

**Planning Committee (South)**  
**24 MAY 2022**

Present: Councillors: Tim Lloyd (Chairman), Paul Clarke (Vice-Chairman), John Blackall, Chris Brown, Karen Burgess, Jonathan Chowen, Michael Croker, Ray Dawe, Joan Grech, Nigel Jupp, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Jack Saheid and Diana van der Klugt

Apologies: Councillors: Philip Circus, Kate Rowbottom and James Wright

PCS/71 **MINUTES**

The minutes of the meeting held on 26 April were approved as a correct record and signed by the Chairman.

PCS/72 **DECLARATIONS OF MEMBERS' INTERESTS**

Cllr Roger Noel declared a personal interest in Item 7 – DC/21/0938 as he knew the applicant.

Cllr Lynn Lambert declared a personal interest in item 7 – DC/21/0938 as she knew they applicant.

PCS/73 **ANNOUNCEMENTS**

There were no announcements.

PCS/74 **APPEALS**

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

PCS/75 **DC/21/2206 BILLINGSHURST BUSINESS PARK, STANE STREET, BILLINGSHURST**

The Head of Development & Building Control reported that the application sought permission for the erection of a restaurant and drive-through facility, with an external patio seating area and a children's play area.

The proposed restaurant would be open 24 hours a day, 7 days a week. The application was submitted as a mixed use Class E/Sui Generis use, however officers considered the application to be purely a Sui Generis use due to the proposal being comprised of the restaurant element and the hot food takeaway/drive-through element.

The application site was comprised of a parcel of land located to the northern Phase 1 of the new Billingshurst business park, immediately joined to the new 4-arm roundabout and the entrance into the business park alongside the A29.

The wider business park occupied former agricultural lands set between a rural lane to the north and the A29 to the west.

The HDC Landscape Architect, HDC Economic Development, and Billingshurst Parish Council objected to the application. 427 Letters had been received, comprised of 124 letters of support and 303 letters of objection, since the officer report has been published a further 16 letters had been received, 8 objecting, 7 supporting and 1 commenting on the application.

One member of the public spoke in objection to the application and the applicant's agent addressed the committee in support of the application.

Members considered the consultees' responses and officer's planning assessment which included the following key issues: principle of development; loss of employment floor space; design and appearance; highways impact; and the impact on the local amenity.

#### RESOLVED

That Planning permission for application DC/21/2206 be refused for the reasons as set out in the officer report.

#### PCS/76 **DC/21/0938 HASCOMBE FARM, HORN LANE, HENFIELD**

*Cllr Brown left the meeting.*

*Cllrs Lambert and Noel left the meeting for the duration of this item.*

The Head of Development and Building Control reported that this application had been previously considered at a meeting of Planning Committee South on 15 March 2022, where Members resolved to defer the decision to enable further consideration of the noise impacts of the proposed development.

Following this resolution, a meeting had taken place between HDC officers, the applicant, local Members, and Henfield and Woodmancote Parish Councils to allow for a further understanding of the proposals, the applicants intentions, and the context of the application site.

The applicant had confirmed a willingness to accept conditions being attached to a prospective grant of planning permission to lessen concerns previously raised.

RESOLVED

That planning application DC/21/0938 be approved subject to the conditions as set out in the officer report.

PCS/77 **DC/21/1815 ST CRISPINS CHURCH, CHURCH PLACE, PULBOROUGH**

The Head of Development and Building Control reported that this application sought permission for the demolition of an existing church and the erection of 7 two-storey dwellings.

The presenting officer stated that since the committee report was published, an additional ecology appraisal report had been received. This addressed the concerns of the HDC Ecologist who recommended permission subject to conditions and referral of a Bat Appropriate Assessment to Natural England. As such, the second reason for refusal, in the officer report, relating to lack of ecology details was to be deleted.

The application site was located on the northern side of Church Place, Pulborough. The site was comprised of a parking area to the front of the site, with pedestrian access from the street and vehicular access to the rear, shared with a cul-de-sac.

Pulborough Parish Council objected to the application. 58 letters from 26 separate addresses objecting to the proposal, 1 letter of comment, and 11 letters supporting the proposal had been received.

One member of the public spoke in objection and the applicant's agent addressed the committee in support of the application.

Members considered the consultees' responses and officer's planning assessment which included the following key issues: principle of development; design and appearance; trees and landscaping; heritage impacts; amenity impacts; highways impact; ecology; and water neutrality.

RESOLVED

That planning application DC/21/1815 be refused in accordance with reason for refusal on water neutrality and additional reason for refusal as recommended by members on appearance and layout:

1. Notwithstanding information submitted, the application has not satisfactorily demonstrated with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the

National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

2. The appearance and layout of the development, with particularly reference to plots 6 & 7, is considered overdevelopment and would detrimentally affect the character and appearance of the surrounding area contrary to policies 32, 33 & 34 of the Horsham District Planning Framework (2015).

PCS/78 **TPO - 1553 STONE CROFT WOOD, FRYLANDS LANE, WINEHAM**

The Head of Development and Building Control reported that provisional tree preservation order 1553 was served on 23 February 2022 under the provisions of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. Under these regulations, the trees forming the woodland benefitted from immediate protection.

The presenting officer stated that since the committee report was published an additional objection had been received. This had been forwarded to all members. The officer stated that the letter reiterated disagreement with the proposed TPO, disputed elements of the report and raised concerns about how the application has been managed.

The woodland was located to the north of the River Adur, south of Frylands Lane.

Two letters of Objection had been received, including the letter received following the publication of the officer report.

It was stated that the affected woods also had amenity value when viewed from the public footpath on the southern side of the River Adur.

A representative of Shermanbury Parish Council spoke in support of the application. Reference was made to the Chapel to the east of the site and that the proposed TPO may limit the ability of the Parish to maintain the trees which overhang the cemetery. Officers advised members woodland can still be appropriately managed with a TPO in place.

RESOLVED

That TPO 1553 be approved.

*The meeting closed at 4.28 pm having commenced at 2.30 pm*

CHAIRMAN