

Development Management (South) Committee
19 JULY 2016

Present: Councillors: Brian O'Connell (Chairman), Paul Clarke (Vice-Chairman), David Coldwell, Philip Circus, Roger Clarke, Ray Dawe, Brian Donnelly, David Jenkins, Nigel Jupp, Liz Kitchen, Gordon Lindsay, Paul Marshall, Mike Morgan, Jim Sanson, Kate Rowbottom, Claire Vickers and Michael Willett

Apologies: Councillors: John Blackall, Jonathan Chowen, Tim Lloyd and Ben Staines

Also Present:

DCS/20 **MINUTES**

The minutes of the meeting of the Committee held on 21st June were approved as a correct record and signed by the Chairman.

DCS/21 **DECLARATIONS OF MEMBERS' INTERESTS**

S106/16/0005 Councillor Jupp declared a personal interest, as he knew the applicant.

DCS/22 **ANNOUNCEMENTS**

There were no announcements.

DCS/23 **APPEALS**

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

DCS/24 **DC/16/0642 - LAND WEST OF MILL STRAIGHT, WORTHING ROAD, SOUTHWATER (WARD: BILLINGSHURST AND SHIPLEY) APPLICANT: MILLER HOMES LTD SOUTH AND WATES DEVELOPMENTS LTD**

The Development Manager reported that this application sought approval of reserved matters relating to outline permission DC/14/2582 for the erection of 193 dwellings, including 40% affordable housing (78 units), which had been approved in September 2015 (Minute No. DSC/8 (21.5.15) refers). There would be ten separate parcels of housing in an informal street layout. The reserved matters related to: layout; scale and appearance of each building; and landscaping.

The application had been deferred by the Committee in June 2016 in order to address concerns regarding: the housing mix; the separation distance on the northern border; and to seek the inclusion of an on-site half basketball court (Minute No. DCS/8 (21.06.16 refers).

Since publication of the report an addendum had been circulated advising that the Secretary of State was considering whether to call-in the application following a request, and that in response to re-consultation there had been six further objections from four addresses and further comments from the parish council.

It was also reported to committee that recent amendments had been received since the addendum was printed. The amendments moved the proposed property to the south of Doneechka (in the north east corner of the site) further away from northern boundary. This property is now 15m away from the boundary with Doneechka. The applicant also amended the scheme so to remove a pathway linking the development to the existing public right of way along the northern boundary, which would have resulted in the loss of a tree. The tree is now to be retained.

The application site was located in a countryside location to the South-West of Mill Straight within the Parish of Shipley, but adjacent to The Fieldings on the southern boundary of the built up area of Southwater. It comprised mostly open arable land, with ancient woodland to the western side where a tributary of the River Adur ran. There were mature trees along the northern edge of the site where there was a public footpath. There was a substantial hedgerow adjacent to Mill Straight with an avenue of poplar trees parallel to this within the site.

Members were referred to the previous report which contained details of relevant policies, planning history, the outcome of consultations and a planning assessment of the proposal.

Three members of the public spoke in objection to the proposal, along with Southwater Parish Council, and the applicant addressed the Committee in support of the application.

Members considered the revised housing mix that had been submitted by the applicant, which included an additional 11 3-bedroom houses. It was noted that the Highways Authority raised no objection to the revised parking layout which had been required to enable the proposed changes to the housing mix.

It was noted that the proposed revisions had increased the separation distance from parts of the Northern Boundary. The applicant's comments regarding the half basketball court were considered by the Committee.

RESOLVED

That planning permission be delegated to the Development Manager for approval subject to confirmation from the Secretary of State that the application is not to be called-in, and subject to appropriate

conditions and the amended layout plan, and the additional condition to remove permitted development rights to properties along the northern boundary.

DCS/25 **DC/16/0274 - LAND SOUTH OF MARRINGDEAN ACRES, MARRINGDEAN ROAD, BILLINGSHURST (WARD: BILLINGSHURST AND SHIPLEY)**

The Development Manager reported that this application, which had originally sought permission for 45 dwellings together with associated access road, car parking, landscaping and open space, had been amended to seek permission for 51 dwellings comprising: two 1-bedroom and 15 2-bedroom houses; four 2-bedroom bungalows; 17 3-bedroom houses and 13 4-bedroom houses. The dwellings would be of traditional design and accessed from the development to the east, and the dwellings would be set around four cul-de-sacs. The footprint of the scheme remained the same.

A small play area to the North was proposed within an open space that continued around the Western boundary adjacent to the railway line. This open space would include two attenuation basins and a pumping station. A hedgerow running across the site would be retained. A substantial belt of open space and new planting was also proposed along the Southern boundary. Housing would be denser to the North of the site with bungalows closest to the Southern boundary.

The application site, which was allocated for development within the Horsham District Planning Framework, was located 1.2 kilometres South of Billingshurst and was adjacent to residential development under construction to the North and East.

There was open countryside to the South, and a railway embankment above the site to the West. A public right of way ran along the Southern boundary.

Details of relevant government and council policies and planning history, as printed in the report, were noted by the Committee.

The responses from internal and external consultees, as contained within the report, were considered by the Committee. The Environment Agency had no comments regarding the flooding issue.

The Parish Council had strongly objected to the proposal. Eleven letters of objection, and one letter of support, to the original proposal had been received. The agent spoke in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the development; design and layout and its impact on the surrounding streetscene; landscape; noise and vibration; highways and parking; drainage

and flooding; affordable housing provision; infrastructure contributions; neighbouring amenity; and ecology.

The local Members expressed their concerns regarding the access to the site; in particular, the width of Honeysuckle Drive.

RESOLVED

- (i) That a legal agreement be entered into to secure the required affordable housing and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/16/0274 be determined by the Development Manager. During determination an additional condition be included to ensure that development shall not commence until full details of the maintenance and management of the SuDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs. The view of the Committee was that the application should be granted.

DCS/26 **DC/15/2810 - LAND AT STEELE CLOSE AND AT SINNOCKS, WEST CHILTINGTON (WARD: CHANCTONBURY)**

The Development Manager reported that this application sought permission for the erection of 15 dwellings. Fourteen affordable housing units comprising seven 2-bedroom, five 3-bedroom and two 1-bedroom units were proposed on a parcel of land accessed from Steele Close. One 4-bedroom open market unit was proposed on a parcel of land to the North-East, accessed from Sinnocks. The applicant had stated that the provision of the affordable units was dependent on permission being granted for the open market unit.

Both sections of the application site were located outside but adjacent to the built-up area boundary of West Chiltington. The part of the site proposed for affordable housing was well screened from much of the surrounding land.

The surrounding properties included a variety of spacious dwellings outside the village and more densely developed village properties. The adjacent housing in Steele Close and The Juggs comprised largely semi-detached units.

Details of relevant government and council policies and planning history, as printed in the report, were noted by the Committee.

The responses from internal and external consultees, as contained within the report, were considered by the Committee.

The Parish Council had strongly supported the proposal. Fifty-two letters of objection, and one letter of support, had been received. An additional seven letters of objection had been received since publication of the report, and a letter of concern had also been received from the Sussex Badger Trust. Two members of the public spoke in objection to the proposal and the agent and the applicant addressed the Committee in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the development; its design; affordable housing provision; impact on the amenity of neighbouring occupiers; ecology; highways; and the impact on the surrounding countryside.

RESOLVED

- (i) That a legal agreement be entered into to secure the required affordable housing and infrastructure contributions.
- (ii) That on completion of (i) above, planning application DC/15/2810 be determined by the Development Manager. During determination of the application additional conditions to be added to those as reported regarding:
 - 1. Pre-commencement submission of a badger mitigation plan
 - 2. Upgrading of the woodland
 - 3. Provision of broadband connection
 - 4. Restricting hours of construction, following consultation with the parish council
 - 5. Amendment to Condition 18 regarding an Ecological Mitigation and Management Plan
 - 6. Removal of permitted development rights on the house and garden on the single open market unit

The view of the Committee was that the application should be granted.

DCS/27 **DC/16/1009 - 4 GORSE BANK CLOSE, STORRINGTON, PULBOROUGH**
(WARD: CHANTRY)

The Development Manager reported that this application sought permission for the construction of a detached, L shaped, three bedroom dwelling with integral garage. The proposed dwelling would be larger than the previously approved permission DC/15/1224, which had included a detached garage instead of an

integral one. The application had been submitted due to the presence of a sewer on the land that prevented the construction of the garage in the approved location.

The application site was located within the built-up area of Storrington and had been part of the garden area 4 Gorse Bank Close. The rear boundary backed onto Melrose Place. Properties within Gorse Bank Close were of similar design and were set back from the front boundary.

Details of relevant government and council policies and planning history, as printed in the report, were noted by the Committee.

The responses from internal and external consultees, as contained within the report, were considered by the Committee.

Since the report, an updated comment from the Council's drainage engineer had been received, regarding the need to confirm the exact location of any sewers/mains across the site and requiring details of a surface water drainage system (designed in accordance with BRE guidance and informed by infiltration testing) to be submitted and implemented, through an appropriate condition.

The Parish Council had objected to the proposal. Six letters of objection (including one from the Melrose Place Residents Association) had been received. One member of the public spoke in objection to the proposal and the agent addressed the Committee in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of the development; the design and siting of the proposal; its impact on the amenity of neighbouring properties; drainage; and highways.

RESOLVED

That planning application DC/16/1009 be granted subject to the conditions and reasons as reported.

DCS/28 **S106/16/0005 - LAND AT FALCONERS FARM, SINCOX LANE, SHIPLEY** **(WARD: BILLINGSHURST AND SHIPLEY)**

The Development Manager reported that this application sought to discharge the legal agreement attached to planning permission SP/32/92 for a two storey extension to provide a granny annexe. The legal agreement required:

- That the development shall not be occupied as a separate dwelling or unit of accommodation from the dwelling house known as Falconers Farm edged blue on the plan

- That the owner shall not dispose of any interest in the land or buildings edged red on the plan except as a whole without consent in writing by the council.

The applicant considered that these requirements were no longer relevant nor served a planning purpose.

The application site was located to the south of the settlement of Shipley, south east of Sincox Lane, in a countryside location.

Details of relevant government and council policies and planning history, as printed in the report, were noted by the Committee.

The response from the Council's Legal Department, as contained within the report, was considered by the Committee.

The Parish Council had not commented on the proposal. There had been no representations from members of the public.

Members considered the officer's planning assessment and concluded that the legal agreement no longer served a useful purpose, given that there were planning permissions for additional buildings on the site.

RESOLVED

That the legal agreement dated 21st July 1993 attached to planning permission SP/32/92 be discharged and the entry relating to it be removed from the local land charges register maintained by the Council.

The meeting closed at 4.48 pm having commenced at 2.30 pm

CHAIRMAN