



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development

**DATE:** 24 November 2020

**DEVELOPMENT:** Change of use of land for the provision of four (4) no. pitches for gypsies and travellers.

**SITE:** Land at Junction of Hill Farm Lane and Stane Street Hill Farm Lane  
Codmore Hill West Sussex RH20 1BW

**WARD:** Pulborough, Coldwaltham and Amberley

**APPLICATION:** DC/20/0636

**APPLICANT:** **Name:** Mr and Mrs Chatfield **Address:** C/O Agent

**REASON FOR INCLUSION ON THE AGENDA:** Pulborough Parish Council have requested to speak on the application at Planning Committee.

The application has been called to Planning Committee by a local Ward Member.

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 planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### **DESCRIPTION OF THE APPLICATION**

- 1.1 The application as submitted seeks planning permission for the change of use of the site for the provision of four (4) no. pitches for use by gypsies and travellers, including associated car parking and touring caravan parking.
- 1.2 The proposed pitches would measure approximately 11.5m by 4m. Each pitch would be served by 2no parking spaces and 1no touring caravan space. The proposed pitches would be served by an existing access from Hill Farm Lane. The proposals also include soft landscaping measures to the boundaries of the site.

- 1.3 It is noted that the application has been amended following officer concerns raised with regards to the number of pitches proposed, the quantum of development, the layout of the pitches and landscaping. The application was initially submitted seeking a total of six (6) no. pitches on the site. The proposals have subsequently been amended seeking permission for four (4) no. pitches as detailed above, with additional information with regards to trees and hard and soft landscaping provided.

For the purpose of clarity this application site encompasses the site previously granted for two gypsy and traveller sites. This proposal, if approved, would result in a total of four pitches on the overall site.

#### DESCRIPTION OF THE SITE

- 1.4 The application site is located at the junction between Hill Farm Lane and Stane Street, Codmore Hill Pulborough and the site effectively adjoins the defined built up area boundary of Codmore Hill. The site is accessed via the public highway to the south and over an area of land/hardstanding/a layby of which the applicant has a right of way over (as confirmed within the title deeds to the site). The site area measures approximately 2260sqm.
- 1.5 Following the most recent site visit in October 2020, the most up to date condition of the site consists of areas of hardstanding with some overgrown areas. There are a number of trees to the southern boundary of the site which are covered by a blanket Tree Preservation Order (TPO), however it is noted that a number of these trees and undergrowth hedging and shrubs have been removed. A post and rail fence is also present to this boundary. The eastern boundary consists of extensive unmaintained soft landscaping. A close boarded timber fence and hedging make up the western boundary of the site and while the northern boundary is open, there is extensive soft landscaping to the north of the site which encloses the site from this perspective.
- 1.6 The site has previously been used for storage and car parking. The surrounding area consists of residential properties to the west, south and east. It is noted that there are Grade II Listed Buildings located on the eastern side of Stane Street at Forge Cottage and The Old Forge and a restaurant to the south of the site. This section of Hill Farm Lane/Stane Street is served by a pedestrian pavement and public foul sewers are located just outside of the site. The site is not located within a Conservation Area or a Flood Risk Zone.
- 1.7 It is noted that the site benefits from extant planning permission for its change of use for occupation by gypsies and travellers and the creation of two (2) no. pitches and a day room which was granted in September 2019 under planning reference DC/19/0845. Therefore the use of the site to accommodate gypsies and travellers has been established.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework

- 2.3 The Government also published 'Planning Policy for Traveller Sites' in 2015 alongside the NPPF. Policy H advises on the determination of planning applications for traveller sites.

## 2.4 RELEVANT PLANNING POLICIES **The National Planning Policy Framework (NPPF)**

### **Horsham District Planning Framework (2015):**

- Policy 1 - Strategic Policy: Sustainable Development.
- Policy 2 - Strategic Policy: Strategic Development.
- Policy 3 - Strategic Policy: Development Hierarchy.
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations.
- Policy 22 - Gypsy and Traveller Sites.
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation.
- Policy 24 - Strategic Policy: Environmental Protection.
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character.
- Policy 26 - Strategic Policy: Countryside Protection.
- Policy 31 - Green Infrastructure and Biodiversity.
- Policy 32 - Strategic Policy: The Quality of New Development.
- Policy 33 - Development Principles.
- Policy 34 - Cultural and Heritage Assets.
- Policy 40 - Sustainable Transport.
- Policy 41 - Parking.
- Policy 42 - Strategic Policy: Inclusive Communities.
- Policy 43 - Community Facilities, Leisure and Recreation

### RELEVANT NEIGHBOURHOOD PLAN

- 2.5 The Parish of Pulborough was designated as a Neighbourhood Development Plan Area in February 2014. To date no draft Plan has been prepared for public consultation.
- 2.6 Supplementary Planning Guidance: Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) 2017
- 2.7 Supplementary Planning Guidance: Horsham District Council Gypsy and Traveller Accommodation Assessment (GTAA) – Final Report January 2020

### 2.8 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/19/0845	Change of use of land for the provision of two pitches for gypsies and travellers and the erection of a shared day room.	Application Permitted on 20.09.2019
DISC/19/0330	Approval of details reserved by conditions 3 (a), 4 and 5 on DC/19/0845	Application Permitted on 24.04.2020

## 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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 **Strategic and Community Planning**: No Objection  
Verbal Comments. No objections raised given the current need and lack of 5-year supply for Gypsy, Traveller and Travelling Showpeople accommodation.
- 3.3 **Property Services (Drainage)**: No Objection.  
Drainage condition(s) recommended.

- 3.4 **Environmental Health**: No Objection.  
Conditions suggested if application was to be approved. The amended site plan is considered to comply with licencing requirements.
- 3.5 **HDC Arboricultural Officer**: No Objection.  
The submitted information with regards to tree protection and new planting is considered to be acceptable.
- 3.6 **HDC Heritage Officer**: Comments.  
Following amendments to the scheme from six to four pitches and alterations to the layout, I remain satisfied the harm is less than substantial to the setting of the listed buildings on the opposite side of the road and this is at the lowest end of the scale. The public benefit resulting from the provision of four pitches for gypsies and travellers may outweigh this harm.
- 3.7 **HDC Landscape Architect**: No Objection.  
No concerns with the strategy with the only caveat on the proposed size of trees along the southern boundary (5no) where the existing trees and frontage vegetation has/will be removed. These should be 25-30cm girth for the benefit of public views and amenity of neighbouring properties.

#### OUTSIDE AGENCIES

- 3.8 **Southern Water**: No Objection.
- 3.9 **WSCC Highways**: No Objection.  
Following amendments to the scheme from six to four pitches, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. Conditions suggested relating to parking and turning.
- 3.10 **Ecology**: No Objection.  
Condition recommended relating to Biodiversity Enhancement.

#### PUBLIC CONSULTATIONS

- 3.11 **Pulborough Parish Council**: Objection.
- Touring caravans must not be occupied on site to avoid overcrowding
  - Extensive importation of soils
  - The proposal will dominate the area
  - No day room included with current proposal
  - There will be privacy and noise issues for neighbouring properties.
  - Access and nearby crossroads unsafe
  - Impact on local infrastructure including drainage and rubbish
  - Questions the need for additional accommodation for gypsies and travellers
- 3.12 Following the initial submission of the application for six (6) no pitches within the site, a total of 50 letters of objection from 44 separate households/bodies were received.
- 3.13 Following amendments to the application to reduce the proposed number of pitches on from six (6) no. to four (4), the submission of additional landscaping details and layout amendments, a total of 33 letters of objection from 14 separate households/bodies were

received at the time of report preparation. All of the letters of objection can be summarised as follows:

- Conflict with national, regional and local neighbourhood planning policies.
- No need for additional gypsy sites
- Highways and Parking Concerns
- Issues with regards to drainage
- Unsuitable site owing to its location
- Lack of essential services to site
- Noise disturbance and Loss of privacy
- Detrimental effects on the character of the area
- Impact on listed buildings to the east

#### **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 main considerations material to this application relate to the principle of development, the suitability of the location; highways, parking and access; the amenities of the occupiers and adjoining properties; the impact on the landscape character of the area.

##### **Principle of Development**

6.2 In 2018, the Council updated its Gypsy and Traveller Needs Assessment to provide an evidence base to inform the Gypsy and Traveller policies being developed as part of the local plan review, with new allocations identified to meet the current identified need. In conjunction with this, a call for sites exercise was carried out between 3 June – 30 August 2019 and the Horsham District Council Gypsy and Traveller Accommodation Assessment (GTAA) Final Report was published in January 2020. (It is noted that a further call for sites exercise was carried out between 7 September – 02 October 2020).

6.3 The key findings of the GTAA report identify that there is a need for 93 pitches over the Local Plan period (2019-36) for households that met the planning definition. Given the identified need and that fact that the Council cannot currently demonstrate a 5-year supply, the principle of intensifying the use of this site is considered to be acceptable subject to all other relevant material considerations.

6.4 Policy 23 of the HDPF has previously been found by Inspectors to be consistent with the amended NPPF which recognises in paragraph 78 that sustainable development in rural areas can be promoted where its location would maintain or enhance the vitality of rural communities, while Chapter 9 sets out that the planning system should 'actively manage patterns of growth', recognising that opportunities to maximise sustainable transport will vary between urban and rural areas.

6.5 Policy 23 also sets out a list of criteria for applications for use for Gypsies, Travellers, and Travelling Showpeople on non-allocated sites. The criteria set out within the Policy is as follows:

*a. There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable;*

*b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;*

*c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;*

*d. The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of local services and community facilities, in particular schools and essential health services;*

*e. The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.*

6.6 The site is not located within an Environment Agency defined Flood Risk Zone and is located in very close proximity to existing public foul sewers. It is noted from comments received from neighbouring properties that the public sewer may not be suitable for additional connections, however no objections have been raised by Southern Water in this regard. The details within the application state that a sustainable drainage system (SuDS) would be provided for surface water drainage. Notwithstanding the above, full details of the means of foul and surface water drainage would be secured and controlled by a suitable condition, as advised by the Council's Drainage Engineer. Whilst detailed have already been provided and approved for the previous permission for two pitches, this condition will ensure there is sufficient drainage infrastructure within the site to accommodate the additional demand. The land within the site is considered to be flat and stable following assessment of this during case officer site visits. Any previous hazards or contamination within the site can also be investigated with a suitably worded condition to ensure that human habitation of the site is appropriate. It is noted that this already been carried out in part on the site.

6.7 A pedestrian pavement is located on the opposite side of Hill Farm Lane to the site and the site is served by an existing vehicular access point with a layby allowing for ease of access from the public highway. Given the presence of existing neighbouring residential development directly adjoining and adjacent to the site, it is considered that there are no constraints with regards to the site being served by essential services such as water and electricity. The plans submitted with the application also indicate that there would be sufficient space for parking and turning on site with appropriate outdoor areas maintained.

6.8 The proposals overall are considered to be appropriate in nature given the number of pitches proposed, the size of the site and the distances preserved to neighbouring properties, which are considered to be commensurate with the existing relationships between neighbouring properties within the immediate vicinity. The surrounding area is made up of a mixture of dwelling designs with differing built forms and materials present. It is considered that the proposed development would not have an impact on the surrounding area or the landscape character beyond that of the existing development in this section of Hill Farm Lane, particularly when viewed against the properties directly to the west of the site.

### **Sustainability**

6.9 A key criteria in the consideration of this application is its relationship with the existing established settlement of Codmore Hill. As detailed above, the site effectively adjoins the

defined built up area boundary of Codmore Hill and is located in relatively close proximity to the larger settlement of Pulborough to the south (approximately 1.1km away). Stane Street, located directly to the east of the site, given that it is a major connecting road, provides appropriate public transport links into Pulborough with bus stops located only short distances away (approximately 100m). The site is therefore considered to be in a sustainable location with good access to services such as schools and healthcare in Pulborough.

- 6.10 Overall it is considered that the principle of the development in this location would be acceptable and the proposed development would adhere to the criteria set out within the NPPF and HDPF Policy 23.

### **Design, Appearance & Landscape Impact**

- 6.11 Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.
- 6.12 Criterion (e) of Policy 23 of the HDPF states that development proposals for gypsy and traveller accommodation should not have an unacceptable impact on the character and appearance of the landscape and should be sensitively designed to mitigate any impact on its surroundings.
- 6.13 On assessment of the details submitted with the application and following case officer site visits, it is considered that given its location, in very close proximity to the built up area boundary of Codmore Hill, the presence of significant residential development within the vicinity and the relationship the site has to this, the site is not considered to be in a 'rural' location. Whilst it is acknowledged that the site is located outside of the built up boundary and for policy purposes, the makeup of the site is considered to be well-related to the existing residential development which characterises this area.
- 6.14 The proposed pitches, parking areas and driveways to be created would not be dissimilar to the existing hardstanding currently in place. Additional information has been provided in the form of a landscape strategy/master plan outlining hard and soft landscaping proposals for the site. These include details for new and additional planting to the site boundaries, particularly with regards to the southern and western boundaries of the site. The Council's landscape architect has commented on the proposals, raising no objections to the overall strategy and highlighting specific size requirements with regards to the proposed trees to the front southern boundary of the site. Whilst the overall strategy is considered to be acceptable, a landscaping condition is recommended to secure specific details to be implemented for the site for the benefit of public views and amenity of neighbouring properties.
- 6.15 In terms of layout, amendments have been sought with regards to the configuration of the pitches. Pitches 1 and 2 would be positioned in line with the principle elevations of the neighbouring properties to the west, maintaining the prevailing build line along this section of Hill Farm Lane. Looking from the street scene, it is noted that the neighbouring properties to the west and to the south-west of the site along Hill Farm are generally laid out in close proximity to one another. The proposals are also considered to be well contained within the boundaries of the site as identified on the submitted plans.
- 6.16 Overall, it is considered that when viewed from Hill Farm Lane the pitches towards the rear of the site would not be readily visible. The pitches towards the front of the site would be positioned and configured in a manner not dissimilar to neighbouring properties within the immediate vicinity. This is also considered to be applicable with regards to hardstanding and parking areas which are clearly visible to the front of neighbouring properties when viewed from Hill Farm Lane.

- 6.17 As detailed above, it is anticipated that views of the site from Hill Farm Lane would be reduced by extensive and additional planting and landscaping to be secured via a suitable condition. While no details of potential static caravans/mobile homes have been provided (and is not required) it is anticipated that these would be single storey in design with very modest overall heights and would not therefore appear prominently within the site.
- 6.18 It is noted that the extant permission, planning reference DC/19/0845, granted permission for two (2) no. pitches plus a permanent day room. This permission allowed for the erection/stationing of a total of 3no buildings/structures on site. In comparison, the current proposal for a total of four (4) no. would increase the potential number of structures on site by one. Again, taking into account the size of the site, it is considered that this quantum would be appropriate and would only represent a modest increase in potential structures stationed within the site, when assessed against the extant permission.
- 6.19 As stated above, given the nature of the works to the site, the proposed configuration and layout of the pitches, the make-up of the surrounding area and neighbouring properties, and with a condition in place to secure additional planting and landscaping, it is considered that there would not be a detrimental impact on the landscape character of the locality. This is further supported by the differing building designs, forms and external materials present for neighbouring properties within the area and given that there is no prevailing character in this regard. Overall, it is considered that the proposals would accord with Policies 23, 25, 32 and 33 of the HDPF.

### **Impact on Listed Buildings**

- 6.20 Policy 34 of the Horsham District Planning framework states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. The proposal would be required to ensure it has no adverse effect upon the historic character and appearance of the listed building or its setting.
- 6.21 As stated above, there are two Grade II Listed properties located to the east of the site on the opposite side of Stane Street at Forge Cottage and The Old Forge. The proposed listed buildings are located approximately 25m away from the application site boundary at the closest point. Notwithstanding this distance, the major road of the A29/Stane Street is present between the listed buildings and the application site and therefore it is not considered that the application site is seen within the context of the listed building given this disconnection.
- 6.22 While amendments have been submitted, the Council's Conservation Officer has stated that the proposal would result in less than substantial harm to the setting of the listed buildings and that this would be at the very lowest end of the scale.
- 6.23 It is noted that under the extant permission for the site, reference number DC/19/0845, the closest pitch to the listed buildings was located approximately 14m away from the eastern boundary of the site. The current proposals indicate that the closest pitch, Unit 2, would be located approximately 10m from this boundary. While the proposed pitches would be located in closer proximity, given the existing extensive soft landscaping along the eastern boundary of the site, the presence of the major road between the site and listed buildings and the relationship which would be maintained, it is not considered that this alteration to the distances to the boundaries would result in a marked difference when compared to the extant permission.
- 6.24 Furthermore, it is not considered that there is a clear and defined relationship between the site and the listed buildings when travelling along the A29/Stane Street from the north and south. Instead, it is considered that the proposals and site would be read in conjunction with the

neighbouring residential properties to the west and south-west of the site along Hill Farm Lane. While the listed buildings would be visible at the entrance of the site, it is considered that these sit with their defined curtilages, clearly separate from the application site, with this separation further defined by the presence of a major and busy road.

- 6.25 Taking the above into account, it is therefore considered that the application site has a stronger relationship with the properties along Hill Farm Lane towards the west and south-west, rather than the listed buildings. In addition, given that the pitches would be appropriately contained within the site, set back approximately 20m from Hill Farm Lane to the south, it is not considered that the proposed development would materially harm the views to, or understanding of, the listed buildings.
- 6.26 It is acknowledged that less than substantial harm has been identified by the Council's Conservation Officer, which would be at the very lowest end of the scale. The proposals would provide four (4) no. gypsy and traveller pitches on a site which has been previously considered suitable for such a use. The Council cannot currently demonstrate a 5-year supply of gypsy and travellers pitches and the identified need has increased significantly following the release of the latest study, the GTAA in January 2020. This public benefit is considered to be of weight in the consideration of the application. The public benefit derived from the proposals is considered to outweigh the impact on the neighbouring heritage assets, such that it is considered a refusal of planning permission on this ground would not be warranted.

#### **Impact on Neighbouring Amenity**

- 6.27 Criterion (e) of Policy 23 and Policy 33 of the HDPF requires consideration be given to the resulting amenities of neighbouring occupiers of nearby land and properties and that development should consider the scale, massing and orientation between buildings. The details submitted with the application indicate that a minimum distance of approximately 10.2m would be preserved between the closest pitch, indicated as Unit 1 and the closest neighbouring property, located to the west at Orchard Cottage Hill Farm Lane. It is noted that this would not be dissimilar to distances maintained under the previous approval for the site, reference number DC/19/0845.
- 6.28 Looking at the configuration of existing development within the immediate vicinity and as detailed above, it is evident that existing properties, particularly to the west of the application site, are located in close proximity to one another. Case officer site visits revealed that Orchard Cottage is a bungalow and there is an existing fence along the western boundary of the site, so no views are available into the site from this vantage point. It is therefore considered that the distances maintained to all neighbouring properties would be appropriate as well as the likely single storey nature of the potential static caravans/mobiles homes to be stationed on site and boundary treatments, there would be no issues of overshadowing, overbearing or overlooking from the proposals. Overall, it is not considered that the scheme would contribute to any harmful impact on the privacy or amenity of the occupiers of the neighbouring residential property, or users of adjoining land, in accordance with Policy 23 and 33 of the HDPF.

#### **Highways & Parking Considerations and Implications**

- 6.29 As detailed above, criterion (b) of Policy 23 of the HDPF requires that sites for gypsy and traveller accommodation are served by a safe and convenient vehicular and pedestrian access, and that proposals should not result in significant hazard to other road users. This is supported by policies 40 and 41 of the HDPF which require, amongst other matters, safe and suitable vehicular access and adequate parking facilities. Paragraph 109 of the NPPF sets out that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

- 6.30 The site would be accessed via an existing access point off of Hill Farm Lane to the south. As detailed above, there is a layby to the south of site of which the applicant has a right of way over. It is noted that no incidents or accidents have been recorded in this location and it is considered that given the location of the site and the proximity to the junction of Hill Farm Lane and Stane Street, speeds at this section of the highway would be relatively low.
- 6.31 WSCC Highways have raised no objections to the proposals and have stated that the proposed use would not have a severe impact on the operation of the highway network and would provide acceptable levels of off-street parking, subject to an appropriate condition. The site would also be served by appropriate pedestrian access given the presence of a pavement directly to the south and the proximity to the built up area of Codmore Hill. Overall, it is considered that the proposed use of the site would accord with the relevant section of Policies 23, 40 and 41 of the HDPF.

### **Impact on Trees**

- 6.32 It is noted that there was a cluster of trees located along the southern boundary of the site, which are the subject of a blanket Tree Preservation Order (TPO), which have been removed. Following a number of site visits and detailed consideration, the Council's Arboricultural Officer has raised no objections to the application and the removal of the trees, subject to replacement as required by a detailed landscaping and planting plan. The trees in this location were covered by a historic blanket TPO and not considered to be of special or particular amenity value. Replacing these trees will result in a positive enhancement once they have matured.
- 6.33 In addition, it is considered that the proposed pitches and associated works would be appropriately positioned in relation to the existing/remaining trees on site and sufficient space would be retained to the boundaries to allow for additional tree planting and soft landscaping. The proposals are therefore considered to be acceptable in this regard.

### **Ecology Considerations**

- 6.34 Policy 31 of the Horsham District Planning Framework states that proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. On assessment of the submitted information and following consultation with the Council's Ecology consultant, it is considered that it is unlikely that protected or priority species are present on site or that they would be affected by the development. A suitable condition and appropriate informative are recommended to ensure ecological enhancements and mitigation measures, including bird and bee boxes. Subject to this condition, it is considered that the proposals would not have a detrimental impact on ecology and overall, the proposals are considered to be acceptable in this regard.

### **Other Considerations**

- 6.35 It is noted that a number of objections have been received, including from Pulborough Parish Council, with regards to the absence of a permanent day room building when comparing the current application to the extant approval under planning. Whilst it is acknowledged that the provision of a day room for gypsy and traveller pitches is usual practice, it is open to the applicant to submit an application without the provision of day rooms. It is the case that caravans could be stationed on the site which contain all facilities that are needed.
- 6.36 There is no licencing requirement which stipulates that a day room must be provided on site for this use and any drainage and sanitation concerns raised would be handled and

addressed through a suitable drainage condition in relation to the current proposals. The proposals are therefore considered to be acceptable in this regard.

## Conclusion

- 6.35 In conclusion, it is acknowledged that the Council cannot currently meet the identified unmet gypsy and traveller accommodation need or future need in accordance with policies 21, 22 and 23 of the HDPF.
- 6.36 Whilst the site has not been allocated, this application has been considered against Policy 23 of the HDPF which relates to non-allocated sites, and all other relevant policies. Officers consider that the intensification of this site, which is well related to existing settlements, facilities and services would be acceptable. There are no unacceptable impacts with regards to highways, access, drainage, neighbouring amenity and landscape. The proposal would therefore be in accordance with Policy 23 of the HDPF and the National Planning Policy for Traveller Sites 2015.

## 7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

- 1 A list of the approved plans
- 2 **Standard 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:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
- (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

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).

- 4 **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).

- 5 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until proposed floor plans and elevations and a schedule of materials and finishes and colours to be used for external walls, roofs windows and doors for the mobile homes to be stationed on site, 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).

- 6 **Pre-Occupation Condition:** No part of the development shall be first occupied until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse/recycling has been made for the mobile homes in accordance with details that have been 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).

- 8 **Pre-occupation Condition:** Notwithstanding previously submitted details, prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing but not limited to the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting sizes densities and plant numbers and tree pit details. The proposed

trees to be planted to the front southern elevation of the site shall have a girth of between 25-30cm.

- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting
- Ecological enhancement measures

The approved landscaping 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. Unless otherwise 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. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes 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).

- 9 **Pre-occupation Condition:** A Biodiversity Enhancement Layout, providing the details and locations of the enhancement measures shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy 31 of The Horsham District Planning Framework (2015).

- 10 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework (2015).

- 11 **Regulatory Condition:** There shall be no more than pitches (4) pitches on the site with no more than one (1) mobile home/static caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) stationed on each pitch at any time. There shall be no more than four (4) touring caravans stationed on site at any time and these shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

- 12 **Regulatory Condition:** No industrial, commercial or business activity shall be carried out on from the site, including the storage of materials.

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

- 13 **Regulatory Condition:** No Heavy Goods Vehicles (defined as any vehicle having 3 axles or more and with a weight exceeding 3,500kg) shall operate to or from the site or be stationed, parked or stored on the site at any time.

Reason: In the interest of highway safety and amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

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

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

Background Papers: DC/20/0636  
DC/19/0845