

Planning Committee (South)
20 AUGUST 2019

Present: Councillors: Brian Donnelly (Chairman), Tim Lloyd (Vice-Chairman), John Blackall, Chris Brown, Karen Burgess, Jonathan Chowen, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Nigel Jupp, Lynn Lambert, Paul Marshall, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Kate Rowbottom, Jack Saheid, Jim Sanson, Diana van der Klugt and Claire Vickers

Apologies: None

PCS/22 **MINUTES**

The minutes of the meeting of the Committee held on 16 July were approved as a correct record and signed by the Chairman.

PCS/23 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations on interest.

PCS/24 **ANNOUNCEMENTS**

There were no announcements.

PCS/25 **APPEALS**

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

PCS/26 **DC/18/2095 - THAKEHAM TILES LTD, ROCK ROAD, STORRINGTON**

The Head of Development reported that this application sought outline permission for the demolition of buildings on an industrial site, occupied by Thakeham Tiles, and the erection of 90 dwellings. Matters for consideration were the principle of the development and a new access onto Rock Road. An indicative layout of dwellings, roads, play area and landscaping had been submitted.

The indicative housing mix comprised four 1-bedroom, 23 2-bedroom, 36 3-bedroom and 27 4-bedroom units. There would be 20% (18 units) of on-site affordable housing. Should Thakeham Tiles cease trading instead of relocating, a full 35% of affordable housing would be secured through a legal agreement.

Members noted that the application site was in the West Chiltington, Thakeham & Ashington Ward, not the Chanctonbury Ward as incorrectly stated in the report.

The application site was an industrial site south of Rock Road, within the built-up area of Storrington and Sullington. Some detached dwellings lay to the east, south and west. There were fields and some dwellings beyond Rock Road to the north. There was some dense woodland containing protected trees surrounding parts of the site. A public footpath ran through the site from east to west.

Officers advised of a proposed amendment to Condition 10, as printed in the report, regarding details of finished floor levels. The amendment would require the submission of details of any required retaining structures that are deemed necessary to the site. This referred specifically to the steep bank at the southern portion of the site and its relationship to adjoining properties to the south. This amendment addressed concerns regarding the stability of the bank.

Storrington & Sullington Parish Council objected to the application. Thakeham Parish Council supported the proposal subject to conditions. Washington Parish Council objected to the proposal. There had been 18 representations objecting to the application and two in support. Since publication of the report a further six objections to the proposal had been received. The applicant addressed the Committee in support of the proposal. A representative of Thakeham Parish Council also spoke in support of it.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; loss of employment land; site density and housing mix; affordable housing provision; landscape and trees; ecology; highways; impact on neighbouring amenity. It was noted that a condition requiring the use of green energy could be secured at reserved matters stage.

The Local Member considered the comments from the CCG (paragraph 3.2 of the report) regarding the quality of Glebe Surgery to be misleading, as the surgery provided a high quality medical service.

Members considered the need for comprehensive air quality mitigation, and noted that a scheme of air quality mitigation would need to be submitted and approved.

Members discussed the level of affordable housing provision in the context of the applicant's intended relocation of the business. It was proposed and seconded that 35% affordable housing should be secured under the legal agreement on the understanding it could be reduced to reflect the cost of relocating should the company find an alternative site. The motion was lost.

It was agreed that, in the event that the business did not relocate and the additional 15% affordable housing be paid, the legal agreement should include a trigger for its payment to be linked to construction of the development, and the inclusion of an option for the additional contribution to be invested into the site.

RESOLVED

- (i) That a legal agreement be entered into to secure necessary highways works and 20% on-site affordable housing, to include a clause to secure the full 35% on-site affordable housing in the event that the business ceases trading instead of relocating. And that the legal agreement includes a trigger on when the additional 15% affordable housing contribution should be payable (in the event the business closes and does not relocate and the 15% is required to be paid) linked to the build out of the site, and an option to re-invest the 15% contribution in the site either as extra units, or to improve the tenure split.
- (ii) That on completion of (i) above planning application DC/18/2095 be determined by the Head of Development, in consultation with Local Members, with a view to approval, subject to appropriate conditions.
- (iii) In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

PCS/27 **DC/19/0720 - CHILTON PIG FARM, THREALS LANE, WEST CHILTINGTON**

The Head of Development reported that this application sought permission for a variation to a number of conditions attached to permission DC/15/0193 (the erection of eight new dwellings, comprising six detached and two semi-detached houses with related accesses, garaging and car parking). Variation of conditions 6, 8, 9, 10, 13 and 15 would allow pre-construction/occupation conditions to be dealt with by each individual plot owner. Variation of condition 2 would allow: plots 7 and 8 to be merged to provide one market dwelling rather than two affordable units; plot 1 to be split to provide two market dwellings; and amendments to siting and design of the dwelling proposed for plot 5.

The proposal would allow the plots to be sold off separately as self-build sites. A new legal agreement would be required because only plots developed by developers, rather than self-build, would require an affordable housing contribution.

Officers advised of a proposed amendment to Condition 6 to require agreement of materials at pre-slab level rather than pre-commencement level, and conditions 8 and 9 would be updated to be regulatory rather than pre-commencement conditions

Members noted that the application site was in the West Chiltington, Thakeham & Ashington Ward, not the Chanctonbury Ward as incorrectly stated in the report.

The application site was located outside the built-up area on the east side of Threals Lane and comprised two plots; the larger one to the south was in the parish of Thakeham and the smaller one was within the parish of West Chiltington. There was a single property between these two plots. The built-up area of West Chiltington Common was on the opposite side of Threals Lane.

Both Thakeham and West Chiltington Parish Councils objected to the application. There had been eight representations objecting to the application including one from the Campaign to Protect Rural England (CPRE Sussex). A representative of West Chiltington Parish Council and a representative of Thakeham Parish Council both spoke in objection to the application. A representative of the CPRE also spoke in objection to it. A representative on behalf of the applicant's agent spoke in support of the proposal.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal was the loss of affordable housing as a result of the provision of custom-build housing and the impact of the proposed amendments to the design and layout of the scheme.

Details of the appeal decision to grant DC/15/0193 were noted, in particular the weight given by the Inspector to the provision of affordable housing. Members discussed the loss of the two affordable housing units in this countryside location and concluded that the proposal was unacceptable as the benefit of housing, proposed as self/custom build, did not outweigh the policy conflict of new housing in the open countryside.

RESOLVED

That planning application DC/19/0720 be refused for the following reasons:

The proposed dwellings are located in a countryside location, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework or an adopted neighbourhood plan. Consequently, the proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District, and the benefits of the scheme do not outweigh the harm caused by this policy conflict, in particular the non-provision of affordable units, by any means, to meet an identified local need. The proposal is therefore contrary to policies 1, 3, 4, 16 and 26 of the Horsham District Planning Framework (2015), Policy Thakeham1 of the Thakeham Neighbourhood. Plan (2017), Policy EH1 of the Pre-Submission Version of the West Chiltington Neighbourhood Plan and the National Planning Policy Framework (2018).

PCS/28 **TREE PRESERVATION ORDER NO. 1517 - LAND NORTH OF SANDY LANE, HENFIELD**

The Head of Development reported that a Provisional Tree Preservation Order (TPO) 1517 was served on 5 March 2019 on seven oak trees under the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations (2012). Under these regulations, the trees included within the order benefitted from immediate protection.

The trees were located along the southern and western edges of an agricultural field south of Dropping Holms and Chanctonbury View in the village of Henfield.

One letter of objection had been received from an agent representing the owners of the plot of land to the west of the site. Fifteen letters of support had been received. Three members of the public spoke in support of the TPO.

Members noted the high amenity value of the trees and agreed that the trees merited protection and cited their age and setting within the landscape.

RESOLVED

That Tree Preservation Order 1517 be confirmed.

The meeting closed at 5.10 pm having commenced at 2.30 pm

CHAIRMAN