



TO: Planning Committee South

BY: Head of Development

DATE: 21st April 2020

DEVELOPMENT: Revised layout for Phase 3 of the Abingworth Meadows development (Original application ref: DC/10/1314) to provide for 75no. 1-, 2-, 3- and 4-bed dwellings including 26 affordable dwellings and community studio workshops.

SITE: Abingworth Nurseries Storrington Road Thakeham West Sussex RH20 3EF

WARD: West Chiltington, Thakeham and Ashington

APPLICATION: DC/19/1707

APPLICANT: **Name:** Abingworth Homes Ltd c/o Agent **Address:** c/o Agent

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To approve outline planning permission, subject to appropriate conditions and the completion of a Section 106 Legal Agreement.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for a revised layout to Phase 3 of the Abingworth Meadows development site. The revised layout includes the provision of 75 dwellings which would lie to the south of the existing attenuation pond area and north of proposed allotments. The scheme also includes associated parking and landscaping and the provision of five workshop units totalling 570m² of floorspace. The proposal includes an on-site affordable housing provision of 35%, which equates to 26 dwellings. The proposed 75 dwellings would comprise a housing mix of 17x one bedroom units (including flats), 32x two bedroom units, 23x three bedroom units, and 3x four bedroom units, formed of a mix of detached, semi-detached and terraced dwellings. 9 dwellings are provided towards the eastern side of the central green space for those residents who are seeking to move into more age accommodating properties (over 55s).

- 1.2 The proposed 75 dwellings, allotments and workshops would be within same location of the previously approval for the Abingworth development site. This scheme does not extend the approved site. Under the original consent, Phase 3 has an extant permission for 25 dwellings, 957m² of workshops units and allotments to the southern boundary (ref: DC/10/1314).
- 1.3 The site would be accessed from an existing network of streets, which would be extended into the site, and includes a central green buffer zone attached to the wooded buffer area to the east of the site. The allotments to the south of the site would be accessed via the internal road network within Phase 3. The dwellings would comprise a mix of materials sympathetic to those already found on Phases 1 and 2 of the development site, including red brick, render, slate tiles, and clay tiles. The workshops are proposed in a row of five pitched roof buildings to the east of the proposed dwellings, adjacent to an existing nursery within the site. The proposed workshops are in the same position as the previously approved workshops under the original consent.
- 1.4 This phase of the development includes 160 allocated parking spaces (formed of 117 parking spaces and 43 garages), and 15 unallocated (visitor) parking spaces, totalling 175 car parking spaces across Phase 3.
- 1.5 During the course of the application a number of revisions to the scheme have been sought. These include:
- The provision of two additional workshops
 - Relocation / re-siting of affordable houses
 - Minor layout changes
 - Landscape additions
 - Re-arrangement to car parking courts
 - Omission of large terrace of garages and replacement with planting area
 - Removal of car club spaces
 - Extensive revisions to boundary treatments
 - Pathway additions to the south of the site
 - Additional house types
 - Design alterations and feature additions to existing house types
- 1.6 The application also includes the diversion of Public Right of Way (PRoW) 2480 to the north of Phase 1 of the development site. A separate Section 257 Highway Act 1980 application has been received in respect of this aspect of the development. The diversion relates to a field directly to the north of the site. Currently, the footpath goes around the field. The diversion would allow the right of way to take a more direct route across the southern side of the field.

DESCRIPTION OF THE SITE

- 1.7 The application relates to a 5.31ha site (Phase 3) on the southern side of the Abingworth Development Site, south of the site's central greenspace and attenuation feature. The site is currently separated from the development site with hoarding, and is currently used as a compound for the storage of materials and machinery. The site is bound by established mature trees to the eastern boundary, currently borders open fields to the south, and neighbours Abingworth Hall Hotel to the west.
- 1.8 The surrounding area is semi-rural in character, formed of small hamlets of residential development to the west and north of the site, in addition to the mushroom farm site to the north-west, and sporadic residential farmsteads located within the surrounding open countryside. The Horsham District Landscape Capacity Assessment states that Thakeham and Abingworth are located in the Wealden Greens and National Character Area. The site also falls within area F1 – Pulborough, Chiltington and Thakeham Farmlands in the Horsham

District Landscape Character Assessment. Overall the landscape is characterised by an undulating landscape comprising a mix of arable and horticultural uses.

- 1.9 The Abingworth Development site initially was granted approval for the development of 146 dwellings, including five workshop units, a village hall, and a shop under permission DC/10/1314. The approval also includes a football pitch with changing rooms, a cricket pitch, cricket pavilion, a LEAP, 10 affordable housing units, 20 local worker units, a nursery and an attenuation pond surrounded by open space in the centre of the site. The approval also includes allotments to the south of the site, traffic calming measures for the main road through the village and rights of way improvements. The proposal also secured enabling works for the existing mushroom factory in Thakeham, which has helped retain the business for the benefit of the local economy.
- 1.10 Over the years, there have been many amendments to the original approval. Application DC/16/2835 sought material amendments, including the addition of 11 additional units to Phase 2 of the site. Application DC/16/0871 sought the subdivision of one larger unit into to smaller dwellings, resulting in an additional unit on the site. Overall, the site currently has extant planning permission for the development of 158 dwelling. Phase 1 of the development is now complete and substantively occupied, and Phase 2 is nearing the completion of the construction phase. The football pitch, changing rooms, cricket pitch, cricket pavilion, Village Hall, LEAP, attenuation pond have all been provided. The Village shop has been built but is not yet completed.

2. INTRODUCTION

STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 18 - Retirement Housing and Specialist Care

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 27 - 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 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (September 2017)

RELEVANT NEIGHBOURHOOD PLAN
Thakeham Parish Neighbourhood Plan to 2031 (Made, 2017)

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/10/1314	Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctor's surgery), pre-school facility, community workshops/studio (957.5 sq metres), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths)	Application Permitted on 19.04.2013
DC/15/1242	Minor Material Amendment to planning permission DC/10/1314 (Demolition of existing buildings and redevelopment of the Abingworth Nursery site for 146 dwellings, comprising of open market dwellings, 51 dwellings for the 55 plus age group, 12 affordable dwellings, 20 key worker dwellings, village hall building (including shop and doctors surgery), pre-school facility, community workshops/studio (957.5sqm), sports pitches and changing rooms, cricket pitch and pavilion, children's play area, access roads, open space and landscaped areas (including footpaths)) for a revised layout for 21 dwellings in the northern part of the site, relocation of the approved local equipped area for plan (LEAP), sports fields and associated facilities, village hall and shop, amendment to the approved village hall and shop to separate the facilities into two buildings and remove the dedicated doctors surgery space and amendment to the approved football changing room building	Application Permitted on 09.09.2015
DC/16/2835	Variation of condition No 1 to previously approved application DC/10/1314 as amended by DC/16/2947. To amend the layout of plot 76 to 126 (Phase 2) by altering the housing mix and increase the housing number by 11, and provide a flat above the village shop.	Application Permitted on 08.08.2018
DC/16/2947	Variation of Condition 1 of previously approved application DC/10/1314 (as amended by DC/16/1393). Minor material amendment to the plans and elevations of the approved Pre-School	Application Permitted on 08.08.2018

building including altering the roof to a flat mono-pitch roof.

DC/18/1838 Variation of Condition 1 of previously approved Application Permitted application DC/10/1314 (as amended by on 07.06.2019 DC/16/2835). Minor material amendment to the layout and design of plots 46 to 59

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** No Objection following the submission of revised boundary treatment details.
- 3.3 **HDC Arboricultural Officer:** No Objection.
- 3.4 **HDC Environmental Health:** No comments.
- 3.5 **HDC Housing:** Supports the provision of affordable housing.
- 3.6 **HDC Economic Development:** Comment: the employment floorspace proposed amounts to 569.85m². This is an increase from the 185m² initially proposed. Although the opportunity has not been rigorously marketed, the amount of workshop floorspace now being proposed is acceptable from an Economic Development point of view.
- 3.7 **HDC Drainage Engineer:** No Objection – suggested conditions
- 3.8 **HDC Air Quality Officer:** Comment – additional air quality mitigation contributions should be sought for the proposal.

OUTSIDE AGENCIES

- 3.9 **WSCC Highways:** No Objection – the development would not give rise to adverse highway impacts or result in adverse highway capacity issues. Adequate parking will be provided.
- 3.10 **Ecology Consultant:** No Objection – suggested conditions (attached).
- 3.11 **Southern Water:** Comment: the proposal site can be connected into the existing sewer network. A formal application for connection would be expected if the application is approved.
- 3.12 **WSCC Flood Risk Management:** No comments.
- 3.13 **WSCC Rights of Way:** No Objection.
- 3.14 **WSCC Minerals and Waste:** No Objection.

PUBLIC CONSULTATIONS

- 3.15 60 letters of representation have been received from 38 separate addresses objecting to the proposal on the following grounds:

- Overdevelopment
- Increased parking pressures
- Lack of nearby facilities / shops
- Contrary to the neighbourhood plan
- Insufficient local transport and over reliance on cars
- Sewer / drainage already restrained
- Workshops appear out of context
- Overlooking
- Air quality impacts
- Decrease neighbouring property value
- Access to the site has only been considered for 25 units
- Overall loss of workshop space
- Resultant increase of traffic in area
- There is no overwhelming need for housing
- Increased risk of flooding
- Insufficient parking
- More appropriate sites are available to develop
- Loss of trees
- Increased levels would result in amenity harm
- Too many houses for Thakeham
- Insufficient boundary planting
- Insufficient pathways to amenities
- Landscaping will not be maintained
- Some dwellings cannot incorporate car charging
- Adverse air quality impact

3.16 **Thakeham Parish Council:** Strong Objection – the re-consulted proposal is not materially different from the 77-unit scheme presented in September 2019 with regard to being in clear and direct conflict with Policy 4 (Abingworth Nursery) of its made Neighbourhood Plan (TNP). Council also considers that there remain specific deficiencies of the amended scheme that involve material planning issues which in themselves warrant refusal of the proposals as they stand.

The key conflict with TNP Policy 4, relates to paragraph 4.29 which sets out the expectation that any further change in the mix of dwellings in the Abingworth development should be limited to: 'a modest increase in the total number of dwellings but not to the extent that the scheme will have any greater impacts on the landscape, local infrastructure and traffic movements than the consented scheme'. The conflict with this policy arises because the re-consulted scheme continues to propose increasing the number of dwellings in the Abingworth Phase 3 area from 25 to 75. Taking into account the fact that 12 additional houses have been allowed by previous variations to Phases 1 and 2 of this development, the proposals imply these cumulative numeric impacts:

House numbers

- an increase of 200% for the phase;
- cumulative growth of overall house numbers by 62, with the scheme total reaching 208, which is 42% above the original consent for 146 units (and 32% above the current consent, post Phase 2).

Extra residents

- taking bedrooms as a valid proxy, a gain of 118 over the original scheme consent (609 vs. 491 originally consented) i.e. a 24% increase.

Vehicle numbers

- using a simple proxy of two cars per average extra household, 62 extra houses (vs. original consent) implies well over 100 more cars parked in the development, which combined with extra deliveries and visitors, implies several hundred additional traffic movements per day.

The Parish Council is not negative about all aspects of the revised DC/19/1707 proposals, e.g. the move away from large properties in the original consent to a range of smaller properties more in keeping with local needs is welcomed. There has also been constructive engagement on some community benefits aspects.

However, Council's over-arching concern, as reflected in its defence of TNP Policy 4, is to protect central Thakeham from additional unsustainable housing growth, which the very limited facilities of what remains a small village cannot cope with.

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

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

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

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

6. PLANNING ASSESSMENTS

Principle of the Development

- 6.1 The application site is located outside of the built-up area boundary, and is allocated for residential development within the Thakeham Parish Neighbourhood Plan to 2031 (TPNP) (Policy Thakeham4: Abingworth Nursery), subject to criteria.
- 6.2 Policy 3 (Development Hierarchy) of the Horsham District Planning Framework (HDPF) states that development will be permitted within town and villages which have defined built-up area. The policy establishes the District's settlement hierarchy, to which the settlement of Thakeham has been characterised as a smaller village – this is defined as a settlement with a limited range of services and facilities, where residents are reliant on larger settlements to access most of their requirements.
- 6.3 Policy 4 (Settlement Expansion) of the HDPF states that the growth of settlements outside of the built-up area will be supported where: the site is allocated within the local plan *or* a made neighbourhood plan and adjoins and existing settlement edge: the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrate to meet the identified local housing need; the impact of the development does not individually or cumulatively prejudice long term development, and; is contained within an existing defensible boundary and the landscape and townscape character are maintained and enhanced.
- 6.4 Policy 15 (Housing Provision) of the HDPF establishes the District's housing need within the development plan period (2011-2031). This has been identified as 16,000 homes. Criterion (4) of the policy states that part of this provision is expected to be delivered through neighbourhood planning, amounting to 1,500 homes over the plan period.
- 6.5 Policy Thakeham4 (Abingworth Nursery) of the TPNP states that *'any future proposals for increased development of the Abingworth Nursery site... will be supported provided that:*

- i. *they are contained within the net developable area established in the consented planning application (DC/10/1314 and DC/15/1242);*
- ii. *any additional housing includes provision for extra care dwellings and other dwellings suited to occupation by older households, and;*
- iii. *they deliver appropriate community benefits, including affordable housing.'*

- 6.6 Given the previously approved extant planning permission on this site and the site's allocation within the TPNP, there is no objection in principle to the development of this phase of the site. In respect of Criterion (i) of the TPNP policy, the development site area is located wholly within the boundaries of the previously approved applications. It should also be noted that under the Local Plan Review, it is proposed to include the Abingworth Development site with the built-up-area boundary. In this respect, the development is policy compliant and in accordance with the TPNP.
- 6.7 In order to comply with Criterion (ii) of Policy 4 of the TPNP, 9 dwellings are provided towards the eastern side of the central green space for those residents who are moving into more age accommodating properties. These properties benefit from extended garages for storage and are internally able to accommodate future ability needs and will allow wheelchair use, similar to the former Lifetime homes standard. The provision of these units will be secured by way of Section 106 legal agreement to ensure that they do not fall to general market retail. As such, Criterion (ii) of the TPNP policy has been satisfied.
- 6.8 The sub-text to Policy 4 (paragraph 4.29) of the TPNP states that, *'Should future proposals be made, then this Policy requires the net developable area to be the same as that of the consented scheme. This could allow for a change in the mix of dwellings that may lead to a modest increase in the total number of dwellings but not to the extent that the scheme will have a greater impact on the landscape, local infrastructure and traffic movements than the consented scheme.'*
- 6.9 The Parish's and neighbour's concerns relating to the overall increase in units on the site as a whole and whether this is a 'modest increase' in units is acknowledged. The proposal would result in the net increase of 50 dwellings on this phase of the site, increasing from 25 dwellings to 75. Overall, with consented applications in mind, this would increase the total number of dwellings on the Abingworth Nursery site from 159 dwellings to 209 dwellings. This represents a 31.45% increase in units on the site as a whole compared to the current consented units.
- 6.10 The Local Planning Authority recognises that this overall increase in units may not be conceived as 'modest', which would amount to an increase of additional dwellings on the site by just under one third. It could therefore be argued that the scheme is in conflict with the Thakeham Neighbourhood Plan; albeit this is in the sub-text and not the policy itself. The Local Planning Authority are however satisfied that it has been demonstrated that Phase 3 of the site can accommodate a greater number of units, which would be more in keeping with existing neighbouring plot ratios / density. Additionally, as outlined below, in accordance with the policy, the scheme would not result in any materially greater impact on the landscape, local infrastructure and traffic movements than the consented scheme.
- 6.11 Whilst it is appreciated that an increase of 50 units may not necessarily be considered a 'modest' increase, the scheme provides numerous benefits (as detailed below). Additionally, the scheme would not result in any appreciable harm in relation to demands on infrastructure and visual impact. To this regard: section 38(6) of the Planning and Compulsory Purchase Act (2004) states that determination must be made in accordance with a development plan (including a made neighbourhood plan) *unless* material considerations indicate otherwise. The numerous benefits identified and the lack of any harm are material in planning terms. Further, the extant permission for this phase of development includes 25 larger units on generous plots – the applicant has expressed concerns marketing these properties, given the size and retail value. The present proposal represents a more appropriate housing mix

(in addition to other identified benefits) as a more viable alternative, to which it has been demonstrated that Phase 3 could accommodate additional units. Therefore, whilst the increase from 25 to 75 units appears large, 75 units can be easily accommodated within the same area as the 25 units at Phase 3 without any visual harm.

6.12 In consultation with the Parish, the applicant has agreed to numerous community benefits to the scheme in addition to what has already been agreed from previous proposals. The scheme has been amended accordingly to accommodate the requirement of the Parish, to which the Parish acknowledge the provision of the following benefits: :

- net provision of affordable housing (26 units), which would contribute towards housing families within the District in need of affordable rented properties, in addition to making the housing market more accessible for first time buyers on shared ownership schemes;
- provision of market housing, which would contribute towards the duty the Council has to deliver 800 dwellings per annum, and help maintain it five-year housing land supply;
- additional air quality mitigation financial contributions – the Parish have an extensive and detailed air quality mitigation strategy within their travel plan. These contributions will go towards the purchase and operation of an electric minibus service between Thakeham and Storrington. The contributions will also go towards the provision of electric vehicle charging points at the village hall car park, in addition to a charging point for the electric minibus.
- financial contributions to the village hall, which will go towards the management and maintenance of the village hall which has recently been completed and is now in use;
- provision of workshops spaces for the use of small / start up business;
- central open space incorporated within the landscape buffer to be adopted by the Parish Council, and;
- Provision of 45 allotments to the south of the site, including associated parking, and;
- public right of way diversions and additions.

6.13 These benefits are considered to hold significant weight in favour of the scheme and will be secured by way of Section 106 Legal Agreement (detailed below).

6.14 Officers are of the view that benefits of the proposal and the acceptability of the proposal are material considerations in the determination of this proposal. The scheme would not result in any substantive harm in terms of visual impact or any impact on infrastructure, such as highways and drainage. As such, the principle of the increased development on this site is considered to be acceptable and in accordance with the HDPF and the policies within the Thakeham Neighbourhood Plan, subject to the detailed considerations as set out below. Consideration must therefore be given to any site-specific constraints, and the details of the scheme.

Affordable Housing and Housing Mix

6.15 Policy 16 of the HDPF states that development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Market Housing Mix study (Iceni, November 2019) in order to create sustainable and balanced communities. Table 70 of the study shows that residential development market housing should comprise the suggested mix:

- 1 bedroom housing – 6%
- 2 bedroom housing – 27%
- 3 bedroom housing – 41%
- 4+ bedroom housing – 26%

- 6.16 For affordable housing, Table 71 of the study shows that residential development should comprise:
- 1 bedroom housing – 26% (shared ownership) and 46% (rented)
 - 2 bedroom housing – 42% (shared ownership) and 30% (rented)
 - 3 bedroom housing – 25% (shared ownership) and 22% (rented)
 - 4+ bedroom housing – 7% (shared ownership) and 2% (rented)
- 6.17 The application seeks consent for the erection of 75 dwellings of 49 market units and 26 affordable. The proposed housing mix would comprise:

Dwelling Type	Market	%age	Affordable	%age
1 Bedroom Units	8	16%	9	35%
2 Bedroom Units	23	47%	9	35%
3 Bedroom Units	15	31%	8	31%
4+ Bedroom Units	3	6%	0	0%

- 6.18 Whilst it is acknowledged that the proposal incorporates fewer than the anticipated number of 4+ bedroom dwellings, this has been balanced out with an increased provision of 1-3 bedroom units for both market and affordable housing units. As such, the proposed housing mix is considered to broadly comply with the Council's expectations for a residential development of this quantum and is therefore considered in accordance with Policy 16 of the HDPF and the latest SHMA assessment.
- 6.19 Policy 16 of the HDPF continues to state that development providing 15 or more dwellings the Council will require 35% of the dwellings to be affordable. The proposal includes an on-site affordable housing provision of 26 affordable dwellings, equivalent to 35% of the proposed dwellings. Revisions to the scheme included relocating the affordable homes to ensure a more even distribution within the site.
- 6.20 The affordable housing would be provided within 9x 1-bedroom units (including flats), 9x 2-bedroom units, and 8x 3-bedroom units. The affordable housing tenure would be split at a ratio of 70:30 in favour of affordable rent, as per the requirements of Policy 16 of the HDPF and the accompanying Planning Obligations and Affordable Housing SPD. A Section 106 legal agreement has been drafted to secure the provision, the tenure of the affordable housing, and the registered provider who will take on the site.
- 6.21 With the above in mind, the proposed affordable housing is compliant with Policy 16 of the HDPF, and is therefore considered acceptable. The Local Planning Authority considers the provision of 49 market housing units and 26 affordable units as a benefit of the proposal, and should be afforded substantial weight in favour of its approval.

Layout, Amount and Scale

- 6.22 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 6.23 The layout illustrates two distinct parcels of housing separated by a central green space (which will be incorporated within the outer green buffer zone to the east, and transferred to the Parish Council). The site would be connected to the existing road network to Phase 2 of the site, with an internal road network further subdividing the parcels of housing. The dwellings would be arranged to feature a modest set back from the street, and would be

formed of a mix of detached, semi-detached and terraced dwellings of two-storey in height including some single-storey garaging. To the western parcel, dwellings would feature a modest curtilage with back to back facing gardens, with dwellings on the street facing front to front, and are predominantly arranged in terraces. Dwellings on the eastern and southern side of the parcels face the provided greenspaces. On the eastern parcel, dwellings feature slightly larger parcels with a more generous curtilage, formed predominantly of detached and semi-detached units. Facing the central green, the dwellings would continue from Penn Stone Way, with back to back facing parcels, and front to front facing units within the internal road.

- 6.24 The Local Planning Authority consider that the submitted layout demonstrates that this quantum of housing can be suitably accommodated on the site. Both parcels of housing reflect the existing density and plot ratios of existing housing on the site: the eastern parcel featuring larger units accommodated on slightly larger plots, and the western parcel featuring more modest plots and terraces of housing.
- 6.25 The terraced dwellings to the west feature rear parking courts, with direct and easy access to the front and rear of each dwelling they serve. These parking court areas have been revised over time to feature additional landscaping / trees, in addition to more appropriate boundary treatments. Pathways within the site would also be provided as to ensure adequate permeability through the site, and towards the allotments to the south and adjacent Public Right of Ways (PRoW).
- 6.26 Overall, the proposed layout of the scheme is considered logical, and has been designed with the existing phased development to the north in mind. The density / plot ratio reflects the neighbouring housing development, featuring a central green space to visually separate the distinct development pattern. It has been demonstrated through the layout that this quantum of development can be accommodated on this phase of the site, and would not appear at odds with existing built development. The form and scale of the development is also considered acceptable.

Design, Appearance and Character

- 6.27 The dwellings would be arranged as detached, semi-detached, and terraces of dwellings, two-storey in height. Numerous revisions have been sought on the scheme (the latest being received 25.02.2020) in order to improve the design quality and form of the development.
- 6.28 The dwellings have been designed to incorporate a similar, though not identical, design style to the existing dwellings on the site. Overall, 22 house types are proposed for this site of 75 dwellings, representing a varied mix in design on the scheme. These include a varied mix of frontages, materials and features, with the more predominant parcels on corner plot locations hosting more visually interesting features, such as bay windows and chimney stacks.
- 6.29 Overall, the Local Planning Authority considers that the proposal is appropriately designed and would be suitably integrated with the existing neighbouring development on the site. The design of the scheme is therefore considered in accordance with Policies 32 and 33 of the HDPF.

Landscape Impact and Design

- 6.30 Policy 25 of the HDPF relates to the Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development. The Council will support development proposals which:

1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.
 2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.
 3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.
 4. Conserve and where possible enhance the setting of the South Downs National Park.
- 6.31 Policy 33(6) of the HDPF presumes in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.
- 6.32 Horsham District Council have always been acutely aware of the value of its surrounding countryside, and the importance and influence this has on both the urban and rural character of the District as a whole. As established above, the principle of the development has already been established under previous approvals on this phase of the development site. Whilst the proposal increases the quantum of development and built paraphernalia on the site, it is not considered that this would result in an adverse impact on the quality of the or enjoyment of the surrounding landscape.
- 6.33 The Council's Landscape Architect initially raised a few queries regarding the landscape design, mostly related to the plot boundary treatments. Subsequent revisions to the scheme have been made (the latest received 02.04.2020) as per the Landscape Architects' comments. The submitted revisions have overcome these initial concerns.
- 6.34 Overall, the proposed design provides adequate amenity space for the dwellings and the proposed landscape details are mostly satisfactory and acceptable. In addition, there are sufficient proposed new trees provided in the scheme to compensate for the removal of the vegetation on the south-eastern corner of the site. As such, the proposal is considered in accordance with Policies 25 and 33 of the HDPF with regards to landscape impact and design.

Arboricultural Impacts

- 6.35 The proposal indicates the loss of a small number of trees, none of which have been identified to hold any particular or especial merit. The trees to the south of plots 34-41 are protected under tree preservation order TPO/0257. There are proposals to install footways (and a temporary access) in close proximity to these trees, but the details for the construction of these as set out within the submitted Arboricultural Impact Assessment and Method Statement are in line with the British Standard. Further surgery works are proposed to a number of trees within the area – the Council's Arboricultural Officer has confirmed that these works would also conform to the British Standard. With this and the above in mind, no objections are raised on arboricultural grounds.

Amenity Impacts

- 6.36 Policy 33 of the Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Amenity of Existing Neighbouring Residents

- 6.37 As established above, the principle of the development of this phase of the site for residential development has long been established, for which impact on existing neighbouring amenity

has already been pre-determined under DC/10/1314. However, the layout and sizes of the dwellings has changed considerably.

- 6.38 The existing dwellings closest to the proposed are those on the southern side of Abingworth Crescent, and those on the southern side of Strawberry Close. The rear elevation of numbers 11-13 Abingworth Crescent would be sited some 22.5m from the rear elevation of plots 3-5 to the south, which would be on a slightly elevated level (46.2m to 46.8m finished floor level). Number 15 Abingworth Crescent would be sited some 16m from the rear of plots 1-2, and would be sited on similar levels (46.2m). Numbers 23-27 Abingworth Crescent would be sited some 28m from the front elevation of the proposed workshops (including the existing parking to the rear) on relatively level grounds. The front elevation of number 24 Abingworth Crescent would be sited some 29.1m from the front elevation of plot 12 on slightly elevated levels (47m to 47.4m finished floor level). Plot 75 would face side on to number 17 Penn Stone Way at a distance of 4m on a similar level. The rear elevation of number 6 Strawberry Close would face the side elevation of plot 70 at a distance of 19.5m, which would be sited on a higher level (47.1m to 48.3m finished floor level).
- 6.39 Overall, the proposed separation distances between the proposed dwellings and the existing dwellings identified above are considered satisfactory to not warrant concern regarding overlooking or overshadowing. Whilst it is acknowledged that there are differences in levels between the existing and proposed dwellings, the proposed separation distances are considered satisfactory as to not result in adverse overbearing to the existing dwellings. It should be noted that the proposed dwellings are two-storey in height, thus are comparative in height to the existing neighbours.
- 6.40 Plots 1-2 hosts two windows to the rear elevation facing number 17 Abingworth Crescent – the larger serving as the window to the kitchen, and the smaller serving a bathroom (thus would likely be obscurely glazed and fixed shut at 1.7m). Whilst these plots are closest and on higher levels, the separation distance is considered satisfactory – the windows would neither be served by primary habitable rooms, thus would not result in constant use and overlooking to the neighbours. All other windows' siting in relation to neighbours are considered sufficiently distanced from neighbours as to result in minimal impact on neighbouring amenity.
- 6.41 With the above in mind, the proposed development is not considered to result in adverse harm to the amenities of the existing neighbouring occupants, in accordance with Policy 33 of the HDPF.

Amenity of Future Occupants

- 6.42 The layout of the proposed dwellings is considered appropriate with regards to their impact on each other. The scheme does include parcels of back-to-back housing, all of which feature gardens between each dwelling. Given their separation distance from each other, no harm is considered to arise by way of overlooking. Overall, this layout would not result in a significant sense of enclosure for future residents of the site, nor lead to undue harm by way of overshadowing and overbearing.
- 6.43 Furthermore, each dwellings would accommodate their own rear garden curtilage, and the maisonettes (plots 1-2, and 13-16) hosting a modest communal garden area. Both blocks of flats would be closely sited to public green spaces, including the field to the north and the buffer strip to the south, thus allowing for easy access to outdoor amenity space. The dwellings are considered suitable sized in accordance with the proposed housing mix, thus accommodating appropriate living space.
- 6.44 With the above in mind, the proposed development is not considered to result in adverse harm to the amenities of future neighbouring occupants, in accordance with Policy 33 of the HDPF.

Highways, Access and Parking

- 6.45 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.
- 6.46 The layout of the roads and pedestrian footpath have been designed to integrate with the existing network. Access to this phase of the development would be achieved through the network to the north. Initially, WSCC Highways raised issues with the layout (dated 18.09.2019) but did not challenge the overall layout of the network. Following the submission of revised plans, these issues were overcome (WSCC comments dated 05.03.2020).
- 6.47 Further, WSCC Highways did not consider that the additional dwellings would generate such increases in vehicle movements that may lead to severe or unacceptable highway capacity issues. The development is acknowledged to be poorly located to encourage or promote the use of sustainable modes of transport to a wider area, however it is recognised to form part of a larger development, the principle of which is already accepted.
- 6.48 As highlighted above, the proposal includes additional financial contributions towards air quality mitigations, which would facilitate the Parish's community transport proposal. These contributions would be used towards the purchase and operation of an electric community minibus which would operate a scheduled service between Thakeham and Storrington. Furthermore, 43 garages are to be provided in addition to cycle storage for flats. This would aid residents to using more sustainable methods of transport, thus relying less on the use of cars. Ultimately, further financial contributions and provision of cycle storage is considered to improve the sustainability of the site on transport grounds.
- 6.49 With regards to parking, an email from WSCC Highways dated 01.04.2020 confirmed that the revised proposal includes adequate resident and visitors parking spaces, in accordance with the most recent WSCC parking calculations figures. A condition is attached to ensure that these spaces are provided prior to the occupation of each dwelling.
- 6.50 Overall, the proposed layout and quantum is not considered to result in adverse harm to the use or operation of the existing highway network within the site, or the surrounding area. Further, the trip generation data was not considered to increase in vehicle movements that may lead to severe or unacceptable highway capacity issues, and adequate parking facilities will be provided on site.

Public Rights of Way

- 6.51 The proposal includes the diversion of Public Right of Way (PRoW) 2480 to the north of Phase 1 of the development site. A separate Section 257 Highway Act 1980 application has been received in respect of this aspect of the development. This has been proposed in order to decrease journey time when travelling on this section of the footpath, and also to better integrate with the proposed networks within the site. In principle, subject to the completion and agreement of the associated PROW diversion application, the diversion of the PROW is considered acceptable.
- 6.52 Further, the proposed includes internal footpaths to be integrated with the pedestrian highways, in addition to permissive routes towards the southern end of the site within the allotments. Plan ROW.01 B (received 24.02.2020) details the proposed routes – as these are proposed pathways, a separate Section 25 Highways Act 1980 would need to be

submitted and approved by WSCC in order for the paths to be adopted as formal PROWs. Following consultation with WSCC PROW Team, no objection was raised in principle to the diversion of the existing PROW2480 to the north or the proposed new paths.

Ecology

- 6.53 The application was accompanied with an Ecological Impact Assessment. The surveys assessed the potential presence of various species including amphibians, badgers, bats, nesting birds, reptiles, rabbits and hedgehogs. Ecological mitigations and enhancements have been recommended as part of the report. The Council's Ecology consultant has reviewed the submitted survey and, subject to adequate avoidance, mitigation and enhancement measures secured via suggested conditions, does not object to the proposed development.

Drainage

- 6.54 The Environment Agency's online flood maps show that the site is located within Flood Zone 1, meaning that the land is in a 'low probability' flood zone, and has a 'less than 1 in 1,000 annual probability of river or sea flooding'. No water courses run through or are located directly adjacent to the site.
- 6.55 In order to manage the risks associated with surface water and flooding, surface water will be integrated within existing Sustainable Drainage Systems (SuDS), which will be directed to the large attenuation pond north of the site, within Phase 2. Further, an additional attenuation tank is proposed north of the pond to accommodate additional overflow.
- 6.56 With regards to foul water, the site would be connected to the existing network. As per the previous phases of the site, a private foul pump station was installed – these were designed to accommodate the whole of the development site including Phase 3. The submitted FRA confirms that sufficient capacity is available to accommodate the additional number of dwellings proposed on the new site layout plan.
- 6.57 Following consultation with the Council's and County's Drainage Engineers, no objections were raised regarding the proposed methods to discharge surface water – the HDC Drainage Engineer agreed with the conclusions drawn from the submitted Flood Risk Assessment (FRA), and has suggested appropriate drainage conditions (attached). Furthermore, Southern Water raised no adverse comments relating to foul water connection.
- 6.58 The Parish's concerns relating to the foul water network capacity from this Phase of the development are noted. As noted within the submitted FRA, and as agreed by the Council's Drainage Engineer, the existing network had the capacity to incorporate the increase in dwellings from this phase of the development. As the foul water network has been adopted, the maintenance of the network would fall to Southern Water as the statutory undertaker.
- 6.59 Overall, the Local Planning Authority are satisfied that the proposed surface and foul water drainage would have adequate capacity to accommodate the uplift in housing numbers on this phase of the development.

Air Quality / Sustainability

- 6.60 The Storrington Air Quality Management Area is located approximately 2.5km south-west of the development site. As part of the previous applications on this site, an air quality mitigation strategy has been agreed between the applicant, Parish and the Council, to which financial contributions have been paid through Section 106 agreements. The application was accompanied with an updated Air Quality Assessment (produced by Mayer Brown, dated August 2019).

- 6.61 Policy 35 of the HDPF states that development will be supported where it makes clear contributions to mitigating and adapting to the impacts of climate change and to meeting the District's carbon reduction targets.
- 6.62 As part of this proposal, numerous additional mitigations, enhancements, and financial contributions have been proposed and agreed to. This includes a further £31,000 financial contribution towards the Parish's air quality mitigation strategy to accommodate the uplift in housing units. This contribution would be invested in the Parish's Low Emission Strategy, which seeks the provision and operation of an electric minibuss service in order to provide a wider sustainable transport network to and from Thakeham. As previously noted, electric vehicle charging points will be provided for the minibuss, in addition to public usage. The Parish's travel plan also commits to the appointment of a part-time Travel Plan Coordinator, who would manage and foresee the implementation of sustainable travel measures throughout the site.
- 6.63 Initially, the proposal included an electric car club scheme, where residents could register to rent a vehicle. This was removed from the proposal, as it was seen contradictory to the Parish's Transport Strategy, and may compete with the proposed minibuss service. The Local Planning Authority considers the omission of the car club as acceptable on these grounds.
- 6.64 The applicant has confirmed that each dwelling with a garage will include a 13amp electric vehicle car charging point. Furthermore, 2 public electric vehicle charging points have been agreed to be installed to the car park outside of the Parish hall, in addition to a charging point for the electric minibuss. The installation of such infrastructure is considered as a material benefit to the scheme with consideration to the air quality mitigation on the site.
- 6.65 The Parish's concerns regarding the lack of provision of solar photovoltaics (SPV) to each dwelling and to the village hall is acknowledged. The Local Planning Authority are of the view that the provision of such additional measures are not necessary to increase the efficiency and sustainability of the site, and is not appropriate to enforce such provisions especially when considering the air quality mitigations and financial contributions as detailed above. As per Phases 1 and 2 of the site, permitted development rights will not be restricted to inhibit occupants installation of SPVs – therefore, the occupant wishes to install SPVs, they would be free to do so without the requirement of planning permission.
- 6.66 With the above in mind, the Local Planning Authority are satisfied that appropriate measures have been put in place to mitigate against any potential adverse air quality / sustainability impacts. These measures will be secured by way of planning condition and S106 agreement. As such, the Local Planning Authority are of the view that the requirement to provide SPVs in addition to the mitigations detailed above is not justified. As such, the proposed is considered in accordance with Policy 35 of the HDPF, thus no objection is raised with regards to this aspect of the proposal.

Workshop Provision

- 6.67 Extant permission DC/10/1314 secured the delivery of 5x workshop units totalling 957m² floorspace. Initially, the present proposal sought approval for 2x units at 193.8m². Following consultation with the Council's Economic Development Team, this reduction was not considered acceptable, nor justified from the submitted marketing information.
- 6.68 The proposal now includes the provision of 5x work units, totalling 570m² – whilst this would amount to a 387m² reduction from the extant planning permission, the Economic Development Team considers this provision acceptable and an appropriate compromise for workshop provision.
- 6.69 Policy 7 of the HDPF states that sustainable employment development in the District will be achieved by the formation and development of small start-up and move-on businesses by

encouraging provision of small units through development proposals (3), and through the identification of additional employment areas to meet the need for appropriate new business activity (9).

- 6.70 The provision of the proposed units would deliver workspace for smaller start-up companies, despite being smaller in size to those previously approved. The reduced floor area would provide adequate workspace for small workshops or offices – the application has provided evidence that there is interest in these units, thus demonstrating the need for employment space in this part of the District. Further, the provision of smaller units in a more integrated layout to those previously approved could better protect neighbouring amenity, given the smaller size of the units, and fewer cars needed to serve them. As such, the principle of this reduced provision is considered acceptable.
- 6.71 The workshops would be constructed of brick and tile hanging, two-storeys in height, and would feature sharp sloping pitched roofs. The proposed appearance attempts to mimic a more traditional appearing industrial site, with a taller form and steeper roof pitch, whilst accommodating a material composition similar to that of the neighbouring residential units. Overall, the appearance of the units is considered in accordance with Policy 33 of the HDPF.
- 6.72 The Parish's concerns with regards to the workshops is noted. However, as noted by the Council's Economic Development Team, the provision of these units are considered acceptable from an economic development perspective. No concerns have been raised as to the viability of the units – ultimately, this will depend on the success of individual businesses. With regards to the use of the units a proposed condition attached below stipulates that the units shall remain in B1 use (business use) unless otherwise agreed to in writing by the Local Planning Authority. Thereafter, further change of use applications will be required to be submitted where permitted changes cannot be made, as per Schedule 3 of the General Permitted Development Order (2015).
- 6.73 The workshops will be in place prior to the occupation of the dwellings, and details of the marketing for each unit will sought prior to their construction. This would enable the Council to ensure that appropriate evidence of continued marketing is carried out up until the final occupation. These requirements have been set out within the Section 106 legal agreement.
- 6.74 Overall, the provision of the 5x workshop units are considered acceptable in principle and would support the development of small business in the District in accordance with Policy 7 of the HDPF, in which the use of each unit will be controlled by way of planning condition. Issues relating to amenity have been considered in previous sections of this report.

Allotments

- 6.75 Previous extant permission also included the provision of allotments to the south of this phase of the development. The allotments will continue to be provided as part of the present proposal. Plans L.016B Sheets 1 and 2 (received 03.03.2020) detail the proposed layout and design as previously agreed. This includes 17x 17m x 7m allotments, 16x 12m x 5m allotments, and 6x 12m x 5m allotments with 4x raised plating beds. 26x parking spaces will be included, comprising 6x disable spaces. The allotments include a landscape buffer and associated planting.
- 6.76 As previously agreed under extant permissions, the provision of the allotments is considered acceptable in principle and are considered sufficiently designed and landscaped within the scheme. The applicant has also agreed that the allotments will be provided prior to the occupation phase of the development, and will be accessed via separated and safe pathway to the west. Details of the delivery of these paths are sought under condition 3 attached below.

Community Infrastructure Levy (CIL)

- 6.77 Horsham District Council adopted a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.
- 6.78 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	5,706.11m ²	0m ²	5,706.11m ²
	Total Gain		5,706.11m ²
	Total Demolition		0

- 6.79 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.80 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Section 106 Legal Agreement

- 6.81 A Section 106 Legal Agreement has been drafted in support of the approval of this application. As detailed above, this agreement seeks to secure the various benefits to the scheme, which include:
- Affordable Housing – 35% affordable housing to be secured at a 70/30 tenure split (in favour of affordable rent), equivalent to 26 houses.
 - Air Quality Mitigation Strategy – given the site's proximity to the Storrington AQMA and the that contributions were sought under the original approval, an additional contribution has been agreed £31,000. This will go towards the Parish's transport strategy which includes the part provision of a minibus.
 - Village Hall Contribution – Under the previous permission (DC/16/2835), an additional contribution towards the management and maintenance of the Village Hall. The agreed contribution is £28,000 to be paid to HDC prior to the first occupation of any unit approved under this proposal.
 - Provision of Workshops – a marketing strategy for the units to be submitted for approval prior to commencement of the works has been requested. An obligation for the units to be completed and ready for occupation prior to the occupation of the 38th dwelling units will be included (this includes market and affordable units). A condition is also limiting the use of the units, and a marketing strategy sought by legal agreement
 - Central Open Space – The inclusion of this area into the Buffer Strip (covered by the original S106) and transferred to the Parish Council (shown on plan LPP3.01 Rev C dated 12.03.2020). The applicant and Parish are in agreement to this transfer.
 - PROW Diversion and Permissive Paths – this will secure the delivery of these paths through a trigger prior to the occupation of the 38th dwelling. A separate Section 257 Highways Act 1980 application has also been submitted for the diversion to the north of the cricket pitch.
 - Provision of housing for the over 55's – this will ensure that the units identified will not fall to general market retail
 - Provision of Allotments – agreement to be sought for the specification and a trigger for their delivery.

Other Considerations

- 6.82 It has been agreed between the applicants and the Parish that the allotments to the south of the site will be delivered early in order for the occupants of the site to have access prior to the completion of the Phase. A temporary footpath will be provided to the perimeter of the site with heras fencing / hoardings to provide safe access from construction. This will be secured within the CEMP (required by condition 3).

Conclusions and Planning Balance

- 6.83 The application seeks full permission for the erection of 75 dwellings in place of an existing extant planning permission for 25 units, representing a 50 unit net gain on this phase of the development. It is appreciated that the uplift in units may not be considered a 'modest' increase, as per the sub-text wording of the made neighbourhood plan- however, the Local Planning Authority are satisfied that the presented quantum and layout of the scheme would acceptably accommodate the uplift in units, and would deliver a more appropriate housing mix. Further, the scheme would deliver numerous benefits to the local community as a supplement to what had already been agreed and delivered on the site, including a net increase of affordable dwellings. As such, the scheme would not result in any planning harm and would result in a substantive benefit for the Parish and wider community.
- 6.84 The proposal accords with the main text of Policy Thakeham 4 of the Thakeham Neighbourhood Plan in that: the development is contained within the developable area established within previously approved application; additional dwellings have been provided to accommodate older households, and; the scheme would deliver appropriate community benefits, as detailed above. Given the lack of any identified harm which would be generated by this proposal, the increase in units is considered to be in accordance with Policy 4. As such, the principle of the development of 50 additional units on this phase of the site is accepted.
- 6.85 The scheme would deliver an appropriate mix of housing and a policy compliant level of affordable housing. Further, the appearance of the dwellings and workshops, alongside the proposed layout, would efficiently and appropriately integrate with the wider development site, and would appear as a cohesive section of the Abingworth development site. Furthermore, the increased quantum of house on this phase of the site is not considered result in adverse harm to the quality of the landscape, as previously assessed under extant planning proposals.
- 6.86 The Local Planning Authority are satisfied that the development would not result in adverse harm to the amenity of existing neighbours. Whilst it is appreciated that the revised layout and quantum would materially alter pre-conceived amenity impact from the previous approval, this is not considered detrimental under usual circumstances, nor considered so harmful to warrant a reason to refuse permission.
- 6.87 The proposed layout and quantum is not considered to result in adverse harm to the use or operation of the existing highway network within the site, or the surrounding area. Further, the trip generation data was not considered to increase vehicle movements that may lead to severe or unacceptable highway capacity issues, and adequate parking will be provided on the site.
- 6.88 The scheme delivers the diversion of PROW2480 to the north of the site, in addition to new internal pathways. Proposed diversions and additional pathways are considered acceptable in principle, which the WSCC PROW Team have raised no objection to, and will be subject to their own Highways Act 1980 applications.
- 6.89 Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed to. The foul and surface water drainage design

is considered appropriate, in which connections to the existing network has capacity to incorporate the uplift in housing units.

- 6.90 Additional air quality mitigations have been sought and agreed between the applicant, the Council, and the Parish Council to mitigate against the uplift in units. Further, additional mitigations have been included within the scheme, such as the provision of additional electric vehicle charging points for the public, occupants of Phase 3, and also for the forthcoming electric minibus.
- 6.91 Officers therefore recommend that this application be approved, subject to the below detailed list of planning conditions and the completion of the necessary s106 legal agreement.

7. RECOMMENDATIONS

- 7.1 To approve outline planning permission, subject to the following conditions:

Conditions:

- 1 **Standard Plans Condition:** The development hereby permitted shall be undertaken in full accordance with the approved plans.

Reason: For the avoidance of doubt and in the interest of proper planning.

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

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

- 3 **Pre-Commencement Condition:** Prior to the commencement of the development, an updated Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Updates to the CEMP shall include:

- A communication strategy (including contact details of the site manager);
- A noise mitigation strategy;
- A dust mitigation strategy, and;
- Details of the early delivery of the temporary pathways to the allotments.

The construction of the site shall thereafter be undertaken in accordance with the submitted CEMP and the updated details as requested above, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015)

- 4 **Pre-Commencement Condition:** Prior to the commencement of the development, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no

circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 5 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, connections to each dwelling, 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 landscaping scheme (to be submitted) and the approved Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

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

- 6 **Pre-Commencement Condition:** Prior to the commencement of the development, details of the proposed means of foul and surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved detail shall thereafter be strictly adhered to, unless otherwise agreed to in writing.

Reason: As this matter is fundamental to ensure that the development incorporates appropriate sewage disposal, and that the system will be appropriately maintained, in accordance with Policy 38 of the Horsham District Planning Framework (2015).

- 7 **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).

- 8 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until confirmation has been submitted, in writing, to the Local Planning Authority that the relevant Building Control body will 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).

- 9 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan

delineating areas of responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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).

- 10 **Pre-Occupation Condition:** Plots 1 and 2 of the development hereby permitted shall not be occupied until the windows at the first floor side elevation shown on Plan AFF D-A.pe Rev E (received 24.02.2020) have been fitted with obscured glazing. The windows shall be fixed shut/non-openable. Once installed the obscured glazing shall be retained permanently and the window fixed shut/non-openable thereafter.

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

- 11 **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied unless and until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

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

- 12 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved plans. 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).

- 13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved plans. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

- 14 **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 15 **Pre-Occupation Condition:** Prior to the occupation of the development, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 16 **Regulatory Condition:** Other than agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development hereby permitted. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees, hedging plants or shrubs of a type, size and in positions agreed in writing by the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation on the site unsuitable for permanent protection by Tree Preservation Order for a limited period, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** The five workshops units hereby approved shall remain in use as B1 business units, unless otherwise agreed to in writing by the Local Planning Authority.

Reason: To ensure that appropriate use classes occupy the units in relation to neighbouring residential occupants, in accordance with Policies 7 and 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (ACD Environmental, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW), to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

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

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

20 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

INFORMATIVES

Condition to be Discharged

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms .

Landscape Management

A Landscape Management and Maintenance Plan is a site-specific strategy that demonstrates how the site will be managed and maintained in order to fulfil the original intentions of the applicant and guarantees that the scheme and the retained landscape and ecology structures are maintained and improved for the lifetime of the development. A guidance note to content and layout can be found using the following link <https://www.horsham.gov.uk/planning/development-management>.

Southern Water

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

The design of drainage should ensure that no land drainage or ground water is to enter public sewers network.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

Background Papers: DC/19/1707