectators) noise levels in every instance would be expected to be below 50dB. The impact of external activity is therefore expected to be minor.' Note that average attendance for HFC matches is currently in the region of 245 spectators.

6.31 The Council's Environmental Health Section have assessed the Noise Report and commented that they have no objections to subject to conditions. As outlined in the report, it is recognised that there may be instances when the use of the facility would result in

some loud noises which would be clearly discernible from the nearest residential properties. However, these noises would be only be in match days and would not significantly affect the amenity of adjacent properties in relation to noise disturbance. In general, the use of the facility would not result in a significant noise impact on any adjacent residential properties.

- 6.32 In relation to lighting impact, the proposal includes 6 floodlights around the main pitch and 4 floodlights around the training pitch. The main pitch floodlights would be 15m high and the training pitch floodlights would be 12m high. This is reduction in height when compared to the previous floodlights proposed. The floodlighting would allow the use of the pitch into the evening on dark nights. It is proposed to use the main pitch from 9am to 10.30pm Monday to Friday, 9am to 7pm on Saturdays and 9am to 5pm on Sundays.
- 6.33 As part of the Environmental Statement, full details have been submitted of the flood lighting. The floodlights are a double asymmetric, ‘full-cut’ optic, meaning there is no upward light generated and spill lighting to the immediate and surrounding ground is minimised. The site is situated in a rural, relatively dark countryside location. However the surrounding area, has existing sources of light, which include security lighting (to the Park & Ride, Amenity Tip and 24hr Service Station), regulatory roadway lighting along the B2237 / Worthing Road and A24 roundabout junction.
- 6.34 The lighting calculation assessment reveals there is light spill beyond the site to the west and south, however, this is within acceptable levels. The lighting contour plan submitted illustrates the spill from the proposed floodlighting, and demonstrates that there is negligible light spill outside the boundaries of the site. Having regard to the details submitted, it is considered that the light spill associated with the proposed floodlights would be appropriate given the context of existing light spill within the vicinity of the site.
- 6.35 The previous scheme was refused partly on the grounds of the introduction of an inappropriate commercial use in the countryside. In comparison to the previous refused scheme, the current proposal has reduced the size of the club house from two-storeys to single-storey and reduced the overall size of the building. Previously, the club house included two function suites and a director’s suite. This has been reduced to a single function room, with a room divider to provide for a directors suite. Overall, there is a reduction in the Gross Internal Area from 820.4 m² to 522.5 m² (36% reduction). The table below outlines the differences between the current clubhouse and the previous clubhouse in the refused scheme:

Function Room – Refused Scheme	Function Room – Proposed Scheme
97m ² at ground floor 194.9 ² at first floor 71.5m ² Directors Suite	212.8 m ²
Total: 363.4 m ²	Total: 212.8 m ²

- 6.36 The clubhouse as now proposed also reflects the minimum requirements, set out by the FA, to meet the FA Grading (Category D). In relation to the capacity of the proposed function room, the applicants have taken a worst case approach as 1.5 m² per person for standing capacity, although in practice it is likely to be used far less. On this basis, the proposed clubhouse function suite could accommodate a maximum of 142 persons. This compares to the previously refused clubhouse (taking into account the 3 different areas) which could accommodate 273 persons, significantly more than now proposed.
- 6.37 The Council’s Environmental Health Officer has commented that noise from the clubhouse will be controlled through mechanical ventilation so as to avoid the need to open windows. The Officer has recommended the installation of standard thermal double glazing to doors and windows to minimise noise breakout. A condition is recommended requiring details of

the materials for the clubhouse to be submitted and approved by the Local Planning Authority prior to commencement of works to the clubhouse. Additionally, to ensure the clubhouse does not result in a harmful impact on neighbour amenity, a condition is recommended stating that the clubhouse shall not be used except between the hours of 7am – 11pm Monday – Saturday and 8am – 6pm on Sundays. It should also be noted that the existing function suite at Horsham Golf and Fitness nearby is without restrictions.

- 6.38 Having regard to these conditions and to the amendments to the size and capacity of the clubhouse, it is considered that the previous concerns raised regarding the use of the clubhouse have been satisfactorily addressed and that the use of clubhouse would not result in a significant harmful impact on the amenity of any adjacent properties.
- 6.39 The proposed site is not in close proximity to any nearby bridleways. However, the proposal would be in close proximity to adjacent equestrian uses. Most notably, there is an equestrian use at Gate Cottage located immediately adjacent the north west corner of the site. This dwelling includes stables and grounds for exercising and grazing of horses. A number of objections have been raised on the grounds that the proposal would detrimentally affect the equestrian use through disturbance to the horses.
- 6.40 The applicant has commented that they contacted the British Horse Society (BHS) and it was confirmed that there are no guidelines to assess the impact of noise on horses. The applicant has therefore assessed the impact under similar methodology used to assess noise impact on humans. This is contrary to the comments of the BHS who have stated that this assumption is incorrect and that horses do not have the same understanding of noise as humans, and therefore can be more sensitive to noise, including the type and frequency of noise likely to be generated by the proposed pitches.
- 6.41 There is no official guidance on how to assess the noise impact on horses. Local residents and the BHS have raised concern regarding the impact on the adjacent equestrian use. However, it is unclear exactly how significant this impact will be. The BHS have acknowledged in discussions that horses have different characters whereby some horses are more resilient than other, whilst some are sensitive. To this end, it is difficult to fully understand or ascertain exactly what impact this development would have on the adjacent equestrian facility. The existing stables are adjacent to a busy road. However, the horses could have become accustomed to the noise from the road as a background noise.
- 6.42 The proposed facility for HFC would result in occasions of loud noises from whistles and shouting. However, as shown in the Noise Assessment, these would be mainly on the days of the HFC home matches which are played every other Saturday. It is not envisaged that the use of the facility at any other time would result in significant levels of noise which would affect the wellbeing of horses kept at the adjacent site. Additionally, Gate Cottage is separated from the site by woodland and the main stables are positioned a significant distance from the boundary with the proposed site to the north. The scheme also includes new planting between the pitches and the equestrian facility, including trees, which would also mitigate any noise from the use. The lighting strategy also indicates that there would be no significant spill of light over the adjacent equestrian use. On the basis of the above, whilst it is recognised that the scheme may result in some disturbance to the horses located at the adjacent equestrian use, on balance, it is not felt that this can be quantified as to warrant a reason for refusal. This takes into account the substantial community benefits offered by this proposal.

Transport Considerations:

- 6.43 The previous scheme (DC/14/1090) was partly refused on the ground the development is located in an unsustainable location by virtue of having poor pedestrian and cycling access along Worthing Road, a busy and unlit rural road. In support of the application, a full

Transport Assessment and Travel Plan have been submitted. West Sussex County Council Highways has commented as follows:

Vehicle Access Arrangements:

- 6.44 The site has an existing vehicular access from the B2237 Worthing Road. The access takes the form of a priority junction with a short right turning lane to ensure that vehicles turning into the site do not obstruct the free flow of traffic. The vehicular access is already in place and in use in association with Horsham Golf Course. In this location, Worthing Road is subject to a 40mph speed limit. It is evident that the achievable sightlines at the access exceed the guidance within the Design Manual for Roads and Bridges for the prescribed speed limit. The access is considered acceptable in terms of geometry to accommodate an increase in vehicle movements.
- 6.45 The use of the access on match days will effectively be controlled by the number of parking spaces provided within the site. These spaces will only be allocated to players, officials, and VIPs. This then avoids cars entering the site only to find the car park full, and then exiting. Controls on the access will be required for major events as well. Such matters should be covered within a major events plan to be required by a recommended condition.

Trip Generation and Highway Impact

- 6.46 The Transport Assessment submitted in support of the current application includes three weekend and weekday game attendance scenarios. These are based on,
- The average number of spectators for the club recorded in the 2013/14 season (245 for weekends and 150 for midweek days). These exact reasoning for using these attendances is set out in the TA. It's accepted that these spectator numbers represent a greater average attendances than those recorded for the 2014/15 and 2015/16 seasons.
 - The maximum covered capacity (557 spectators) of the ground for which planning permission is presently being sought.
 - The maximum capacity of the ground permitted under the FA category D ground grading (1,350).
- 6.47 For the purposes of this assessment, WSCC considers these scenarios appropriate. WSCC recognise that other potential events that may take place on the site, such as the use of the function room. This is covered within the assessment. The use of this is expected to take place away from network peak times. Consequently no formal assessment has been included.
- 6.48. There are also the community uses of the sports pitches. Again, for the most part these are to be used away from peak hours. There is no guarantee that these will be used to the maximum capacity with bookings for each available slot. For the purposes of highway capacity, it's not considered necessary for specific modelling scenarios to be provided for these uses.
- 6.49. No specific reference is made in the assessment to one off events, such as cup games and open days. These events are considered to be included within the maximum capacity scenario, and have the potential to generate a large number of trips but would be infrequent and would potentially require specific mitigation. The details of these events would be covered by a major events plan to be submitted for approval.

- 6.50. Even though the maximum covered and capacity scenarios are provided, there is no evidence to expect that attendances would increase as a specific result of the current planning application. Clearly it is impossible to predict whether the club would be promoted, resulting in increased attendances, or indeed over what time frame this may then occur. Assessments are still provided for the maximum capacity scenarios for a 2025 future year to identify what potential issues may occur and consequently what mitigation may then be required by the club at a later time.
- 6.51. Clearly there is a quite notable difference in terms of the location of the existing and proposed grounds. This will influence how supporters travel to the proposed site; it is unrealistic to expect all supporters to travel to the proposed site as they do currently to the existing ground. Nevertheless the assessment includes estimated mode share for the relocated club. Different mode shares have also been submitted for weekend and weekday games as this may also influence how spectators travel. These mode share assumptions have been agreed with the Highway Authority. These have then been used to inform the trip rates used in the capacity and parking demand assessments.
- 6.52. The impact of the additional trips for the above scenarios has been considered at the B2237/Golf Club Access, the B2237/Park and Ride signalised junction, and the A24/B2237 Hop Oast Roundabout. These impacts have been considered for two future year scenarios (2021 and 2025). The future year assessment for the A24/B2237 Hop Oast Roundabout takes account of the committed highway works associated with the West of Southwater development and the additional traffic expected from the allocated development site at North Horsham.
- 6.53. Due consideration is also given to the peak of development trips associated with weekend and weekday games taking place away from the typical network peak hours (of 0800-0900 and 1700-1800). In these respects, the network has spare capacity to accommodate potential trips. The impact upon driver delay and queuing at these times for the scenarios covering the average attendance and of up to 557 spectators is indiscernible from the existing without development situation. The same applies to the scenario that includes training.
- 6.54. The NPPF states that development should only be prevented or refused where the residual cumulative impacts of the development are severe. In capacity terms at least, the highway authority are satisfied that a severe impact would not result.

Accessibility by Sustainable Modes

- 6.55. The Transport Assessment forecasts a maximum of 11 walking trips for weekend and weekday games for the scenario based upon 557 spectators. This however is only an estimate as it is clearly inappropriate to make use of method of travel data for spectators travelling to the existing town centre ground.
- 6.56. The Highway Authority advise that the potential for walking trips would be governed by a number of factors including the distance of travel from the spectator's home to the ground. Whilst there are some residential dwellings within the 2km threshold, and even fewer within a 1.6km, based on distance the potential for walking trips is limited. This is demonstrated by the survey included within the TA that includes the home postcodes of spectators travelling to the ground. From this it's apparent that there are very few existing spectators within a reasonable walking distance of the ground.
- 6.57. Notwithstanding distance, for pedestrians there is a footway leading from Horsham. This is discontinuous with the footway switching from the west to the east side of the Worthing Road by way of an uncontrolled crossing point near the Salisbury Road junction. The footway follows directly alongside the Worthing Road, which is a well trafficked route into

Horsham from the A24. The footway in places is narrow, primarily as a consequence of encroaching verge, and for most of its length unlit.

- 6.58 In terms of cycle access, traffic conditions (in particular traffic speeds and flows) on Worthing Road are not favourable to encouraging cycling. It should be recognised that in order to reach the Worthing Road, depending on where cyclists are traveling from (similar to walking this has been demonstrated from the postcode data of existing spectators) they would have had to negotiate a number of busy roads and junctions within the town centre.
- 6.69 With the limited extent of highway and land under the control of the applicant along Worthing Road, there is also little scope for the applicant to undertake improvements to accommodate off-road cycle routes. The Transport Assessment considers potential cycle trips making use of the existing public rights of way network, including Pedlars Way. These lie to the east of the development. These are unlit and for the most part unbound routes that are not overlooked by existing properties. The possibility of these being used unless the weather is favourable is very limited. The TA still indicates that an agreement has been reached with the adjoining land owner to provide a permissive right of way to link with existing public rights of way.
- 6.60 Whilst access by non-motorised modes is poor as a consequence of distance (for walking) and availability of appropriate routes (for cycling), the site is adjacent to a high frequency bus service to and from the centre of Horsham. Services from Horsham stop adjacent to the access into the site or within the park and ride itself, with return services then running from the park and ride site. In light of the frequency and short duration of bus services from Horsham, there is a high potential for trips to take place via this mode.
- 6.61 Due to the weekday evening bus service to Horsham from the park and ride presently ceasing at 1929, the applicant has reached an agreement with the bus operator to provide additional match day services. An obligation is recommended to be included within the s106 agreement to secure the provision of an additional weekday evening bus service for midweek games.
- 6.62 For those using the bus service via the park and ride, or for that matter for those who drive and use the park and ride car park (parking demands are dealt with in detail below), there will be a need to cross the B2237 Worthing Road. There is an existing footway link from the park and ride to a pedestrian refuge within the B2237. The footway link is little used at present, and hence is over-grown and in poor maintenance. To this end, an agreement is to be reached with the land owner (WSSCC) to enable HFC to cut back any vegetation. The agreement will ensure that the area in question is maintained at regular intervals.
- 6.63 Improvements are also being proposed to the pedestrian refuge (to increase the island width to 2 metres and the length to 1.2 metres). As crossing movements will be infrequent (there will only be demands when football games or other major events are taking place), the LHA consider an improved pedestrian refuge arrangement (such as that proposed) to be a suitable form of crossing. Whilst this form is uncontrolled (i.e. pedestrians have to wait and give way to traffic), sightlines for pedestrians to oncoming traffic are good, there are regular gaps in traffic, and the road in this location is lit.
- 6.64 Notwithstanding the above, there is the potential for the number of spectators to grow and therefore crossing demands to increase. A requirement is therefore to be included in the s106 for HFC to monitor crossing demands. In the event that crossing demands meet exceed a certain threshold (recommended at 850 persons attending a match), then improvements should then be required by HFC to install improved crossing facilities. This could, for example, include a pedestrian phase within the existing traffic signals on the B2237 at the park and ride access. The S106 will require the applicant to submit a methodology for the monitoring of pedestrian crossing demands from the park and ride car

park to the development site on football match days. Once agreed, the methodology shall thereafter be implemented. In the event that monitoring indicates increased crossing demands, the applicant shall discuss with the LHA the need for improvements to crossing facilities. If improvements cannot be agreed, then there will be requirement for the site to discontinue.

- 6.65 For one off major events, temporary traffic management measures (e.g. traffic marshals or temporary controlled crossings) would be required. Again the nature of these can be covered as part of any major events plan.
- 6.66 To improve the pedestrian access to the site, the following measures are proposed:
- Clearing the existing footway routes through trimming back the overgrown verges,
 - Clearing the existing footway route to the Park & Ride car park from the pedestrian crossing,
 - Improving the existing Worthing Road uncontrolled pedestrian crossing linking to the Park & Ride car park in accordance with design standards;
 - Widening the eastern footway along Worthing Road between the crossing and the access road to 2 metres;
 - Improving the existing tactile paving provided over the site access to bring this into accordance with design standards;
 - A signed route through the Horsham Golf & Fitness Club to access Coltstaple Lane offering off-road foot and cycle connections to the site.
 - Discussions will take place with the Highway Authority to determine whether any additional signage in the form of permanent signage or temporary event day signage could be implemented along the Worthing Road corridor.
- 6.67 With the above measures, the Highway Authority is satisfied that the access to the site for pedestrians is appropriate and that the previous reasons for refusal relating to poor pedestrian and cycle access.

Parking:

- 6.68 62 parking spaces are to be provided on site at the new facility. The Highway Authority are satisfied that this is appropriate and meets their standards. The use of the on-site parking spaces will be controlled on match days. At other times (training or when the ground is being used for community uses, for example), these spaces will be available on an unrestricted basis.
- 6.69 The significant majority of spectators on match days are anticipated to make use of the park and ride site. WSCC recognise that this site is outside the control of the applicant for the current application. There however are no apparent restrictions to prevent football spectators from using this car park. The increased use of the park and ride is considered for the 557 spectator scenario. It is apparent that the existing park and ride car park would have sufficient capacity to accommodate demands with there being some spare capacity even at peak times.
- 6.70 The capacity of the Park and Ride is currently 408. The site is currently served by 5 buses an hour. The peak demand is 98 spaces on Saturdays out of the 408 spaces available. The submitted survey indicates that there is ample space within the park and ride to accommodate the existing average attendance of 245 and the maximum covered attendance of 557. The 557 attendance would generate an attendance of 167 spaces on Saturdays which would increase the occupancy to 63%. The Transport Assessment for the Hopp Oast Park and Ride parking availability have been submitted with the scheme and indicate that there is ample capacity for this proposal. An agreement has been reached with the RSPCA to use their parking area nearby if needed for overflow parking.

- 6.71 In light of the availability of car parking at the park and ride, the likelihood of over flow parking along the access road to the Golf Course, which is a private road, or along the Worthing Road is limited. It is still recommended that a contribution is secured to enable the Highway Authority to implement waiting restrictions along the Worthing Road should on-street parking take place. To the south of the site, the Worthing Road, the Hop Oast Roundabout and the A24 are subject to a rural clearway. This prevents stopping at all times.
- 6.72 Overall, the Highway Authority are satisfied that parking can be provided for events of up to 557 spectators.
- 6.73 WSCC concludes that on the basis of the mitigation proposed and subject to conditions, the Highway Authority are satisfied that potential highways and transport matters can be appropriately resolved without resulting in any severe highway impacts.

Ecology:

- 6.74 Policy 31 of the HDPF states that proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigate or compensate for this loss and ensures that the ecosystem service of the area is retained.
- 6.75 The scheme includes an Extended Phase 1 Habitat Survey which assesses the potential impact of the proposal on ecology:

Great Crested Newts:

- 6.76 The surveys undertaken indicate that there is a declining population of Great Crested Newts which would be affected by this proposal. No ponds would be lost as a result of this proposal but the scheme would affect the layout of a pond which is proposed to be reshaped to accommodate the proposed training pitch. The Council's Ecologist has commented that the scheme would result in the loss of great crested newt terrestrial habitat, as well as temporary disturbance to a breeding pond.
- 6.77 To mitigate this impact, the proposal includes measures to reduce the impact on the newts. This includes agreeing a methodology for the realignment of the pond with Natural England through the licencing process. The work to the pond would need to be undertaken in the winter months when newts are hibernating and theoretically not in the pond. All works to the pond would be carried out under the supervision of an Ecologist. To reduce the impact of lighting, the scheme proposes planting along the eastern boundary of the new pond to create a buffer. To compensate for the loss of habitat, areas within the application site would be subject to terrestrial habitat enhancements. The applicant has also confirmed that the fencing and netting proposed will be designed to allow newts freedom of movement.

Bats:

- 6.78 The application indicates that no bat roosts would be lost during the construction phase. Bat activity surveys have been undertaken, most recently in 2016. The boundary trees have been assessed for potential to support roosting bats. It was concluded that there are no trees with bat potential along the edges of the site. There are however two trees adjacent to the pond that support features suitable for roosting bats. These are both large ash trees. One is a tall tree with little canopy and woodpecker holes about 15m high on the north side of the tree and a hole with nesting material on the south side. This is considered to be a tree with high roost potential. The second also a category 1 tree is a tree in poor

condition and covered in ivy and at 18m has woodpecker holes. A third tree (T43) is located to the north of the proposed new training pitch and is an ash with a large cavity.

- 6.79 Further emergence surveys have indicated the presence of bats emerging from trees within the surrounding area. It is acknowledged that floodlighting could have some impact on roosting bats. The floodlighting would only be used during winter months when bats generally hibernate and the level of bat activity is low. Additionally, the Ecology survey indicates that the floodlighting proposed is not predicted to have a significant impact on bat roosting.
- 6.80 The Council's Ecologist has commented that they are generally in agreement with the submitted report in relation to bats. Clarification has been provided by the applicant's Ecologist with regards to the location and direction of flight paths. Further, clarification has been sought regarding the proposed netting and whether it could be an obstruction to bat foraging/commuting area. Given that high activity levels have been recorded around the adjacent pond, there is concern over the impact of bat foraging and commuting of the erection of the weld mesh fencing along the length of the 15metre ancient woodland buffer. It is appreciated that this fencing is not continuous through the pond. Within the Environmental Statement Addendum, it states there will be monitoring for birds getting caught in the proposed netting but monitoring is also required for bats too. On this basis, subject to further clarification, a condition is recommended requiring the monitoring of the netting and fencing within 12 months of the start of operation and during appropriate active seasons for birds and bats. Further clarification on the proposed impact of the netting and fencing will be reported to committee.

Ancient Woodland:

- 6.81 Ancient Woodlands are defined by Natural England as those where there is believed to have been continuous woodland cover since at least 1600 AD. An area of Ancient Woodland is found within the western part of the Site and wraps around part of the southern boundary.
- 6.82 The proposed development is closest to the section of Ancient Woodland to the south of the proposals. The closest point of the perimeter fencing at this location is 17.8m extends to 20m to the woodland to the south. The perimeter fencing is between 34 to 43m from the woodland to the west. Standing advice from Natural England regarding Ancient Woodland requires a buffer area of 15m from the Ancient Woodland to the proposed development and therefore the buffers proposed are more than significant to ensure protection of the Ancient Woodland.
- 6.83 The Woodland Trust has commented that whilst they appreciate the efforts to protect the Ancient Woodland, they recommend a buffer of 50m to effectively protect the woodland. The comments of the Trust are acknowledged. However, a 50m buffer would not be practical for this scheme. The proposal includes a 15m buffer in accordance with national standing advice and no objection has been raised to the measures proposed by the Council's Consultant Ecologist. It is therefore felt that the scheme protects the woodland as far as can be achieved given the constraints of the site.
- 6.84 Overall, subject to conditions, the mitigation measures proposed and further clarification, the proposal is considered appropriate in relation to its impact on ecology. The scheme is therefore in accordance with Policy 31 of the HDPF.

Impact on the Setting of Listed Buildings:

- 6.85 Policy 34 of the HDPF states that the Council recognises that heritage assets are an irreplaceable resource and as such the Council will sustain its historic environment. There

are four grade II listed buildings and structures within the proximity of the site. These are located to the north east and west of the site at Denne Park House, Gate Cottage, Pineapple Cottage and garden balustrades and piers at Denne Park.

- 6.86 The properties and listed structures at Denne Park are sited approximately 470m to the north east of the site beyond the golf course. Gate Cottage is closer, sited to the north east of the site approximately 180m away from the boundary of the site. All of the listed buildings and structures would be separated from the proposed site by substantial tree coverage.
- 6.87 The Council's Conservation Officer has commented that there is no clear intervisibility between the application site and the listed buildings due to the presence of mature trees and hedges. Furthermore, due to the man-made, undulating topography of the golf course which lies between the application site and the listed buildings, the application site appears low lying and is a discrete component in the wider landscape.
- 6.88 With the above in mind, it is considered that the proposed development would not adversely impact the setting of the listed buildings by virtue of the distance between the application site and the heritage assets, the presence and topography of the golf course, and the high level of dense and mature treed areas and vegetation –including the areas of ancient woodland- which bound the application site and obscure views towards and from the site. Therefore, it is considered that the development would seek to preserve the setting of the listed buildings, subject to the maintenance and enhancement of the landscaping.

Impact on Trees:

- 6.89 The proposal would result in the removal of twelve trees to accommodate the proposal. This represents four tree groups, one tree line, one hedgerow and one area of shrubbery. These are considered to be of low to moderate quality. The proposals do not require the loss of any A-grade trees as the proposal has been designed to ensure their retention. Two U-grade trees will be retained as they are considered to have some potential for roosting bats. Under the previous refused scheme, these trees were recommended to be removed.
- 6.90 The majority of trees surrounding the site would be retained. Additionally, with the realignment of the football pitches, the scheme results in the retention of five trees, including two Class A trees, which were previously proposed to be removed. Given the retention of the majority of trees around the site, the loss of the trees required to be removed is considered appropriate.

Archaeology:

- 6.91 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 is recommended 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.

Conclusion:

- 6.92 Taking into account the community benefits of the proposal, the amendments to the proposal following the previous refusal and the lack of any significant harm to the landscape setting, on balance, the principle of development in this countryside location is considered appropriate.

- 6.93 The proposal is also considered appropriate in terms of its design and would not significantly affect the amenity of any adjacent properties. Additionally, subject to conditions and S106 measures, the proposal would result in a sustainable form of development which would be appropriate in terms of parking, highway safety and access. Subject to conditions, the proposal is also considered appropriate in relation to ecology, archaeology, impact on trees and would preserve the setting of the nearby listed buildings.

7. RECOMMENDATIONS

- 7.1 Planning permission be delegated for approval to the Development Manager subject to appropriate conditions (as outlined below), the satisfactory completion of the necessary Legal Agreement and to consider any representations received as a result of the additional consultation period.

7.2 CONDITIONS

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

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

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

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

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

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

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

approved landscaping scheme and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

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

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

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 & 38 of the Horsham District Planning Framework (2015).

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

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

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

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

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

- All trees on the site shown for retention on approved drawing number LLD1002/03 Rev 03, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place

within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

10. **Pre-Commencement Condition:** No development of the approved pitches shall commence until details of the design and layout of each pitch and ancillary facility has been submitted to and approved in writing by the Local Planning Authority. The pitches shall be constructed in accordance with the approved details and thereafter retained as such.

Reason: To ensure the development is fit for purpose and sustainable in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

12. **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking spaces serving it have been constructed and made available for use in accordance with approved drawing number 10-03-105. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

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

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

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

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

16. **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, provision for the storage of refuse/recycling shall be made for the use in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

17. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

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

18. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, a Major Events Plan shall be submitted to and approved in writing by the Local Planning Authority. The Major Events Plan shall detail those measures that are to be employed to mitigate the highways and transport impacts arising from major events on the site.

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

19. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, until details of the footway from Worthing Road to the access of the site has been submitted to and approved by the Local Planning Authority. The details shall include lighting along the pathway. The scheme shall be implemented in accordance with the agreed details prior to the first use of the facility hereby approved.

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

20. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, details of the specification of the proposed public address system installation together with a detailed mitigation scheme in respect of the effects of noise nuisance, shall be submitted to and approved in writing by the Council. The details as approved shall be implanted and provided in accordance with the agreed details.

Reason: To reduce the noise impact of the proposal in the interests of the amenity of adjacent properties in the immediate vicinity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

21. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to both pitches and include details of pricing policy, hours of use, access by club and non-club members, management responsibilities and a mechanism for review. The development shall be provided in accordance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy 43 of the Horsham District Planning Framework (2015).

22. **Pre-Occupation Condition:** Prior to the first or use of any part of the development hereby permitted, details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities shall be submitted to and approved by the Local Planning Authority. The development shall be provided in accordance with the approved agreement.

Reason: To provide protection for the occupants of the pitch from potential ball strike from the adjacent golf course and to accord with Policy 33 of the Horsham District Planning Framework (2015).

23. **Post Occupation Condition:** Within 7 days of the installation the site's lighting regime, the site and immediate environs will be re-assessed by a suitably qualified ecological consultant. Measurements using a light meter will be taking of the surrounding vegetation at night. Immediate remedial action will be taken should light spill onto nearby vegetation above predicted lux levels. A report confirming that light spill onto adjacent vegetation is less than expected lux levels, and where necessary detailing the re-assessment and any remedial action taken shall be submitted to the Local Planning Authority for approval within 4 weeks of the measurements being taken. The lighting shall be operated in strict accordance with the measures set out in the approved report.

Reason: To safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

24. **Regulatory Condition:** The Club House shall only be open for public use except between the hours of 07:00 – 23:00 Monday to Saturday and 08:00 – 18:00 on Sundays.

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

25. **Regulatory Condition:** All outdoor events, other than sporting events, within the stadium shall not commence before 10:00 or finish later than 22:00 Monday to Saturday. With no events taking place on Sundays, Bank or Public Holidays.

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

26. **Regulatory Condition:** The floodlighting shall not be utilised beyond 10.30pm in the evening Monday to Friday and 6pm on a Saturday and Sunday, unless written approval of the District Council has been obtained beforehand.

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

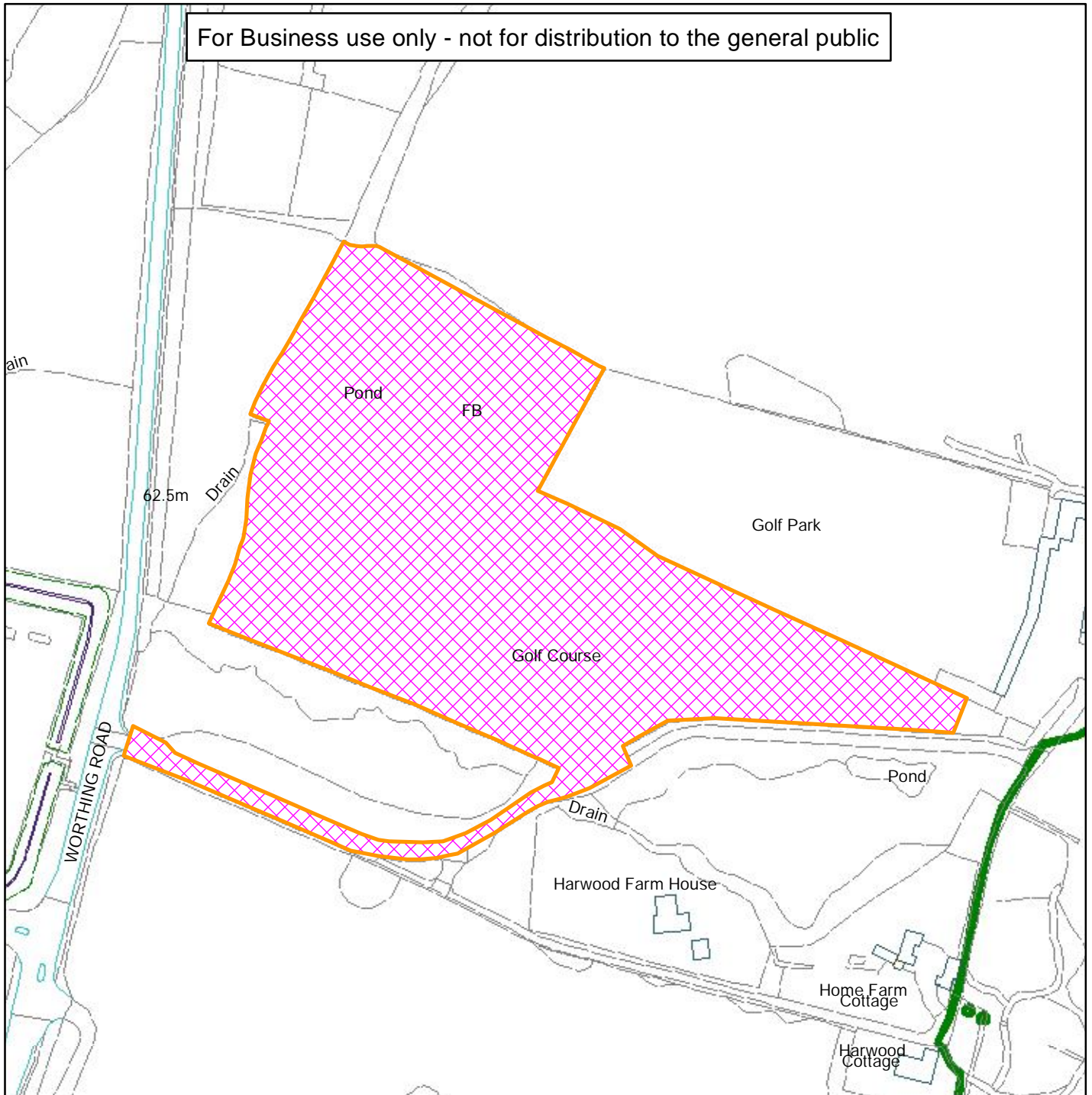
Note to Applicant:

1. The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches. For any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum. The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality as a minimum and tested annually as per league rules.
2. The applicant is advised that certification that the artificial grass pitches hereby permitted meet FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS). Confirmation is also required that the facility has been registered on the Football Association’s Register of Football Turf Pitches.
3. The applicant is advised to contact Natural England regarding the possibility of a licence for the proposed ecology works. Please refer to Natural England’s website: <https://www.gov.uk/government/organisations/natural-england>.
4. Please be advised that there are conditions on this notice that will require formal discharge. In order to secure the discharge you will need to submit an "Application for approval of details reserved by condition" application form and pay the appropriate fee, guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms.
5. The applicant’s attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.
6. The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:
 - 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 landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
 - Hard surfacing materials - layout, colour, size, texture, coursing, levels
 - Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
 - Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

Background Papers: DC/16/2855 and DC/16/2856



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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	09/03/2017
MSA Number	100023865

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Planning Committee (North) 21st March 2017

DC/16/2856 : Horsham Golf and Fitness, Worthing Road

Additional Representations Received:

Three additional representations of support have been received. The grounds of support are as follows:

- It is only right that HFC should have a proper home. This is an important public amenity much needed by the local community and importantly provides much needed facilities for young people.
- This is an ideal location with good public transport and car parking.

Fourteen additional representations of objection have been received. The grounds of objection are as follows:

- The proposed netting and pylons will be visible at least 5 metres above the existing conifers around the driving range. They have a direct impact on views from adjacent properties and the visual amenity of the surrounding area.
- Concern is raised that the netting will impact on wild life (birds and bats).
- The netting will detrimentally affect the setting of adjacent listed buildings.
- This is an inappropriate development in a quiet rural setting currently being used for activities that need and demand quiet. The scheme will affect the use of the golf club.
- Large numbers of people using this commercial facility both day and night will be a constant disruption to the flow of traffic on the Worthing road with inherent safety risks.
- 20m high nets will not stop gold balls.
- The nets will require ongoing maintenance.
- The advice of the Woodland Trust has been ignored.
- Concern is raised regarding the submitted viability assessment and the long term financial security of HFC.
- Concern is raised over transport and parking issues.

Worthing Road Residents Group:

The Group have raised the following additional objections:

- Concern is still raised over the potential impact on equestrian uses nearby given the advice of the British Horse Society. This is a clear conflict of amenity.
- The Group has submitted its own assessment of the driving range and proposed ball stop fencing. The assessment concludes that 20m high fencing should be raised to 30m and that additional fencing is required. The Group have requested the assessment be referred to Sport England for their consideration.
- The fencing proposed adjacent the Ancient Woodland is contrary to Natural England's advice.

Southwater Parish:

The Parish have made the following additional comments:

- This proposal is outside of the Local Development Plan.
- Concern is raised about the on-going viability of replacing netting when damaged with no contingencies known.
- Concern about lightning and potential for fire, harm to persons and or property.
- A condition be included if granted to prevent in the event of netting being damaged or down any game being played.
- Is unsustainable in terms of provision and location in a rural area with historic value and amenity – Environmental Policy 24.
- Over intrusive in terms of its countryside setting – Character and Natural Environment Policy 25.
- Will cause a negative impact on the Environment and Ecological Nature of the area.
- Contrary to Policy 34 (Heritage Assets and Managing Change....) as this will affect the setting of a historic and listed building.
- The height of the proposed netting towers should exceed 20M and that if permission granted should be of a colour which is sympathetic to its setting.
- The Parish Council were extremely concerned to note that the District Council do not intend to consider and take account of the local residents consultant's report on the height of the netting; this being 30M.
- The District Council have not notified the Secretary of State of this application, this being on land which is on the edge of a centre, out of centre or out of a town (Town and Country Planning (Consultation) (England) Direction 2009.
- The Parish have referred the application to the Secretary of State.

Officer Response:

Issues regarding transport and the visual impact of proposal (including the 20m high netting) have been considered in the committee report. The proposal, including all fencing, the Club House and all ancillary structures, would not significantly detract from the landscape character of the area or affect the setting of any nearby listed buildings. Lightning strike is not a material planning consideration for this proposal.

In relation to maintenance of the netting, a condition is proposed requiring details of the ball stop (including the netting) to be submitted to and approved by the Local Planning Authority prior to the first use of the development. The condition requires details of maintenance. In addition, the Council's Environmental Health has verbally commented that the impact of balls hitting the 20m high netting will not give rise to any significant noise impact (in terms of pylon vibration) on the nearest residential properties. In the position proposed, the netting and required pylons would not affect the amenity of any nearby residential properties.

In response to the concern that the scheme would affect the use of the golf club, it is felt that for the majority of time, the use of the facility for community uses would not result in a significant noise impact (as outlined in the report). On home match days, there will be some disruption to the users of the golf club. However, the disruption on match days is considered minimal. Additionally, it should be noted that the proposed use is within the same use as the golf club (Class D2 Leisure Use).

Ecology issues have been adequately addressed, including the impact on the Ancient Woodland. This takes into account the additional comments and recommended conditions of the Council's Ecologist as outlined below.

Worthing Road Residents Group have submitted its own assessment of the driving range and proposed ball stop fencing. They have requested this report is assessed by Sport England. The

Local Planning Authority has had comments from Sport England that they do not object to scheme based on the 20m high nets. This is in consultation with Golf England and takes into account the risk assessment submitted.

Local Planning Authority considers that the issue of safety from potential golf balls has been satisfactorily addressed and no further consultation with Sport England is required.

Southwater Parish have commented that the Council has not undertaken its duty to refer the application to the Secretary of State. As stated in the (Town and Country Planning (Consultation) (England) Direction 2009, the Local Planning Authority would have to refer an application for an out of town leisure use to the Secretary of State subject to criteria. One of the criteria is that the development would include the provision of 5,000 sqm of floor space (including existing floor space within a kilometre). The current scheme would fall way below this criterion. Therefore, the proposal is not required to be referred to the Secretary of State.

Southwater Parish have requested the Secretary of State to call in the application. The recommendation for approval is therefore also subject to receiving confirmation from the Secretary of State as to whether the wish to call in the application or not.

Viability, transport and all amenity issues have been addressed in the committee report.

Additional Consultation Responses:

HDC Air Quality Officer: No objection subject to a condition requiring details of a scheme to improve air quality.

Natural England: Additional comment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

HDC Ecology Consultant: Additional comment. As outlined in section 6.80 of the report, the Council's Consultant Ecologist required further clarification on the netting and fencing. Additional information has been submitted by the applicant.

In relation to the netting, the applicant has stated that the proposals for the wider hole and thicker twine and the netting being under tension are not considered to pose a significant risk to birds or bats. However, mitigation has been proposed in relation to monitoring and in the unlikely event that it is found birds/bats have flown into the netting additional measures have been identified. The suggested mitigation is to put an additional rope with discs attached just behind the netting but not attached to the netting, the aim being to create a feature more visible to birds but without creating a potential issue with wind and tension on the netting. The monitoring will be carried out on a day to day basis with spot checks made by an ecologist including three early mornings and evening surveys whereby the surveyor observes bird movements from a vantage point. The Council's Ecologist has commented that this is an acceptable approach subject to a condition requiring the delivery of this monitoring. The Ecologist has also requested amended wording to condition 25 (lighting) as outlined below and an additional condition requiring an Ecological Mitigation and Management Plan.

In relation to the Air Quality Officer comments, it is considered that green methods of travel would be suitably encouraged through the travel plan to be agreed.

Officer Response:

In light of the Ecologist's comments, additional conditions are recommended requiring the submission of a biodiversity monitoring strategy and an ecological mitigation and management plan as outlined below. The monitoring strategy and mitigation and will outline details of habitat

protection for retained habitats, details of on-going monitoring and details of mitigation measures, if required. Subject to these conditions, the scheme is considered appropriate in relation to ecology impacts.

Conditions:

Condition 20: The condition requires the submission of a Major Events Plan. It is proposed to omit the word 'Major'. This will allow the plan to cover all events including home HFC games. Details of marshalling of home games can then be submitted and agreed as part of this condition.

An additional condition regarding fireworks is recommended as follows:

No fireworks should be allowed to be discharged at the site at any time.

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

Amended Wording for Condition 24:

The Club House shall not be open for public use except between the hours of 07:00 – 23:00 Monday to Saturday and 08:00 – 18:00 on Sundays.

Additional Ecology Conditions:

11. Pre-Commencement Condition: No development shall commence, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to monitor bat activity, detail the great crested newt monitoring, and to confirm monitoring arrangements of the netting with regards to birds and bats. The content of the Strategy shall include the following:
 - a) Aims and objectives of monitoring to match the stated purpose.
 - b) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
 - c) Methods for data gathering and analysis.
 - d) Location of monitoring.
 - e) Timing and duration of monitoring.
 - f) Responsible persons and lines of communication.
 - g) Review, and where appropriate, publication of results and outcomes.A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

12. Pre-Commencement Condition: No development shall commence until an Ecological Mitigation and Management Plan (EMMP) shall be submitted and agreed in writing by the Local Planning Authority. This will include details of habitat protection for retained habitats, avoidance measures with regards to protected and notable species (such as great crested newts, bats, birds and reptiles), and enhancement measures for biodiversity. This will also incorporate all measures proposed within the application, and correspondence from Corylus Ecology (10th February 2017, 23rd February, and 7th March), and will include arrangements for packing away appropriate netting following matches, and the

maintenance of the permanent netting in perpetuity to ensure it remains under tension. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Amended Wording to Lighting Condition (Condition 23):

23. Post Occupation Condition: Within 7 days following the installation the site's lighting regime, the site and immediate environs will be reassessed by a lighting engineer and a suitably qualified ecological consultant. The readings obtained will be used to guide the placement of baffles where necessary to reduce light levels to the minimum obtainable over the pond area and in proximity to mature trees known to support roosting bats, or having potential to support these species. A report confirming that light spill onto adjacent vegetation is less than expected lux levels, and where necessary detailing the re-assessment and any remedial action taken shall be submitted to the Local Planning Authority for approval within 4 weeks of the measurements being taken. The lighting shall be operated in strict accordance with the measures set out in the approved report.

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 21 March 2017

DEVELOPMENT: Residential development of playing fields providing for 58 new dwellings including a new access from Jackdaw Lane.

SITE: The Holbrook Club North Heath Lane Horsham West Sussex

WARD: Holbrook East

APPLICATION: DC/16/2855

APPLICANT: Reside Developments Ltd and Horsham Football Club

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made a written representation, which disclose material considerations, are within the consultation period and are inconsistent with the officer's recommendation.

RECOMMENDATION: Subject to the committee's prior resolution to grant planning permission for the development of a new football ground on land at Horsham Golf and Fitness (ref: DC/16/2856), that planning permission be delegated for approval to the Development Manager, subject to the completion of a legal agreement and appropriate conditions. The legal agreement will secure the following:

- Affordable housing provision of at least 24% (14 units).
- Contributions for education, libraries, fire and rescue services, highway improvements and health improvements.
- A clause to state that the no works shall take at the Holbrook site until the pitches at the new HFC site are in place and in use by the community.
- A clause to require a review of the HMRC documentation to allow a clawback. Two thirds to go towards affordable housing provision in the District and one third towards improvements to the Holbrook Club to improve community facilities.

If application reference DC/16/2856 for development of a new football ground on land at Horsham Golf and Fitness is refused, the committee will be recommended to refuse this proposal for housing for the following reasons:

Lack of Affordable Housing:

1. The proposed development, by reason of the shortfall of affordable housing and the lack of an appropriate justification for this shortfall, fails to meet the identified housing needs of the

District and is therefore contrary to Policy 16 of the Horsham District Planning Framework (2015).

Loss of Recreation Space:

2. The proposed development, by reason of the loss of existing playing fields currently in use for recreation and the absence of any suitable alternative open recreational space of the equivalent quantity, quality and in a suitable location, would have a harmful impact on the health and well-being of the local community contrary to Policy 43 of the Horsham District Planning Framework (2015).

Lack of S106 Agreement:

3. 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; health provision; 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.

1. THE PURPOSE OF THIS REPORT

- 1.1 The purpose of this report is to consider the planning application in conjunction with the separate proposal for the relocation of Horsham Football Club to Horsham Golf and Fitness, Worthing Road (ref: DC/16/2856).

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for a residential development comprising of 58 dwellings on land forming the playing fields of The Holbrook Club. The proposed site is adjacent to Jackdaw Lane where a new vehicle access is proposed. The scheme would retain two full sized playing pitches as well as the main sports facility at the Holbrook Club.
- 1.3 The scheme proposes a mix of detached, semi-detached and terraced houses and flats. The buildings would be mainly two storeys high. Four of the dwellings are proposed to be two and half storeys with dormer windows to allow accommodation in the roofspace. The dwellings would be of traditional design with hipped roofs with a mix of external materials. The proposal includes 14 affordable units (24%). The scheme would have a density of 36 dwellings per hectare. The development would have a formal layout in a rectangular pattern. Except for the dwellings proposed adjacent the northern boundary, the dwellings would have an east to west orientation. The housing mix is as follows:

Market Housing	
2 Bed Houses	4
3 Bed Houses	30
4 Bed Houses	10
Total	44

Affordable Housing	
1 Bed Flats	4
2 Bed Houses	8
3 Bed Houses	2
Total	14

- 1.4 The proposed scheme would retain and sit behind the existing tree line that runs north-south and along the amenity strip that forms the western side of Jackdaw Lane. Vehicle access to the site is proposed from a two-way vehicular access point to the highway from

Jackdaw Lane. The new access would be in between the junctions of Admiral Street and Serrin Way. The proposal also includes two new pedestrian accesses to the site. One would be from Jackdaw Lane in the north east corner. The other is proposed in the south west corner and would allow access through to Kestrel Close.

- 1.5 A landscaped buffer (with fencing) would be provided along the western boundary of the application site. Landscaping is also proposed throughout the development including new trees. The proposal would largely retain the fence, hedge and tree boundary around the site. The site includes trees protected by a Tree Preservation Order along the northern boundary. The proposal requires the removal of two trees along the eastern boundary to facilitate access to the site.
- 1.6 A total of 135 car parking spaces would be provided on-site. This would be divided into 113 allocated spaces for the units, 11 unallocated bays and 11 designated bays. Parking would be within parking bays, garages and car barns. Cycle parking would be provided in the garden of each property in cycle stores (details to be agreed), with the exception of a dedicated cycle and bin store for the flatted block in the south west corner of the site.
- 1.7 The application is linked with planning application ref: DC/16/2856, also on this agenda, which seeks planning permission for new football ground facilities that will form the new home of Horsham Football Club. This would be located on the eastern side of Worthing Road in Southwater. The new facilities provide a full-size 3G pitch and a smaller 3G training pitch. Horsham Football Club currently own the application site, and the site of the Holbrook Club, and lease the land and buildings to the Holbrook Club. However, the Holbrook Club does not have all the facilities required by the FA in order to play there. An application for a new football stadium at the Holbrook site for Horsham Football Club was refused in 2008 (ref: DC/08/0734). HFC currently play at the YMCA on Gorings Mead. The YMCA have refused to allow HFC play at this site after the end of this season. The club are currently in discussions with The Sussex County FA for using their ground at Lancing.
- 1.8 The proposed follows a refusal for 57 dwellings on this site in 2015 (ref: DC/14/1091, which was also linked to an application for new football facilities, reference DC/14/1090). The changes from the previous application are as follows:
 - Increase in site area to 1.61 hectares (from 1.43 hectares).
 - One additional unit.
 - Increase in affordable housing provision to 14 units (24%). Previously 10 units were proposed (17.5%).
 - Increase in smaller housing units to 28% 1 and 2 bedroom properties. Previously proposed 21%.
 - Increase in plot size for the proposed units and larger separation distances.
 - Increase in car parking provision to 135 spaces. Previously 121 spaces were proposed.
- 1.9 This application is accompanied by the following supporting documents:
 - Design and Access Statement
 - Planning Statement
 - Statement of Community Involvement
 - Transport Statement
 - Floor Risk Assessment
 - Accommodation Schedule
 - Tree Schedule
 - Arboricultural Impact Assessment
 - Sustainability Statement

DESCRIPTION OF THE SITE

- 1.10 The application site comprises of rectangular parcel of land measuring 1.61ha. The site is presently used as playing fields for sports associated with The Holbrook Club, situated in the north of Horsham town. The area of playing fields, which is the subject of this application, is to the east of the Holbrook Club adjacent to Jackdaw Lane. The site forms approximately one third of the land at the Holbrook Club.
- 1.11 The club currently has four full sized playing pitches and is a well-established sport facility offering a wide range of sport and community activities. Access to the Holbrook Club is from North Heath Lane to the west.
- 1.12 The site is adjacent to residential properties in the cul-de-sacs of Kestrel Close to the south, Foxglove Avenue and Brook Road to the north, and partially extends alongside the rear gardens of the closest properties in Drake Close. The developable area of the site will be positioned behind the existing tree and vegetation belt between the playing fields and the grassed amenity strip fronting onto Jackdaw Lane. The site is mainly surrounded by trees and dense vegetation which for the most part screen the site from views from adjacent properties. The notable exception is the property at 44 Brook Road adjacent the northern boundary, where there are clear views of the site from this dwelling. The tree line along the northern boundary includes trees covered by a tree preservation order.
- 1.13 The character of the surrounding area is residential with a relatively tight grain of development in a suburban layout. The typical form of residential development is of semi-detached, link-detached or terraced properties of two storeys in height. There are no listed buildings adjacent or within any close proximity to the application site and the immediate area is not designated for any other heritage assets. The site is near to Littlehaven Train Station to the east of the site.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10 and 11.
- 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 24: Strategic Policy – Environmental Protection
Policy 31: Green Infrastructure and Biodiversity
Policy 32: Strategic Policy: The Quality of New Development
Policy 33: Development Principles

Policy 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
 Policy 43: Community Facilities, Leisure and Recreation

2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

NEIGHBOURHOOD PLAN

2.6 The site is within the Parish of North Horsham. Currently, the Parish does not have a Neighbourhood Plan Designation.

PLANNING HISTORY

DC/08/0734	Holbrook Site: Formation of new football ground with associated development including the creation of car parking, hard surfacing, erection of stands, entrance and toilet block and flood lighting, ground levelling and re-arrangement of tennis courts and part interior of existing sports hall with access via existing entrance off North Heath Lane.	Refused 03.07.2008
DC/14/1091	Holbrook Site: Residential development of recreational land to provide for 57 one-, two-, three- and four-bedroom, two and two and a half storey houses with associated car parking and access off Jackdaw Lane (full planning permission)	Refused 17.02.2015
DC/14/1090	Horsham Golf and Fitness Site: Construction of football ground to include two pitches, a stand and associated dug-outs, clubhouse and associated structures, lighting, access and car parking, and landscaping works (Affects the setting of a Listed Building)	Refused 17.02.2015
DC/16/2856	Horsham Golf and Fitness Site: Proposed 3G Football Ground (including main pitch and training pitch), clubhouse, stands, access, parking and landscaping (to serve as the home ground for Horsham Football Club). 20m high netting and posts to adjacent golf driving range (amended description).	Pending consideration

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)**: Support. The provision of 24% affordable housing is supported on the basis of the viability assessment. This is the second time an application at this site has been considered and the proposed number of affordable housing units has increased significantly (ten units to fourteen) since the original application. This application will be deliver much needed accommodation in an accessible location within the town.
- 3.3 **HDC - Strategic Planning (Summarised)**: No objection. The principle of residential development is acceptable on this site, providing that alternative sports pitch provision is made to accommodate Horsham Football Club. The developer will be providing new and improved leisure facilities elsewhere in the district, consequently, the community benefits of the scheme could outweigh the concerns regarding the number of affordable homes proposed.
- 3.4 **HDC – Technical Services (Drainage)**: No objection.
- 3.5 **HDC – Refuse Collections Supervisor (summarised)**: No objection.
- 3.6 **HDC – Environmental Health (summarised)**: No objection subject to conditions.
- 3.7 **HDC – Parks & Countryside**: Support subject to the approval of the new ground for HFC.
- 3.8 **HDC – Ecology Consultant (summarised)**: No objection subject to conditions.
- 3.10 **HDC – Leisure Services (summarised)**: Support. The application is supported on the grounds that the associated application for the new football ground at Horsham Golf and Fitness would more than mitigate the loss of the playing fields at the Holbrook site. The scheme would secure the future of both the Holbrook Club and Horsham Football Club. Both of these clubs provide community services which are important within the District.
- 3.11 **HDC – Property and Facilities**: No comment.

OUTSIDE AGENCIES

- 3.12 **West Sussex County Council – Flood Risk Management Consultant (summarised)**: No objection. The Flood Risk Assessment proposes sustainable drainage techniques which are acceptable in principle. Development shall not commence until a finalised surface water drainage design and details of the maintenance and management of the SuDS system have been submitted to and approved by the Local Planning Authority.
- 3.13 **West Sussex County Council - Highways (summarised)**: Subject to conditions no objection is raised to this application.
- 3.14 **West Sussex County Council – Section 106 (summarised)**: Comment. Contributions totalling £584,032 are required in relation to School Infrastructure (Primary and Secondary), Libraries, Fire and Rescue and Transport Infrastructure.
- 3.15 **Horsham and Mid Sussex Clinical Commissioning Group (summarised)**: No objection subject to a contribution of £34,581 towards improvements for local surgeries to accommodate the increase in patients.
- 3.16 **Southern Water (summarised)**: No objection subject to conditions and an application to Southern Water for formal approval.
- 3.17 **Environment Agency**: No comments received.

- 3.18 **Sussex Police (summarised)**: Comment. The scheme provides appropriate natural surveillance and active frontages. Further measures are recommended.
- 3.19 **Sport England**: No objection.
- 3.20 **Natural England**: No comment.
- 3.21 **Horsham District Cycle Forum (summarised)**: Comment. The Forum acknowledges that this application includes cycle parking but are concerned over the lack of access from adjacent streets and green spaces.

PUBLIC CONSULTATIONS

- 3.22 **North Horsham Parish Council**: Objection. The grounds for objection are as follows:
- Overdevelopment of the site;
 - Loss of a sports facility in North Horsham.
 - Traffic – the traffic survey undertaken on Jackdaw Lane did not appear to be representative of real issues that are faced on that stretch of road. Jackdaw Lane through to Rusper Road is a bus route and there are already significant issues with traffic being restricted from travelling along the relatively narrow Jackdaw Lane due to parked cars which overflow from Littlehaven Railway Station. Parking opportunities on the proposed development appear to be minimal and there is concern that cars from the development will add to the cars that already park along Jackdaw Lane and the other roads that lead out onto Rusper Road.
 - Pedestrian safety – there appears to be no footpaths on the development forcing pedestrians to have to walk along the roads;
 - The cumulative effect of development in and around Horsham raises concern regarding the capacity for services such as Health and Education.
- 3.23 **Southwater Parish**: Objection. The Council is concerned that the S106 development gain would go towards the Holbrook Club. The Council would have major concerns with any ring fenced gain going towards a private members sports club on land owned by one of the developers. Concern is also raised over the lack of affordable housing.
- 3.24 **The Holbrook Club**: Support. The Holbrook Club and Horsham Football Club have agreed a new 25 year lease which will only be triggered if HFC are granted permission for their new ground at Horsham Golf and Fitness. The new lease will enable the Holbrook Club to be eligible for funding from various sporting bodies and will secure the long term future of the club.
- 3.25 **Horsham Rotary Club**: Support. The scheme would secure the future of both the football club and the Holbrook Club. It is appropriate for Horsham to have its own football ground.
- 3.26 **The Horsham Society**: Objection. The Society has concerns over the layout of the development and connectivity with the adjacent residential areas. Potential links from the proposed development to Brook Road and the green area at Foxglove Grove / Drake Close should be explored.
- 3.27 **97** representations of support have been received. The grounds of support are as follows:
- The scheme would secure the futures of Horsham Football Club and the Holbrook Club, two of Horsham's sporting assets.
 - A town of Horsham's size needs the status of a representative football team and one which can boast of facilities that are the match of any in the league.
 - If the application is not approved, it is questionable whether the team can survive.
 - This would be a significant loss to the town.
 - The development will still leave the Holbrook Club facilities largely intact.

- The application is an excellent opportunity to provide 58 new homes in the town.
- The scheme has addressed the previous objections raised.
- The proposal fits in with surrounding area and is a sustainable location.
- The scheme has been designed to minimize impact on local traffic flows.
- Horsham District and the surrounding area need another 3G pitch to aid the sporting development of children.
- The new ground at Hop Oast would provide excellent community facilities including a replacement all weather pitch and is the most suitable location.
- The scheme would provide a good mix of much needed housing including social housing.

3.28 **40** representations of objection have been received. The grounds of objection are as follows:

- The scheme will destroy the open aspect of the area and have a detrimental visual impact. The proposal is over development of the site.
- The scheme would significantly impact on the amenity of adjacent properties. The plots adjacent the northern boundary are too close to the boundary and would have a detrimental impact on the amenity of dwellings on Brook Road who currently enjoy peace and quiet and are not overlooked.
- Jackdaw Lane is already a busy road with cars exceeding the speed limit. The extra traffic caused by the 58 units will add to this problem and increase air pollution.
- There is insufficient car parking in this area partly due to the commuters who use Littlehaven station and park on the adjacent estate. The additional vehicles proposed would add to this problem. The additional traffic would be dangerous for children using the play area nearby on Jackdaw Lane.
- The local schools are at capacity and there is no provision to accommodate this proposal.
- The current scheme has not addressed the previous reasons for refusal relating to the loss of playing fields and lack of affordable housing. The proposal is contrary to policy 43 of the HDPF.
- Developers should not be allowed to build on sports fields.
- There is insufficient infrastructure to accommodate this proposal. Doctors and dentists have waiting lists.
- Concern is raised regarding the siting of the affordable homes in the corner of the site.
- The scheme would not be considered appropriate if considered independently.
- The scheme would result in a reduction in the facilities at the Holbrook Club. The facilities provided at Hop Oast are 3 miles away and would not be accessible to the residents of Holbrook or by clubs being displaced.
- The scheme is contrary to Sport England's playing field policy and the NPPF.
- The scheme does not include enough affordable housing for the area.
- Concern is raised regarding the potential removal of trees and shrubs.
- The site is not earmarked for development in the HDPF.
- It is wrong of the football club to put the Holbrook Club at risk and hold the club to ransom. HFC do not 'deserve' a home or any special treatment. The management of the club is the root cause of their current problems. HDC should have helped the club find a home as part of local plan.
- The scheme would set an unwelcome precedent.
- HFC should have their ground at the Holbrook Club or as part of the North Horsham site and not in the countryside.
- The scheme does not include pavements.

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 principle issues in the determination of the application are:

- i) Whether the principle of development is appropriate in this location;
- ii) The planning balance between the deficit in affordable housing provision and the benefits to be brought about by other material considerations;
- iii) The acceptability of all relevant material considerations including the effect of the development on townscape character, the amenity of neighbouring land uses, and highways safety and capacity;
- iv) The appropriateness of the development in respect of other environmental considerations including arboricultural, ecological, flooding and sustainability aspects;
- v) In light of the above, whether there are any adverse impacts arising from the proposed development that would significantly and outweigh the benefits of the proposal.

Principle of Development and Loss of Playing Fields:

- 6.2 Policy 3 of the HDPF states that development will be permitted within the built-up areas of villages and towns and in accordance with strategic development hierarchy, with Horsham identified as the Main Town. As development within the built-up area boundary of Horsham, the proposal is in accordance with this policy. Near to a local railway station, local amenities and Horsham town centre, this site is considered a sustainable location where the principle of development is appropriate and in accordance with the HDPF approach to strategic development, subject to compliance with the relevant Policies of the HDPF. Additionally, subject to a satisfactory layout and other material considerations, the proposal would further assist with the delivery of the 16,000 homes required under the HDPF.
- 6.3 The redevelopment of the site would result in the loss of playing fields totalling approximately 1.61 hectares. This equates to a single football pitch and a training area. The proposal would retain two full sized playing pitches as well as the main sports facility and sports courts including hockey, rugby, a gym, archery and tennis. Policy 43 of the HDPF states that proposals that result in the loss of sites and premises currently used for leisure activities will be resisted unless equally usable facilities can be conveniently provided nearby. The policy also requires a significant enhancement to the nature and quality of an existing facility will result from the redevelopment for alternative uses.
- 6.4 As stated, this application is being determined in association with the planning application for a new football ground at Horsham Golf and Fitness (reference DC/16/2586). The new ground would provide two 3G all weather pitches (a full sized pitch and a training pitch) which would meet FA standards. Unlike normal grassed playing fields, 3G pitches can be used all year round and are more durable than grass. The pitches would also have the benefit of floodlighting and the pitches would be available for outside use up to 10.30pm on

weekdays. The pitches can also be used for rugby. As these all-weather pitches would replace the existing grass pitches, this is a benefit of the proposal.

- 6.5 The Sport, Open Space and Recreation Assessment: February 2014 (SOSR) is a background document to the local development framework. Policy 43 confirms that the document is to be taken into consideration in the provision of new community facilities. The Leisure Service Manager has commented that SOSR 2014 is likely to be updated through minor changes following a new sports pitch and facility audit, which will be completed in the Autumn. However, he is not expecting exhaustive changes to this document, and the Leisure Services consultation response in respect of this application, and the linked application at Horsham Golf and Fitness, supports the current proposals.
- 6.6 The SOSR 2014 identifies quantity and quality standards for a range of sports facilities in the District. There is currently a deficiency of 3G pitches in the District as identified in the SOSR. The SOSR recognises the importance of 3G pitches and states that towns and larger villages in the District should have at least sufficient 3G artificial turf pitches to accommodate a proportion of local football demand. It does not identify a deficit of adult football pitches but it does state (Pg.11 Sports Pitches) that 'all of the club and private facilities play an important role in meeting demand by offering opportunities for individuals to join a facility-owned club'. It also identifies a deficiency in youth, mini and 3G artificial pitches. The proposal at Worthing Road would provide high quality 3G pitches which could be used by adult and youth teams to alleviate some of the difficulty with pitch deterioration as identified in the SOSR.
- 6.7 The proposal would result in the displacement of teams who currently benefit from the playing fields to be lost as a result of this proposal. Chesworth Rovers FC and Holbrook FC 3rd and 4th teams would be displaced. As part of the proposal for the new HFC ground at Horsham Golf and Fitness, the new ground will accommodate Chesworth Rovers FC and the Holbrook FC 3rd team. The proposed schedule of the use of the new 3G pitches indicates that the pitches will be reserved for the use of Chesworth Rovers FC and Holbrook FC 3rd team. Additionally, HDC Parks and Countryside have commented that a pitch and changing facilities will be reserved for Holbrook 4th Team at Horsham Park on alternate Saturdays. There would be no displacement of the Archery Club, hockey, Holbrook RFC or Holbrook FC 1st and 2nd teams who will remain at the Holbrook Club and use the retained pitches.
- 6.8 The new facilities at Horsham Golf and Fitness may require additional travelling for some players who currently use the Holbrook Club. However, the new HFC ground is within close proximity to Horsham and can be easily accessed via public transport. Given the number of supporters anticipated to be in attendance on HFC match days, spectators will be expected to use the park and ride car park. When there are no HFC matches on, the on-site parking provision is anticipated to be sufficient to meet the parking requirement of the clubs using the new facility. The new facility would also offer modern facilities in line with FA standards and provide 3G all weather pitches which could be used by the displaced clubs throughout the year. It is therefore considered that any convenience resulting from the displacement of these two teams from the Holbrook site is compensated by the new facilities and opportunities offered at the new HFC ground. Sport England has commented they support the new ground at the Worthing Road site.
- 6.9 Horsham Football Club currently owns the site of the Holbrook Club, including the application site, and leases the land and buildings to the Holbrook Club. The lease of the Holbrook Club has ended and the Holbrook Club currently have a rolling tenancy on a monthly basis. This affects the ability of Holbrook Club to obtain funding for improvements and equipment, as its location at the site is not secure in the long term.

- 6.10 Following negotiations between HFC and the Holbrook Club agreement has been reached on the terms of a new 25 year lease, subject to the grant of permissions for the housing development and new ground at Horsham Golf and Fitness. A new lease would enable the Holbrook Club to be eligible for funding from various sporting bodies. Consequently, in accordance with Policy 43, the proposal would also provide an opportunity to enhance the existing facilities as permission would assist in securing the long term retention and expansion of the Holbrook Club.
- 6.11 HFC's current use of the YMCA pitch does not meet their needs and is to be terminated by the YMCA. It is their intention to return to the Holbrook site in the event that planning permission is not granted for their new site at Horsham Golf and Fitness and the enabling development at the Holbrook Club. This would mean that HFC would have to restart possession proceedings as they would require the entire site.
- 6.12 Whilst the current application would result in the loss of grass pitches at the Holbrook Club, this loss would be mitigated, in fact surpassed, by the provision of a new full size 3G artificial grass pitch, plus a 3G training pitch and facilities at the new Horsham FC ground. To ensure that the scheme does not result in a loss of playing fields at any time, the S106 will include a clause that states that no development shall commence at the Holbrook site under permission DC/16/2855, until the 3G pitches and associated facilities (ref: DC/16/2856) have been provided and are in use by the public and displaced teams.
- 6.13 The loss of playing fields is therefore considered acceptable in light of the provision of the new 3G pitches at the HFC site and the relocation of displaced teams, in accordance with Policy 43 of the HDPF.

Affordable Housing and Housing Mix

- 6.14 In accordance with the NPPF there is a requirement to plan for a mix of housing types. Within this context Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). In November 2016, Chilmark Consulting Ltd undertook a Market Housing Mix Assessment of Crawley and Horsham. The assessment indicates that in the Horsham District there is a good spread of market housing choice at present. However, there is a need to refine and maintain the market mix to ensure that choice and access to appropriate housing remains in future. In conclusion, the assessment states that there is a need to maintain a spread of choice in market housing sizes, especially for smaller units.
- 6.15 The current proposal includes a significant proportion of smaller units in line with the requirements of the recent market housing assessment. It proposes 4 x 2 bed and 30 x 3 bed market housing, units out of a total of 44 market units. This is considered an appropriate proportion of smaller units in accordance with the recent market assessment recommendations and is also an increase in the percentage of smaller units being provided when compared to the previous refused scheme.
- 6.16 In relation to affordable housing, the current scheme would provide 14 units of affordable accommodation (6 units of shared ownership and 8 units of affordable rented accommodation). The affordable housing is positioned in a group in the south west corner of the site. The registered housing provider has confirmed that they require the affordable units to all be sited together, and on this basis there is no objection to this grouping. The 14 units equates to 24%. Under Policy 16 of the HDPF, schemes of more than 15 units are required to provide 35% affordable. The proposal is therefore 6 units short of the required percentage. This is an increase in the previous refused scheme which only offered 17.5% (10 units). However, whilst an improvement on the previous refused scheme, the proposal would still fall short of the policy requirement of 20 units.

- 6.17 A Viability Report has been submitted with the proposal to justify the lack of a fully policy compliant scheme. The Viability Report states that the residential development of land at the Holbrook Club will fund the purchase of the land and construction of the football ground at Horsham Golf and Fitness for HFC. The assessment states that taking all costs into account, the scheme is only viable with 24% affordable housing. The proposal also includes £618,162 for contributions to mitigate the impact of the development on the surrounding area.
- 6.18 The Viability Report has been assessed by the District Valuer for an independent evaluation of the viability argument put forward. The District Valuer has commented that he disagrees with some of the costs and assumptions outlined in the report. The biggest difference is the inclusion of a sum of £1,450,000 within the applicant's viability model, which is to be used for the payment of Horsham FC's outstanding corporation tax. This sum of money has been listed as an expenditure (development cost). The applicant states that this amount would need to be paid to HMRC through the sales receipt of the application site in order to enable the development of the football club to proceed.
- 6.19 For the avoidance of any doubt, an applicant or landowner's tax liability is not considered as an acceptable development cost within a viability appraisal. As stated by the District Valuer, the inclusion of the football club's business tax liabilities would not normally be accepted as a legitimate "cost" to development in terms of a viability appraisal. The District Valuer advises that if this 'cost' were omitted from the viability appraisal, the full 35% provision of affordable housing could be achieved.
- 6.20 However, under the previous application, Counsel's advice was obtained on the question of whether the tax liability could legitimately be considered as a material consideration in the planning decision. Counsel's advice was as follows:

"In its report DSP states that the inclusion of the HFC's tax liabilities 'would not normally be accepted as a legitimate 'cost' to development in terms of a viability appraisal'. I believe that is right. Neither the Planning Practice Guidance (paragraph 022) nor the RICS guidance note, Financial Viability in Planning (1st edition), mentions financial liabilities of the landowner unconnected with the development as a cost to be taken into account in assessing a scheme's viability. But that does not mean that the existence of those liabilities, if they have a bearing on the likelihood of development coming forward, must be excluded from all consideration..."

If the reality is that the club owes tax and is obliged to use some of the proceeds from the sale of its land at The Holbrook Club to pay what it owes in order to proceed with the development of a new ground at Hop Oast, that is a factor which the Council can take into account. There may be good or bad reasons for the existence of the liability, but if it exists and can be met in no other way it represents an obstacle to the development of the land with the level of affordable housing sought by the development plan. Whether that justifies a reduction in the number of affordable houses is for the Council to determine."

- 6.21 As previously proposed, this application relates to the development of part of The Holbrook Club for housing, and sits alongside application DC/16/2856, which seeks to provide a new football club in Worthing Road. As such, the matter of viability of the scheme is again a matter to be examined in detail by Members. Taking into account the two schemes, the community benefits of the proposals are threefold:
- The proposal would secure the long term future of the Holbrook Club. The Holbrook Club is a well-established facility which offers wide range of sports facilities and community facilities. The Leisure Services Manager has commented that the Holbrook Club is a key provider of Sport and Physical Activity, particularly in North Horsham, and has strategic importance from a Community and Culture perspective.

The Holbrook Club and Horsham Football Club have agreed a new 25 year lease which will only be triggered if HFC are granted permission for their new ground at Horsham Golf and Fitness and for the housing development at Holbrook which would make that possible. The new lease will enable the Holbrook Club to be eligible for funding from various sporting bodies and will secure the long term future of the club as an asset for the local community.

- The proposal would secure the future of Horsham Football Club with a new ground. Horsham FC is a well-known and respected senior football club and this is an opportunity for the club to have its own ground. Currently, the club shares its ground with the YMCA but this agreement is nearing an end and the club will then be homeless. While HFC could move to the Holbrook Club, this would result in a reduction in the level of other sports and leisure provision currently provided at the Holbrook Club. Relocating back to the Holbrook Club would also mean that HFC would have to drop down football leagues due to the lack of adequate facilities to meet FA standards. The proposal will ensure the survival of both the football club and the Holbrook Club. HFC has long history in the town and is largely recognised for its charity and community work. The Leisure Services Manager has stressed the importance of ensuring the long term future of the club as the District's leading football club.
- The proposal at Horsham Golf and Fitness would provide 3G pitches for the community with new facilities which could be used all year round with the benefit of floodlights. This provision is supported by the Council's Leisure Services team and provides much needed 3G provision for football and rugby for the District. Currently, there is lack of 3G pitches in the district as identified in the SOSR. The applicant has submitted a statement in support which outlines community support for the new 3G pitches including 4 local schools and 6 local sports teams.

6.22 The provision of a non-policy compliant level of affordable housing is a material consideration in the determination of this application. The community benefits (above) that will be brought about by both additional housing on the application site and the provision of a new football club are also a material consideration. Furthermore, there are no viable alternative proposals to secure the long-term retention of both the Holbrook Club and Horsham Football Club. The ability of this scheme to enable to these community benefits to come forward is therefore a very strong material consideration in support of the proposal. Having reviewed the Applicant's submitted information, the third party representations, consultee comments and the relevant local and national planning policies, guidance and background documents, Officers conclude that there are sufficient benefits arising from the proposal to tip the balance of material considerations in favour of granting permission, subject to securing the new HFC site.

6.23 It should also be noted that when the outstanding corporation tax liability is agreed with the HM Revenue and Customs, the amount may be lower than factored into the viability appraisal. The applicant has agreed that one third of any unexpected gains from the HMRC assessment will go to the Holbrook Club and two thirds will go to HDC for affordable housing provision in the District. Given the viability arguments put forward, it is appropriate that any unexpected financial gain which was not taken into consideration in the viability assessment is used to close the gap between the scheme as proposed, and a policy-compliant scheme. To this end, a clause is recommended for the S106 agreement stating that 6 months after the decision notice is issued, the applicant shall submit the HMRC documentation relating to the club's corporation tax liability to HDC for their assessment and HFC agree to two third and one third split as outlined above. This will ensure that, in the event that there are unexpected gains as a result of the tax assessment, these funds go towards mitigating the impacts of the development. The contribution to the Holbrook Club will also help fund these community facilities.

Townscape Character and Layout

- 6.24 The application site is presently well contained by the tree and vegetation belt that screens the playing fields from views north and south from the cul-de-sacs of Kestrel Close/Trefoil Close and Foxglove Avenue, Brook Road and Drake Close respectively. The site is also well contained from Jackdaw Lane with a dense and substantive level of tree and vegetation screening, even in the winter months, as well as a natural set-back between the edge of the carriageway and the application site.
- 6.25 As in the previous proposal, the application also includes the formation of a dense tree screening buffer along the western side of the developable area of the site. Views of the proposal within the context of surrounding development will therefore be limited. This is especially the case in consideration of the orientation and layout of the proposed dwellings, which are such that they predominantly face towards the centre of the site, or in the case of those houses facing Jackdaw Lane, are set-back behind the internal road.
- 6.26 Nonetheless, the surrounding tree and vegetation screening is not absolute, and there will be cases where (especially in winter months), a greater extent of the built form will be visible from the surrounding area. In this regard, it is considered that the street scene along the eastern frontage with Jackdaw Lane is representative of the character of the surrounding built form, being of two storeys in height and a closely knit urban grain.
- 6.27 The density of development within the surrounding streets and cul-de-sacs that adjoin or sit adjacent to the application site ranges from 24.5 dph (Brook Road) to 53.7 dph (Swallowtail Road/ Red Admiral Street). This application proposes a density in the region of 36 dph. This is readily comparable with the surrounding area. It should also be noted that to address the one of the reasons for refusal on the previous scheme, the current proposal has increased the plot size for the proposed site which allows larger separation distances between the proposed units. Overall, it is considered that the current scheme proposes an appropriate layout with adequate amenity space for all proposed units.
- 6.28 Subject to a condition requiring details of materials, no objection is raised to the design and appearance of the proposed buildings. The proposed houses would all be two or two and half stories tall with traditional appearance and a mix of materials. This is considered appropriate in the context of this site and the surrounding area.

Highways and Parking

- 6.29 The vehicle access to the site would be provided by a new dedicated access onto Jackdaw Lane. This would be sited in between the junctions for Red Admiral Street and Serrin Way. The access road leads to an internal road for the site. A total of 135 parking spaces would be provided for the development in the form of garages, car barns, allocated and unallocated parking spaces. The parking would be divided into 113 allocated spaces for the units, 11 unallocated bays and 11 designated bays. Cycle parking is to be provided to the flats within a dedicated cycle store. The cycle storage for the dwellings would be provided in stores in the gardens or garages of each unit. The proposal has been accompanied by a Transport Assessment which has been assessed West Sussex County Council Highway Authority (WSCC).
- 6.30 WSCC have commented that, subject to conditions, the development is appropriate in relation to highway safety and demand on parking. The proposed access onto Jackdaw Lane takes the form of a simple 4.8 metre wide priority junction with over-runnable areas for large vehicles. This form is appropriate given the number of dwellings proposed. Stopping sight distances in excess of 43 metres (i.e. that required for a 30mph speed limit) are achievable in both directions from the vehicular access. The design of the vehicular access is considered to comply with relevant standards. WSCC have also commented that

in relation to trip generation, a development of this size is unlikely to generate any significant detriment to highway capacity.

- 6.31 In terms of accessibility, the site is located within an existing residential area with various services and facilities within reasonable walking distance. This includes Littlehaven train station, from which there is a regular train service towards Horsham, Crawley, and beyond. Continuous footways are available and appropriate crossing facilities are provided on key desire lines. There are no apparent barriers to walking. For cycling, again there are a range of services and facilities within reasonable distance. This includes Horsham town centre.
- 6.32 Subject to conditions and having regard to the comments of WSCC, the proposal would not result in a significant impact on highway safety or parking demand in the area and is in accordance with Policies 40 and 41 of the HDPF.

Neighbouring Amenity

- 6.33 Policy 33 of the HDPF requires that developments are designed to avoid unacceptable harm to the amenity of occupiers / users of nearby properties and land.
- 6.34 The introduction of a residential development of 58 no. dwellings into what is currently an open field would result in increased levels of activity associated with, for instance, the comings and goings of vehicles. However, it is not considered that this would result in an unacceptably harmful impact on the living environment of adjacent residents, given that this is a residential development proposed within a residential area.
- 6.35 In terms of impact on adjacent properties, it was clear during pre-application discussions and on site that the scheme would most affect the property at 44 Brook Road. This dwelling is located adjacent the northern boundary of the site. Unlike all the other properties to the north and south of the site, this dwelling does not have the advantage of a substantial tree and hedge boundary to soften the appearance of the development when viewed from this neighbouring property. The site is surrounded by high level fencing to protect the adjacent properties from sports balls. Over time the high fencing has been covered with substantial vegetation which together with trees limit views of the site from adjacent properties (with the exception of 44 Brook Road). This fencing and the substantial vegetation boundary around the site are to remain in situ. Additionally, the dwelling 44 Brook Road is in close proximity to the boundary when compared to other adjacent properties around the boundaries of the site, on account of its shorter rear garden.
- 6.36 To mitigate the impact on the residents of 44 Brook Road, the applicant has agreed to several measures. Following discussions with the residents of 44 Brook Road, the measures are as follows:
- The scheme includes four houses which would all have rear elevations facing the boundary with 44 Brook Road. These units would have limited rear windows. As amended, the rear windows proposed would also be bow windows. These windows are triangular shaped and would protrude from the elevation of the dwellings. To stop overlooking of 44 Brook Road, the north east section of these windows shall be obscure glazed and fixed shut. This would only allow views facing north west. This will stop any direct views of the garden or the dwelling at 44 Brook Road.
 - Planting is proposed in the gardens of plots 38, 39 and 40 in the form of pleached trees. Pleached trees are trees which are trained to grow in an inter-twined fashion and overtime join together at branch level to limit overlooking. These trees are to be included in a landscape management to ensure their retention.
 - Replacement fencing for 44 Brook Road. The replacement fencing at 44 Brook Road would be higher than the existing fencing in order to stop overlooking from the proposed units. The exact details of the fencing are to be agreed via a

recommended condition requiring details to be submitted for approval by the Local Planning Authority. It is important the height of the fencing is appropriate to stop overlooking but not so high that it would result in overshadowing and an increased sense of enclosure.

- The applicant has agreed to additional planting in the garden of 44 Broom Road along the boundary. As this is outside the application site, this cannot be secured through the planning process and would take the form of a private agreement between the applicant and the residents of 44 Brook Road.
- A condition will be imposed removing permitted development rights for extensions for the units in question along the northern boundary.

6.37 With the above measures in place, the proposal would not result in a significant impact on the amenity of 44 Brook Road. The remaining houses proposed would all be set a significant distance from any adjacent properties, shielded by substantial trees and hedgerows around the boundaries of the site, and would not result in a loss of amenity in relation to loss of light, outlook, overshadowing or an increased sense of enclosure. 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.

6.38 In terms of amenity space, each of the houses would include a private garden of an appropriate size. Whilst no balconies are provided for the flats, the scheme includes adequate outside amenity areas incorporated into its layout, including the use of an area of open space for the flats, and therefore is considered acceptable in this respect.

Nature Conservation, Ecology and Biodiversity

6.39 Policy 31 of the HDPF states that proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigate or compensate for this loss and ensures that the ecosystem service of the area is retained.

6.40 The scheme includes a Extended Phase 1 Habitat Survey which assesses the potential impact of the proposal on ecology. The Council's consultant ecologist has commented that the proposal is appropriate subject to conditions. As playing fields the site has limited ecology. The first recommended condition requires the submission of an Ecological Mitigation and Enhancement Plan for the approval of the Local Planning Authority prior to commencement of works. This will include details of habitat protection for retained habitats, and avoidance measures with regards to protected and notable species, such as nesting birds.

6.41 A condition is also recommended requiring details of all external lighting for the site to be submitted and approved by the Local Planning Authority, in consultation with the Consultant Ecologist, prior to the installation of any lighting. Subject to these conditions, the scheme is considered appropriate in terms of its potential impacts upon ecology and can be controlled to comply with Policy 31 of the HDPF.

6.42 In relation trees, the proposal would retain the majority of trees around the boundaries of the site. This includes the retention and protection of trees covered by a tree preservation order along the northern boundary. The proposal includes an Arboricultural Impact Assessment and Tree Protection statement. This outlines measures to protect the trees to be retained during construction works. In order to provide access from Jackdaw Lane, the proposal requires the removal of two trees. The trees to be removed are of medium and low quality. With the retention and protection of the majority of the trees surrounding the

site, the loss of these two trees is considered appropriate. Additionally, the scheme includes landscaping as part of the development which includes replacement trees.

Flooding and Drainage

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

Renewable Energy and Refuse

- 6.45 In accordance with Policies 35, 36 and 37 of the HDPF, the scheme includes a Sustainability and Renewable Energy Statement. The statement incorporates sustainable design measures to reduce energy use. This includes a commitment to limiting the water supply to 110 litres per person per day, in line with the requirements of Policy 37. The proposal also measures to deal with potential impacts arising from waste generated by the site.
- 6.46 As amended, the Council's Waste Collection Supervisor has commented that the details in relation to refuse collection are acceptable.

Contributions

- 6.47 Policy 39 of the HDPF requires new development to meet its infrastructure needs. For this development, contributions would be required towards health provision, sports provision, community facilities, libraries, education, fire and rescue and transport infrastructure. In addition the provision of affordable housing needs to be secured through a legal agreement.
- 6.48 The developer contributions, secured in the event that planning permission is granted, would be allocated towards improvements within the local area, to ensure they benefit future residents of the development. The provision of a commuted sum for specific local projects is considered a fair approach to deal with the cumulative pressure of additional residents on existing qualitative and quantitative deficiencies in the District and in this case, to enhance existing facilities in the local area.
- 6.49 Under the Horsham District Infrastructure Study Main Report (2010) health is included as an essential criteria in the consideration of developments. The 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 North Horsham and have suggested a tariff for calculating the potential contribution.

6.50 The amounts required for the above contributions are as follows:

WSSCC Contributions	
Education: Primary	£192,314
Education: Secondary	£206,978
Libraries	£20,687
Fire & Rescue	£6,481
Transport	£157,571
Clinical Commissioning Group	
Health	£34,581
Total	£618,612

Conclusions

- 6.51 Taking all matters into account, the proposal is considered an acceptable form of development. It is acknowledged that the development would not provide a full policy compliant scheme with only 24% affordable housing. However, it is considered that the community benefits of the scheme (including securing a site for HFC, and assisting in the long-term retention of the Holbrook Club) are significant material consideration to be taken account. These benefits are considered to outweigh the lack of fully policy compliant scheme. Additionally, the provision of market and affordable homes in this sustainable location also constitutes a benefit in favour of the development. With the joint application for the land at Horsham Golf and Fitness, the loss of the pitches on site would also be more than compensated for with the new 3G pitches to be provided and the relocation of the displaced football teams to this new facility.
- 6.52 The scheme is therefore considered to be in accordance with the requirements of the HDPF and NPPF and would result in a sustainable form of development. The proposal is also considered appropriate with respect to its impact on demand for travel and highway considerations, trees, sustainability, ecology and flooding.

7. RECOMMENDATIONS

- 7.1 Subject to the approval of DC/16/2856, planning permission be delegated for approval to the Development Manager subject to appropriate conditions (as outlined below) and subject to the satisfactory completion of the necessary Legal Agreement.
- 7.2 If the application for the new facility at Horsham Golf and Fitness is refused under DC/16/2856, then this proposal is recommended for refusal for the reasons as outlined at the beginning of this report.

7.3 CONDITIONS

1. Approved Plan Numbers.

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

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

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

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

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding, where appropriate
- v. the provision of wheel washing facilities if necessary
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

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

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

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

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

7. **Pre-Commencement Condition:** No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological

context of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 & 38 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No development shall commence, until an Ecological Mitigation and Management Plan has been submitted to and agreed in writing by the Local Planning Authority. This will include details of avoidance measures with regards to protected and notable species (such as nesting birds), as well as enhancement measures for biodiversity. The measures shall thereafter be implemented in accordance with the agreed details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

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

- All trees on the site shown for retention on approved drawing number LLD1000/02/Rev02, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

10. **Pre-Commencement (Slab level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved buildings has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

11. **Pre-Commencement (Slab level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the measures to facilitate the provision of high speed broadband internet connections to the development have been submitted to and approved in writing by the local planning

authority, details shall include a timetable and method of delivery for high speed broadband of each dwelling/unit. The delivery of high speed broadband infrastructure shall be implemented in accordance with the approved details.

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

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

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

13. **Pre-occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, details of all boundary walls and/or fences shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied until the boundary treatments associated with that dwelling have been implemented as approved. The boundary treatments shall thereafter be maintained in accordance with the approved details.

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

14. **Pre-occupation Condition:** No dwelling hereby permitted shall be occupied until provision for the storage of refuse/recycling has been made for that dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be retained for use at all times.

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

15. **Pre-occupation Condition:** No residential property located directly adjacent to the remaining playing pitches at the Holbrook Club shall be occupied until such a time as full details of the design of a means of enclosure for the purpose of preventing balls or other sports paraphernalia from entering the curtilages and causing damage to the new residential properties and future occupiers have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved plans.

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

16. **Pre-occupation Condition:** No dwelling hereby permitted shall be occupied until details of the pedestrian and cycle access, including the dropped crossing points on Jackdaw Lane, as indicatively shown on drawing number 02/Q, have been submitted to and approved by the Local Planning Authority. The scheme shall be constructed in accordance with approved details prior to the occupation of any dwelling.

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

17. **Pre-occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages) serving it have been constructed and made available for use in accordance with approved drawing number 02/Q. The car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

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

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

20. **Pre-occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a landscape management plan, including long term design objectives, management responsibility and maintenance schedules for all communal landscape areas and for the landscaping proposed in the garden of units 38, 39 and 40 shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

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

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

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to reduce the risk of flooding, to improve and protect water quality, improve habitat and

amenity, and ensure future maintenance in accordance Policies 35 & 38 of the Horsham District Planning Framework (2015).

22. **Pre-occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a lighting strategy shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

23. **Regulatory Condition:** Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A B C and E of Part 1 of Schedule 2 to the order shall be erected, constructed or placed within the curtilages of the dwelling at plots 37, 38, 39 and 40.

Reason: In the interest of the amenity of 44 Brook Road and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Notes to Applicant:

1. Please be advised that there are conditions on this notice that will require formal discharge. In order to secure the discharge you will need to submit an "Application for approval of details reserved by condition" application form and pay the appropriate fee, guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms.
2. The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992. Under these Acts, it is an offence to intentionally or recklessly kill, disturb, damage or destroy a protected species or its habitat. This includes but is not limited to wild birds, bats, badgers, dormice, reptiles and great crested newts.
3. The applicant is advised to contact West Sussex County Council Highways, tel no: 01243 642105 or to visit <https://www.westsussex.gov.uk/> for information on how to obtain formal approval from the highway authority to carry out works to the public highway. All necessary costs, the appropriate license and application fees for any works and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed.
4. Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk.
5. A Surface Water Drainage Statement is a site-specific drainage strategy that demonstrates that the drainage scheme proposed is in compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems. An Advice Note and a proforma for the statement can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.
6. The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

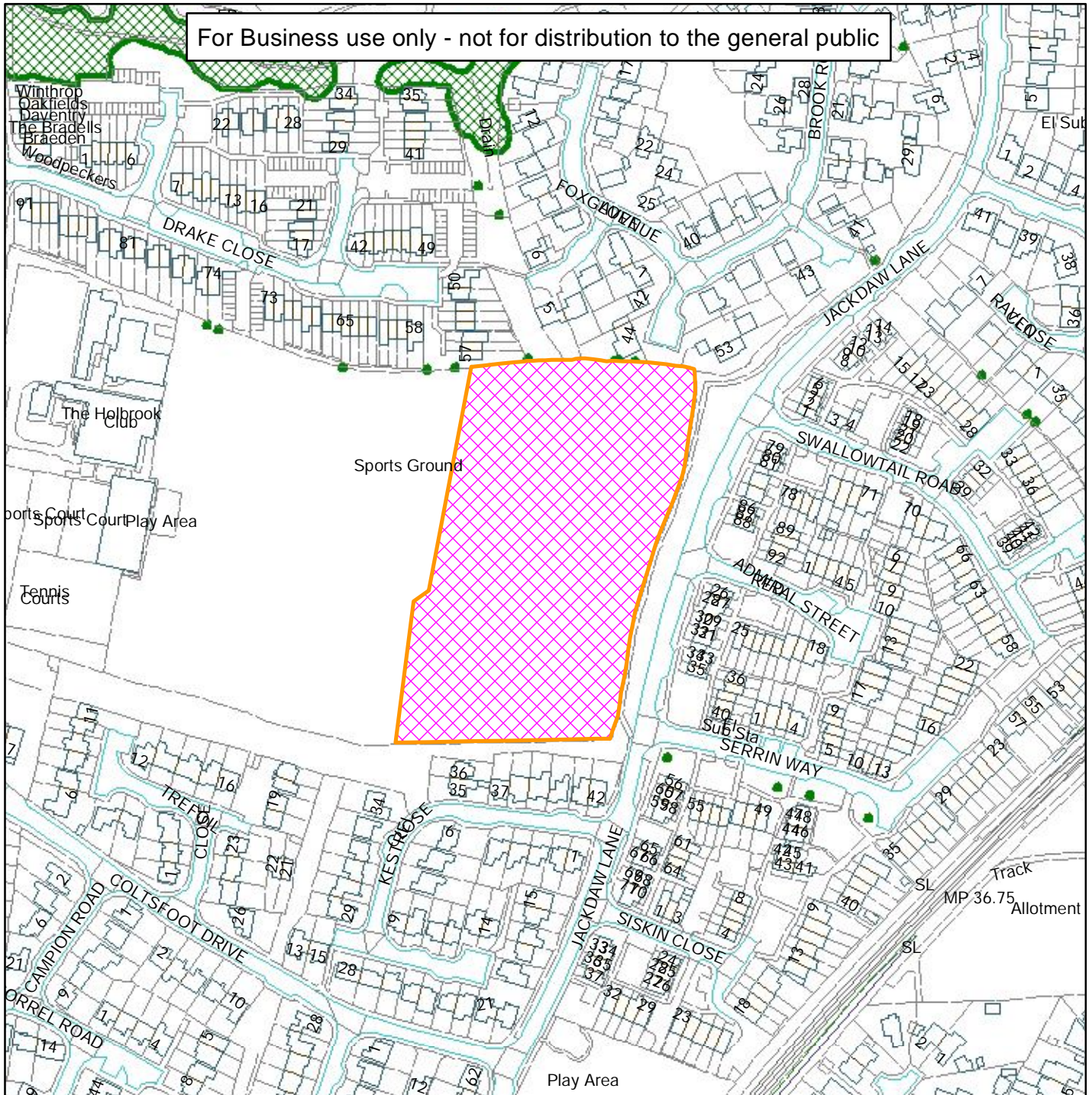
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

Background Papers: DC/16/2855 and DC/16/2856



The Holbrook Club

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Scale: 1:2,500

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Organisation	Horsham District Council
Department	
Comments	
Date	09/03/2017
SA Number	100023865

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Planning Committee (North) 21st March 2017

DC/16/2855 : The Holbrook Club, North Heath Lane

Additional Representations Received:

Two additional representations of objection have been received. The grounds of objection are as follows:

- To remove a leisure facility in a built up area to fund a failed football club tax bill is a total lack of vision bearing in mind the amount of housing already approved in the surrounding areas with no leisure facilities to support them.
- Excessive car movements in Jackdaw lane which has issues already from parking and car volumes. This will also lose a vital amenity from Holbrook club.

Southwater Parish

The Parish have made the following additional comments:

- Continued concerns about the affordable homes element and one/third and two/thirds element contained in the report for claw back with no known monetary values.

HDC Air Quality Officer: No objection subject to a condition requiring details of a scheme to improve air quality.

Officer Response:

The additional objections received do not raise any material considerations which have not already been considered in the committee report.

In relation to the Air Quality Officer comments, it is considered that in this sustainable location near to Horsham town centre, additional measures to encourage green methods of travel are not required.

Conditions:

The applicant has requested that the standard time condition (Condition 2) is amended to allow 4 years for commencement of works. This is in light of the requirement that no works shall commence at the Holbrook site until the approved 3G pitches are in place and available for community use at the new ground at Horsham Golf and Fitness. Given the requirement, the amendment to allow 4 years for implementation is considered appropriate.

Additional conditions to protect the amenity of 44 Brook are outlined below. The conditions require the submission of details relating to windows and replacement fencing to be submitted and agreed in writing by the Local Planning Authority.

23. Pre-occupation Condition: Prior to the first occupation of any of the dwellings at plots 37, 38, 39 and 40, details of replacement fencing with the boundary of 44 Brook Road shall be submitted to and approved by the Local Planning Authority. The fencing shall be

implemented as approved prior to the occupation of the dwellings at plots 37, 38, 39 and 40 and thereafter retained as such.

Reason: To protect the amenity of 44 Brook Road and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

24. Pre-occupation Condition: Prior to the first occupation of any of the dwellings at plots 37, 38 and 39, details of the first floor rear bow windows of these units shall be submitted to and approved by the Local Planning Authority. The details will indicate that the bow windows shall be fitted with fixed shut obscure glazing to the windows facing north east to stop overlooking of 44 Brook Road. The windows shall be implemented as approved prior to the occupation of the dwellings at plots 37, 38 and 39 and thereafter retained as such.

Reason: To protect the amenity of 44 Brook Road and in accordance with Policy 33 of the Horsham District Planning Framework (2015).