



**Horsham  
District  
Council**

# **DEVELOPMENT MANAGEMENT REPORT**

**TO:** Development Management Committee (South)

**BY:** Development Manager

**DATE:** 16 August 2016

**DEVELOPMENT:** Development of the site to provide 23 dwellings and 6 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road. Construction of private parking bays to serve existing dwellings on Stopham Road served by new access from Stopham Road.

**SITE:** Land Adjacent Railway Cottages and Pulborough Railway Station  
Stopham Road Pulborough West Sussex

**WARD:** Pulborough and Coldwaltham

**APPLICATION:** DC/16/0728

**APPLICANT:** Willowmead & Network Rail

**REASON FOR INCLUSION ON THE AGENDA:** (1) The application, if permitted, would represent a Departure within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999  
(2) The Parish Council have requested the opportunity to address the Committee.  
(3) More than 5 representations contrary to the Officers' recommendation have been received.

**RECOMMENDATION:** To refuse the application

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

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

1.2 The application follows refusal of DC/15/1025 which proposed development of 24 dwellings and 4 flats with a 106 space station car park. The application proposes the erection of 29 dwellings, comprising 23 houses and 6 flats, of which 10 would be affordable. Also proposed is the construction of a car park to serve Pulborough Rail Station and highway works to Stopham Road, including the erection of bollards to prevent parking on certain stretches of verge, creation of surfaced parking laybys intended for use by existing residents of Stopham Road, erection of speed limit signage and a traffic light system to allow pedestrians to cross beneath the railway bridge. Most of the highway works are not within the red edge of the application site and require the consent of the Highway Authority and not the Local Planning Authority, they therefore do not form part of the description of development. They do however form part of the package of works put forward as part of

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the overall proposal. The creation of access to the proposed Stopham Road resident's parking bays does require planning permission.

- 1.3 The proposed development would be served by a new access onto Stopham Road. The access would continue north of the residential development to serve a new public car park on the western side of the tracks at Pulborough Station. The Applicant has indicated in their email of 1<sup>st</sup> July that they intend for the proposed roads within the development to be un-adopted and remain in private ownership. The proposed car park to the west of the railway line would have 106 spaces. Those dwellings facing the main access road have very short front gardens, or in the case of Plots 20, 22 and 23, are hard up to the edge of the footway. The dwellings located on a spur off of the main access (plots 1-5) are set further back in their plots, allowing for parking to the front of the dwellings.
- 1.4 The residential element comprises a mix of detached, semi-detached and terraced dwellings, as well as 6 flats. The proposal would provide five 4-bedroom houses, ten 3-bedroom houses, eight 2-bedroom houses (2 of which also have a study at first floor), four 2-bedroom flats and two 1-bedroom flats. Most of the houses are provided with at least two parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 12-space parking court, including undercroft parking, is proposed to serve units 12a-18 (eight units, although two of these are 1-bedroom flats). The flats are also served by a detached building providing storage for six bicycles and two 1100 litre bins.
- 1.5 The house types incorporate a variety of gabled and hipped roof forms, and dwellings vary in orientation, with some being wider than they are deep and vice versa. The height of buildings ranges from 5.5m in the case of the single storey dwelling at Plot 20 to 10m in the case of the flats. However, most of the dwellings have a height in the region of 8.6 metres.
- 1.6 The Design and Access Statement sets out that the buildings would be constructed with brick facing walls to the lower half and hanging tile to the upper half, and plain clay tiles to the roofs, although some of the elevations also show large areas of render.
- 1.7 The application is accompanied by a number of supporting documents including:
  - Planning, Heritage, Design and Access Statement
  - Landscape Visual Impact Assessment
  - Drainage Strategy and Flood Risk Assessment
  - Transport Statement
  - Code for Sustainable Homes Report
  - Phase 1 Desk Study (land quality)
  - Arboricultural Implications Assessment
  - Light Impact Assessment
  - Acoustic Report
  - Sustainability and Renewable Energy Report
  - Ecological Appraisal Report
- 1.8 The proposed drawings are virtually identical to those previously considered under DC/15/1025. The main differences are the splitting the dwelling formerly proposed at Plot 12 into two flats, addition of single storey rear sections to plots 20-26, addition of a single storey side section to plot 9, replacement of a detached double garage serving plot 12 with two surface parking spaces and addition of a flat crown roof to the building comprising flats.

### DESCRIPTION OF THE SITE

- 1.9 The part of the site proposed for residential development lies outside of the built-up area boundary of Pulborough. The part of the site proposed for a car park lies within the built-up area boundary. The land in the vicinity of the site slopes down towards the river Arun to

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the south, on the opposite side of Stopham Road. The South Downs National Park boundary is the opposite side of the river, about 62m south of the site. To the west, the SDNP boundary is about 138m from the site boundary. The signal box to the north of the proposed car park site is a listed building. There is a row of 11 dwellings on the opposite side of Stopham Road, but these only extend for less than half the width of the application site. North of the site lies a field, which slopes up to a group of farm buildings and an area of woodland towards the crest of the hill. An archaeological notification area, Park Mound, lies towards the top of the hill, about 400m north west of the site.

- 1.10 The proposed residential site is set at a higher level than Stopham Road, with the difference in levels most pronounced towards the eastern end of the site. Nos. 1 and 2 Railway Cottages have a high retaining wall to their front boundary, and this difference in levels continues west, with a steep bank (which is currently covered by a mix of trees and shrubs) rising from Stopham Road up to the application site. The existing access is gated and surfaced. The rear and western boundaries of the site are demarked by hedging and a few larger trees. The boundary with No. 2 Railway Cottages is demarked by close boarded fencing.
- 1.11 There is an existing access immediately to the west of the railway bridge which serves Railway Cottages and also provides maintenance access to the western side of the railway line. There is a layby off the access track which is used for parking by occupiers of Nos. 1 and 2 Railway Cottages, but which is understood to be within Network Rail's ownership. The existing access road to the north of Railway Cottages would be widened to allow public access to the proposed car park. The land proposed for car park use includes an area of roughly surfaced land immediately adjacent to the western platform, and encroaches into an area of disused railway sidings, which had been covered by self-seeded vegetation, although this has recently been partly cleared.
- 1.12 There is pavement in front of Nos. 1-11 Stopham Road, but none beyond this. The narrow width of the railway bridge means that there is insufficient space for pavement and there is no demarked pedestrian area under it.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10, 11 and 12.

### RELEVANT COUNCIL POLICY

- 2.3 The Development Plan consists of the Horsham District Planning Framework (November 2015) (HDPF).
- 2.4 The relevant Policies of the HDPF are 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 4 (Settlement Expansion), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 25 (The Natural Environment and Landscape Character), 26 (Countryside Protection), 30 (Protected Landscapes), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Cultural and Heritage Assets), 35 (Climate Change), 36 (Appropriate Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision), 40 (Sustainable Transport) and 41 (Parking).

## NEIGHBOURHOOD PLAN

- 2.5 The Submission (Regulation 16) version of the Pulborough Parish Neighbourhood Plan (PPNP) was subject to public consultation from 23 November 2015 to 08 January 2016. Having considered the representations received in response to the consultation, the Council has decided that the plan should not proceed to examination at the current time. Policy 10 of the Submission version of the PPNP allocates the site for residential development of approximately 28 dwellings fronting Stopham Road and a public car park of approximately 100 spaces adjoining the railway station.

## PLANNING HISTORY

DC/15/1025	Development of the site to provide 24 dwellings and 4 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road	Refused
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## 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

- 3.1 HDC Collections Supervisor (refuse and recycling): No objection.
- 3.2 HDC Ecology Consultant: No objection, subject to conditions requiring approval of an ecological mitigation and management plan prior to commencement and preventing installation of external lighting, unless approved by the LPA.
- 3.3 HDC Drainage Engineer: No objections, subject to conditions requiring approval of detailed drainage design and securing the implementation and maintenance of any sustainable drainage features.
- 3.4 HDC Environmental Co-ordination Manager:
- The Sustainable and Renewable Energy Statement submitted does not make reference to current planning policy and contains no detail on if the proposal will meet the 100 litres per person per day water use target contained in Policy 37.
  - No data is provided for baseline and predicted energy demand and the energy that will be saved. A figure should be provided for the reduction in energy use that will be achieved for each of the energy saving measures used, as well as any renewable technology that is installed.
  - Little information has been given to justify why solar thermal and PV have not been included and why heat pumps have been opted for.
- 3.5 HDC Landscape Architect: Objection. Comments include the following points:
- Concur with the majority of comments made on the previous application by previous Landscape Architect.
  - Extensive loss of existing vegetation which collectively makes a valuable contribution to the landscape character of the site and immediate surrounds.
  - Proposed new boundary planting is within very narrow buffer strips insufficient to provide appropriate screening and softening of the development.

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- Removal of existing parking on verges of the A283 is a landscape benefit, but the proposals are undermined by formalising with hardsurfacing of existing residents parking in the immediate vicinity of the site in addition to the footpath which adds to the need for existing planting to be removed.
- The dense development of the site of an urban character is likely to have a moderate-adverse impact.
- Development would relate poorly to settlement boundary, extending residential dwellings a long way westwards into very open countryside on a visually prominent site.
- The layout would be perceived as 'ribbon' development, although the existing buffer west of the site access would somewhat help reduce this effect.
- There would be no meaningful transition in the height and scale of the development extending westward.
- The three dwellings at the western end of the development would create a 'wall' of development, uncharacteristic of the countryside.
- Development would erode the immediate setting of the SDNP and intrude on views of the Arun/Rother floodplain landscape and the backdrop of the downland escarpment.
- There are some views from public footpaths where no existing view of the site is or is likely to be available, but the principle concerns are in respect of the visual impact of the development from near distance views to the north, south and west of the site.
- Proposed gardens are of very small proportions and in close proximity to existing trees/hedgerows, so will suffer from shading and overhang. This will result in immediate post-development pressures on the removal and/or reduction in size of this buffer as they screen and shade out much desired afternoon and evening sun to plots 4-6 and 9-12, in addition to improving views to countryside to plots 21-27.
- Development cannot be supported in its current form on landscape and visual grounds due to the adverse effects on the open and rural landscape lying immediately north and north-west of the development.
- The development will extend built form further into the countryside and reduce the existing open transition from urban to rural leading to an urbanising effect on the setting of the SDNP.
- The development is not of an appropriate scale for its countryside location and fails to integrate successfully into the wider landscape.
- The proposal is in conflict with HDPF Policies 2, 25, 26, 27 and 33.
- Recognise that some development could be successfully implemented with an acceptable level of adverse effect, but with a significantly reduced number of units to allow for a more harmonious design transition to open countryside.

### 3.6 HDC Strategic Planning: Objection. The consultation response includes the following points:

- The latest Authority Monitoring Report demonstrates a 114% 5-year housing land supply.
- The Sustainability Appraisal produced in support of the HDPF concluded that growth beyond 750-800 dwellings per annum would have an impact on sustainability due to a lack of available infrastructure to support new development which cannot be delivered in the short term.
- Over 1,000 dwellings per annum are being delivered in the first 5 years of the plan. Therefore the sustainability threshold is already being challenged.
- Any development beyond that already allocated in accordance with HDPF Policies 3 and 4 would be unsustainable, particularly in the short term while the District has such a high 5-year supply.
- Proposal does not comply with Policy 2 as it does not comply with the development hierarchy and does not protect the rural character and landscape around the edges of the existing settlement of Pulborough.
- Proposal does not comply with Policy 3 as it is outside of the settlement boundary.
- Proposal does not comply with Policy 4 as it is not allocated for settlement expansion in the HDPF or Neighbourhood Plan, does not demonstrate that it meets identified local housing

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need as there is a 5-year housing land supply and does not protect or enhance landscape character features.

- Proposal does not comply with Policy 26 as it is not essential to the countryside location.
- An objection to the proposal at this stage does not preclude the site from coming forward as part of an allocation in a Neighbourhood Plan.
- Although the site is included in the Draft Pulborough Neighbourhood Plan, this is not Made and therefore cannot be a material consideration.
- For the off-site highway works and additional station car park to be considered as benefits of the development, the need for these facilities should be supported by evidence and whether this is the best solution to meet an identified need.
- The Strategic Planning comments on previous application DC/15/1025 commented that there was insufficient evidence to support the proposal on the basis of works being put forward as 'benefits'.
- The 2016 Infrastructure Delivery Plan update does not include a station car park and as such, there is no HDC evidence to support the need for these facilities.
- Proposal is therefore in conflict with the adopted Development Plan.

### OUTSIDE AGENCIES

- 3.7 WSCC Highways: No objection subject to conditions and legal agreement. Original consultation response of 3<sup>rd</sup> May raised a number of concerns, mainly relating to insufficient information being submitted to demonstrate that acceptable off-site highway works could be delivered. The Applicant has continued discussions with the Highway Authority and submitted additional and amended information. The Highway Authority now raise no objection, subject to conditions and a legal agreement including the following:
- Construct the vehicle access pre-commencement
  - Create the visibility splays and implement means by which to ensure these remain clear pre-commencement
  - Provide the resident's parking bays pre-commencement.
  - Provide the traffic signals and footway beneath and on the approach to the railway bridge pre-first occupation or first use of the car park.
  - Have the car park available for use prior to initial occupation of the dwellings
  - Ensure each dwelling is provided with its allocated parking prior to occupation
  - Ensure the internal access road is constructed to an acceptable standard.
  - Approve a construction management plan
  - Secure a TRO payment for moving the speed limit signs
  - Secure a TRO payment for the new traffic signals
  - Prevent commencement of development until residents parking bays, site access and works in the vicinity of the railway bridge are completed.
  - Ensure a management company is in place to enforce residents parking only within the development and within the Stopham Road residents' parking bays
  - Ensure access to the car park is available through the development's private road in perpetuity.
  - Fund initial maintenance of the bollards along Stopham Road.
- 3.8 WSCC Strategic Planning: No objection, subject to Legal Agreement requiring financial contributions towards education, libraries, fire and rescue and transport.
- 3.9 WSCC Flood Risk Management (as Lead Local Flood Authority): No objection, subject to conditions requiring full details of surface water drainage design and management/maintenance to be approved prior to commencement.
- 3.10 WSCC Rights of Way team: No objection.

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### 3.11 South Downs National Park Authority: Comment

- Site is about 100m north and east of the boundary with the SNDP and is seen from elevated viewpoints along the Wey-South Path national trail.
- SDNPA are concerned about the extension of the built-up area west of the railway line into open countryside and closer to the boundary of the SNDP, leading to an urbanising effect on its setting including through infrastructure and light pollution.
- On balance, a limited development does provide opportunities for substantial benefit through the provision of station parking to address the problem of unmanaged parking on grass verges along Stopham Road and will in turn provide a safer and more attractive entry into the SDNP.
- Should this allocation be retained within the Pulborough Neighbourhood Plan, the SDNPA would expect to see clear requirements that any development must be part of a comprehensive proposal to address the unmanaged parking on Stopham Road, improve the entrance to the village/SDNP and minimise any impact on the setting of the SDNP.
- External and street lighting should be designed to minimise the impact on the Dark Night Skies objective of the National Park.
- Urban expansion of Pulborough to the west would significantly erode the important open countryside transition from urban to rural and in particular upon the setting and special qualities of the National Park.
- Reduction in the green and open space closer to the boundary of the SDNP would erode the natural green space protection currently afforded by the countryside that the site would occupy.
- A greater degree of transitional buffer land between the development and the boundary of the SDNP would be appropriate and would help reduce the impact of the new housing scheme on the setting of the SNDP and allow for a more natural transition from urban form to the SDNP.
- Proposal would introduce noise and disturbance closer to the boundary of the SDNP.
- External materials should be of a type and quality to fit into the local vernacular.

3.12 Southern Water: No objection subject to condition. Advise the development will need to provide additional infrastructure as a result of increased flows into the wastewater sewerage system, which can be secured by S98 of the Water Industry Act 1991. Conditions requiring approval of foul and surface water drainage disposal are requested to ensure that the development does not result in an increased risk of flooding in and around the site.

3.13 Sussex Police: No objections

## PUBLIC CONSULTATIONS

3.14 Pulborough Parish Council: No objection, but raise the following concerns:

- The road servicing the proposed car park goes through an area of houses.
- A form of hedge along the northern boundary should be agreed.
- The 30mph speed limit sign is not far enough to the west, and should be placed west of the Park Farm driveway.
- The proposed new car park of 100 spaces is not enough.

3.15 16 Letters of support from 12 households have been received by the Council. The points raised can be summarised as follows:

- The houses are well designed.
- Proposal will bring some life back to this part of the village.
- Most development has taken place at the north of the village, and this proposal will balance this with some development to the west.
- Additional houses will provide closure to the edge of the village.
- Existing parking on Stopham Road is messy and an eye-sore.
- Coupled with highway improvements, the approach to Pulborough will be improved.

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- Cars often have to park on Stopham Road as the station car park is full.
- Inclusion of affordable units is supported, as there is a need for this locally.
- It is not safe to walk through the railway tunnel, so residents to the west must feel cut off from the village.
- Proposal will allow residents to walk under the railway bridge.
- Proposal will provide better disabled access to the platform.
- 28 dwellings will not have a significant effect on traffic.
- Doubt that the District or County Councils will ever have the funds to implement the proposed scheme of improvements.

3.16 17 Letters of objection from 11 households have been received by the Council. The points raised can be summarised as follows:

- Proposal will exacerbate parking on Stopham Road.
- Proposal will result in loss of views of the countryside from nearby dwellings and public footpaths.
- Commuters park on Stopham Road as it is free. The new car park will not change habits.
- Commuters start parking on Stopham Road from 0530am, when there is ample parking available at the station.
- Proposal will push parking on Stopham Road elsewhere.
- The A283 becomes congested at the railway bridge, and the proposed pedestrian controlled crossing will add to this.
- Traffic from the 100-space car park will add to traffic flow problems and will be a safety hazard.
- This part of Pulborough is a buffer to the SDNP.
- Overlooking and loss of privacy to occupiers of 2 Railway Cottages and houses on the opposite side of the road.
- Gateway to Pulborough should be kept green.
- There is no market for these, as there are sufficient houses currently on the market in Pulborough.
- Access remains unsafe- the narrow railway bridge is a hotspot for HGVs becoming stuck, with regular scrapes and near misses.
- This area commonly floods.
- Lighting will damage views across the downs.
- Village school is already at capacity.
- Development is located outside of the built-up area.
- This is a ribbon development which encroaches on the SDNP.
- Insufficient sight lines from the access onto Stopham Road.
- Doubtful whether the current sewerage system could cope.
- Proposal is a dense, ribbon development and would be a blot on the landscape.
- Proposal would set precedent for further building.
- Nothing to warrant a different decision from the previous refusal.
- There is insufficient infrastructure to support new residents.
- Disabled bays have been provided within the new car park, but it is not feasible for anyone who cannot walk well to gain access to or from the railway station.

## **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 application follows the refusal of DC/15/1025. While the main consideration and starting point for assessment of any planning application is whether the proposal complies with the adopted Development Plan, regard must also be had for any other relevant material considerations. The previous reasons for refusal are a strong material consideration of significant weight in determining this application. It must therefore be considered whether any changes to the proposal, the site or the Policy context in which the application is determined would warrant the Council taking a different decision to that under DC/15/1025.
- 6.2 The previous application DC/15/1025 was considered by Members at the 17<sup>th</sup> November 2015 meeting. At that time, the Examiner's report of the HDPF had been received and the HDPF was due to be adopted at the 27<sup>th</sup> November Council meeting (it was adopted as planned). Given the stage at which the HDPF was at when DC/15/1025 was determined, it was given considerable weight in the Officers' report and in Member's discussion of the application. Therefore, although there has been a material change to the adopted Development Plan since the previous refusal, the previous application was considered against the new Development Plan, and the previous reasons for refusal included reference to the relevant Policies of the HDPF.
- 6.3 Pulborough Parish are preparing a Neighbourhood Plan (the PPNP). The previous draft of the PPNP which was published at the time of determination of DC/15/1025 included land subject of the application as an extension of the built-up area boundary, but the draft plan did not include a specific allocation for the site explaining what should be delivered there (i.e. use, amount etc.). The current draft of the PPNP proposes to allocate the site to the west of the railway for residential development to facilitate access to the western side of the railway line and creation of a carpark of about 100 spaces. Having considered the representations received in response to the PPNP Regulation 16 consultation, HDC has decided that the plan should not proceed to examination at the current time. The representations from the Regulation 16 consultation included objections to Policy 10, which relates to the application site. Given that there are a number of outstanding objections to the PPNP, and as it has not been through the process of examination or referendum, it is considered that the PPNP can be afforded only little weight in decision making. Furthermore, it is understood that the Parish intend to revise the draft PPNP and revert back to the early consultation stage, i.e. collecting additional evidence base to feed into a new Pre-Submission (Regulation 14 stage) draft. In determining the previous application, the Council also gave little weight to the draft PPNP, given the early stage it was at. The new draft Policy 10 is a material change since the previous refusal, albeit one which can still only be given little weight as a result of the stage that the draft plan is at.
- 6.4 The previous application was assessed for compliance with the HDPF, little weight was given to the PPNP in assessing the previous application, and the proposed plans are virtually the same as previously submitted. As such, the previous Officers' report (appended) sets out the main issues and Policies for consideration of this proposal. The main consideration now is therefore whether the previous reasons for refusal have been addressed.

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### Consideration of the First Reason for Refusal of DC/15/1025

- 6.5 The first reason for refusal of DC/15/1025 related to the principle of development and stated:

*“The application site is located outside of the built-up area boundary and is not allocated for residential development in a Made Neighbourhood Plan. The development of the site is therefore contrary to the emerging spatial strategy for growth in Horsham District and is contrary to Policies 2, 3, 4 and 15 of the emerging Horsham District Planning Framework.”*

- 6.6 As set out above, although Policy 10 of the PPNP seeks to allocate the site for residential development and a car park, there are outstanding objections to the draft PPNP and it has not been through Examination or referendum. Therefore, although the draft PPNP provides an indication of local aspirations and which sites may be acceptable for development locally, it can only be afforded little weight and this is confirmed in the Strategic Planning Officer’s consultation response. Given this limited weight, the PPNP does not amount to a material change to the Policy context in which this application is considered. Although it is noted that Policy 4 does not state that a site must be allocated in a ‘made’ Neighbourhood Plan in order for development to comply with the Policy, a document can only be formally recognised as a ‘Neighbourhood Plan’ once it has been ‘made’ by the District Council and therefore forms part of the Development Plan. The site therefore is not ‘allocated for residential development in a Made Neighbourhood Plan’ and the first reason for refusal remains applicable to the current application.

### Consideration of the Second Reason for Refusal of DC/15/1025

- 6.7 The second reason for refusal of DC/15/1025 related to landscape harm and stated:

*“The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies CP1 and CP3 of the Horsham District LDF Core Strategy and Policies DC1, DC2 and DC9 of the Horsham District LDF: General Horsham District Local Development Framework General Development Control Policies (2007), to the Facilitating Appropriate Development SPD and to Policies 4, 25, 27 and 30 of the emerging Horsham District Planning Framework.”*

- 6.8 The proposal has not materially changed in terms of scale, appearance and layout since the previous application. The SDNPA position has changed slightly since the previous refusal, and although they still raise concern ‘about the extension of the built-up area west of the railway line into open countryside and closer to the boundary of the SDNP’ and the urbanising effect on the setting of the SDNP, they acknowledge that a ‘limited development does provide opportunities for substantial local benefit through the provision of greater station parking and addressing the problem of unmanaged parking on the grass verges of Stopham Road which will provide a safer and more attractive entry into the National Park. The consultation response identifies the need for a greater degree of green transitional buffer land between the development and the boundary of the National Park, and allowing for a more natural transition from the urban form. Therefore, although the SDNPA acknowledge some of the benefits that could be delivered from a ‘limited’ development here, they advocate a larger area of green space to create a better transition from urban area to countryside.

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- 6.9 The HDC Landscape Architect has reviewed the proposal and advises that, although some development of a significantly reduced number of dwellings could potentially be accommodated within the site, concern is raised regarding the scale, amount and layout of development as proposed. The Landscape Architect assesses the development as having an urbanising impact on the setting of the SDNP and as not being an appropriate scale for the countryside location. The areas for buffer planting are considered to be too narrow and the layout of development, and its extent beyond the existing built-up area, is considered to be harmful to landscape character. Therefore, the landscape harm arising from the proposal remains as previously assessed and the second reason for refusal remains applicable.

### Consideration of the Third Reason for Refusal of DC/15/1025

- 6.10 The third reason for refusal related to the absence of a legal agreement to secure affordable housing provision and financial contributions to infrastructure. It stated:

*“Policy CP12 requires provision of 40% affordable units on developments involving 15 units or more, while the emerging HDPF Policy 16 requires 35% affordable housing provision on developments of this size. Policy CP13 and Policy HDPF 39 require new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policy CP12 and CP13 of the Horsham District Local Development Framework Core Strategy (2007), to the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document, the emerging HDPF Policies 16 and 39 and to the NPPF, in particular paragraph 50.”*

- 6.11 Policy 16 of the HDPF sets out that the Council will seek for at least 35% of units on a development of this scale to be affordable, with the preferred tenure mix being 70% rented, and 30% shared ownership. This equates to 10 units on this scheme of 29 units. Application DC/15/1025 originally did not propose any on-site affordable housing or financial contribution towards off-site provision. Negotiations involving the Council's and Applicant's financial consultants led to an agreement to provide 10 affordable units in a 50/50 rented/shared ownership tenure split. The current application also proposes 10 affordable units in a 50/50 rented/shared ownership tenure split. The provision of the affordable units must be secured by way of a Legal Agreement.
- 6.12 The County Council have requested infrastructure contributions to education (primary, secondary and sixth form), libraries, fire and rescue services and a total access demand contribution (separate to the specific highway works and traffic regulation order contributions required in connection with the proposed development). The Council's Parks and Countryside Team have highlighted that the development does not make on-site provision for open space, sport or recreation facilities and that a contribution to off-site provision would be necessary. Subject to identification of suitable projects that meet the relevant CIL-compliance tests, such contributions can be included in a Legal Agreement. The Applicant's Planning, Design and Access Statement indicates their intention to provide these contributions. However, no Legal Agreement is in place to secure affordable housing provision and infrastructure contributions at the current time and therefore, the proposal remains contrary to Policies 16 and 39 of the HDPF and the third reason for refusal remains applicable.

### Matters Not Previously Objected To

- 6.13 In the assessment of the previous application other matters including the amenity of neighbouring residents, the impact on heritage assets (including the setting of the listed signal box), the amenity of future occupiers, biodiversity, ecology and drainage, were

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considered to be satisfactorily addressed. Given the minimal changes to the scheme since the previous refusal, no objections are raised in these respects.

### Other Material Considerations

- 6.14 As set out above, the previous reasons for refusal of DC/15/1025 have not been addressed, and the policy context has not changed materially. The proposal therefore remains contrary to the Development Plan. However, in determining a planning application, consideration must also be given to whether there are any other material considerations which would warrant permitting the proposal as a Departure from the Development Plan. In this case, there are off-site highway works and provision of an additional station car park put forward by the applicant as benefits of the application.
- 6.15 The Officers' report of DC/15/1025 assessed whether there was sufficient evidence to support the proposal as a Departure from the Development Plan on the basis of works being put forward by the applicant as 'benefits' of the proposal. As well as the proposed station car park, this includes off-site highway works to deter parking on the verges on Stopham Road in the vicinity of the site (comprising erection of bollards and waiting restrictions), relocation of the 30mph speed limit change further west along Stopham Road, additional footway to allow pedestrian access to the site, construction of laybys to provide parking for existing dwellings on Stopham Road and the installation of pedestrian controlled signals under the railway bridge. The Applicant has previously advised that the proposed car park of 106 spaces would be operated by Network Rail as part of their parking provision at the station. However, it is understood that the car park land could potentially be disposed of by Network Rail to the Applicant or other third party. Therefore, if this application were to be permitted, it would be necessary to ensure the effective management and maintenance of the car park.
- 6.16 Although the text following Policy 10 of the draft PPNP refers to the need for a new station car park being identified in the Pulborough Community Action Plan and the Village Transport Plan (2010), these documents and the recommendations contained therein were considered in the previous Officers' report. In summary, the Village Transport Plan did not include the provision of additional station parking in the lists of long-term and short-term improvement projects. While the Community Action Plan made reference to a need to improve access to the northbound platform (the platforms are currently linked only by steps), the proposal does not deliver level access within the station itself, and disabled travellers who have parked on one side of the station would still need to take a relatively long and convoluted route to return to their cars on the return journey. It was set out in the previous Officers' report that the new car park was not listed as a Policy objective in the HDPF, the May 2014 HDC Infrastructure Delivery Plan, the Network Rail Sussex Route Plan (2014-2019) or the Network Rail Strategic Business plan (2014-2019). The HDC Infrastructure Delivery Plan (IDP) has been updated following consultation in summer 2015. The 2016 IDP does not include a station car park amongst the projects identified through the consultation process. The text following PPNP Policy 10 also makes reference to application DC/15/1025 carrying considerable support from the local community. However, while that application attracted 11 letters of support, it also attracted 8 letters of objection. In the context of the size of the settlement of Pulborough, 11 letters of support is not considered to amount to 'considerable' support.
- 6.17 Given the absence of Policy support for the proposed car park in an Adopted Local or Neighbourhood Plan or in the latest Infrastructure Delivery Plan, it is considered that there is insufficient evidence to attribute significant weight to the proposed car park as a benefit of the development to warrant permitting residential development of a major scale in the countryside as a Departure from the Development Plan.
- 6.18 The Infrastructure Delivery Plan (2016) does however refer to pedestrian improvements in the village comprising "*Provision of pedestrian in road warning signs and vehicle activated*

*sign to manage traffic speeds in conjunction with possible minor amendments to the speed limit to improve pedestrian safety in the vicinity of A283 Stopham Road railway bridge".* There is therefore policy support for improvements to pedestrian safety in the vicinity of the railway bridge. However, the IDP indicates that these works would cost in the region of £35,000 to be funded from CIL receipts. Given the scale of the proposed residential element (29 dwellings), it is considered that the development is too large a scale to be proportionate to the cost of the works identified in the IDP, and does not warrant permitting the scheme as a Departure to the Development Plan. It is noted that the current application proposes additional works over and above those identified in the IDP, namely pedestrian controlled traffic signals to address pedestrian safety, which would exceed the cost of the more limited works identified in the IDP.

- 6.19 WSCC have advised that it would only be reasonable to require bollards to prevent parked vehicles obstructing the visibility splays, and not to solve an existing parking issue on Stopham Road, as a proposed development should not be required to solve an existing issue, only to mitigate any deficiencies or harm arising from the development itself. The Highway Authority has also raised concern regarding the longer term maintenance of the bollards, and whether this would place an unreasonable burden on the Authority.
- 6.20 The WSCC Highways Consultation highlights a number of legal and technical issues which result in there being no certainty that the off-site highway works proposed by the Applicant will be delivered. In summary, the installation of waiting restrictions (yellow lines) on Stopham Road, the installation of pedestrian controlled signals under the railway bridge and the Stopping Up of highway land to allow construction of parking bays on Stopham Road are all subject to separate public consultation processes, the outcome of which is not known and therefore there is no guarantee that these works would be delivered. WSCC also highlight that there are issues of land ownership to be resolved in order to deliver the proposed parking bays and parts of the proposed new footway. However, if the application were to be considered acceptable in all other respects, conditions and a Legal Agreement could be used to ensure that these works which are reliant on other consents processes are carried out prior to the commencement of the development. Should these other consent processes not be successful, the development could not be carried out without a further application to vary or remove the relevant conditions/planning obligations, and therefore allowing the Council to review the proposal in light of any change to off-site works that might be necessary.
- 6.21 Although the site is not far from the village, sustainable transport choices rely on the nature of the route taken, as well as the distance. If this development were permitted without the associated improvements to pedestrian access under the railway bridge, the residential element of this proposal would remain poorly connected to the village and therefore with a greater reliance on the car even for short journeys. Therefore if permission were forthcoming it would need to be subject to controls preventing commencement of development before the pedestrian improvement works are carried out.
- 6.22 Overall therefore, there have been no material changes to the proposed off-site highway works and proposed car park which would warrant increasing the weight afforded to these as benefits of the development.

### Conclusion

- 6.23 The NPPF sets out the presumption in favour of sustainable development, which is described at paragraph 7 has involving three dimensions: economic, social and environmental roles. Paragraph 8 of the NPPF states that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. In this case, there is an in-principle objection to the proposal as it is contrary to the spatial strategy set out in the HDPF. The plan-led system, which is based on consideration of development against Local Plan policies

formulated through consultation with the public and Adopted through a democratic process reflects the social element of sustainable development. The HDPF's strategy of delivering growth within built-up area boundaries or on sites that have been allocated in a Neighbourhood Plan or Local Plan ensures that any allocations document is subject to the Sustainability Appraisal process to ensure that the allocations are made in accordance with the provisions of the NPPF and that any additional infrastructure requirements arising from the allocations are identified and planned for. This is in line with the environmental element of sustainable development. The identified in-principle objection to the proposal would require significant benefits to be delivered in order to outweigh this harm, when considering the overall planning balance. Added to this in-principle objection is the landscape harm identified by the SNDPA and the Council's Landscape Architect, which is an impact of moderate weight against the environmental element of sustainable development.

- 6.24 The provision of affordable housing is a benefit of the proposal but the tenure split is not policy-compliant tenure (i.e. it is not weighted towards rented accommodation), and the 35% provision put forward is not over and above what would normally be delivered by Policy 16. As such, the affordable housing offer is a benefit of moderate weight in favour of the proposal. The highway safety benefits put forward by the Applicant are not identified in Policy or forward planning documents as a local need, other than the improvement of pedestrian safety under the railway bridge. While addressing this would be a significant benefit in favour of the proposal, given the scale of the development in comparison to the cost of the pedestrian safety works identified in the IDP, the proposed development is not proportionate in scale to the works sought and this reduces the weight afforded to this benefit.
- 6.25 It is therefore considered that, in the overall balance of issues in this case, the benefits put forward by the applicant in this case do not outweigh the harm arising from the proposal and the proposal does not represent sustainable development as defined in the NPPF and the HDPF. In addition, there are no material considerations which would warrant granting permission as a Departure from the Development Plan. The proposal is therefore contrary to the strategy for growth set out in the HDPF.

## **7. RECOMMENDATIONS**

To refuse the planning application for the following reasons:

- 1 The application site is located outside of the built-up area boundary and is not allocated for residential development in a Local Plan or a Made Neighbourhood Plan. The development of the site is therefore contrary to the spatial strategy for growth in Horsham District and is contrary to Policies 1, 2, 3, 4 and 15 of the Horsham District Planning Framework (Adopted November 2015).
- 2 The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies 2, 25, 26, 27, 30 and 33 of the Horsham District Planning Framework (Adopted November 2015).
- 3 Policy 16 requires 35% affordable housing provision on developments of this size. Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to

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infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policies 16 and 39 of the Horsham District Planning Framework (Adopted November 2015).

Note to Applicant:

The reason for refusal (above) in respect of affordable housing provision and infrastructure contributions could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.

Background Papers: Officers report of DC/15/1025



Horsham  
District  
Council

# DEVELOPMENT MANAGEMENT REPORT

**TO:** Development Management (South) Committee

**BY:** Development Manager

**DATE:** 17 November 2015

**DEVELOPMENT:** Development of the site to provide 24 dwellings and 4 flats with ancillary parking, garaging, and landscaping, and the construction of a 106-space station car park, all served by new access on to Stopham Road

**SITE:** Land To The West and North of Railway Cottages Stopham Road  
Pulborough West Sussex

**WARD:** Pulborough and Coldwaltham

**APPLICATION:** DC/15/1025

**APPLICANT:** Willowmead (Pulborough) Limited and Network Rail Infrastructure Ltd

**REASON FOR INCLUSION ON THE AGENDA:** (1) This application is a Departure within the meaning of the Town and Country (Development Plans and Consultations) (Departures) Directions 1999  
(2) More than 5 different households have made written representations which is inconsistent with the Officers' recommendation

**RECOMMENDATION:** To refuse the application

## 1. THE PURPOSE OF THIS REPORT

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 The application proposes the erection of 28 dwellings, comprising 24 houses and 4 flats, of which 10 would be affordable. Also proposed is the construction of a car park to serve Pulborough Rail Station and highway works to Stopham Road, including the erection of bollards to prevent parking on certain stretches of verge, creation of surfaced parking laybys intended for use by existing residents, erection of speed limit signage and a traffic light system to allow pedestrians to cross beneath the railway bridge. Given that the highway works are not within the red edge of the application site and therefore require the consent of the Highway Authority and not the Local Planning Authority, they do not form part of the description of development. They do however form part of the package of works put forward as part of the overall proposal.
- 1.2 The proposed development would be served by a new access onto Stopham Road. The access would continue north of the residential development to serve a public car park on the western side of the tracks at Pulborough Station. The car park would have 106 spaces and it is proposed to be operated by Network Rail as part of their parking provision at the



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station. Those dwellings facing the main access road have very short front gardens, or in the case of Plots 20, 22 and 23, are hard up to the edge of the footway. The dwellings located on a spur off of the main access (plots 1-5) are set further back in their plots, allowing for parking to the front of the dwellings.

- 1.3 The residential element comprises a mix of detached, semi-detached and terraced dwellings, as well as 4 flats. The proposal would provide five 4-bedroom houses, eleven 3-bedroom houses, eight 2-bedroom houses (2 of which also have a study at first floor), two 2-bedroom flats and two 1-bedroom flats. Most of the houses are provided with at least two parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 10-space parking court, including undercroft parking, is proposed to serve units 13-18 (six units, although two of these are 1-bedroom flats). The flats are also served by a detached building providing storage for six bicycles and two 1100 litre bins.
- 1.4 The house types incorporate a variety of gabled and hipped roof forms, and dwellings vary in orientation, with some being wider than they are deep and vice versa. The height of buildings ranges from 5.5m in the case of the single storey dwelling at Plot 20 to 10m in the case of the flats. However, most of the dwellings have a height in the region of 8.6 metres.
- 1.5 The Design and Access Statement sets out that the buildings would be constructed with brick facing walls to the lower half and hanging tile to the upper half, and plain clay tiles to the roofs, although some of the elevations also show large areas of render.
- 1.6 The application is accompanied by a number of supporting documents including:
  - Planning, Heritage, Design and Access Statement
  - Acoustic Testing Report (assesses existing noise levels at the site)
  - Affordable Housing Viability Report
  - Arboricultural Implications Assessment
  - Code for Sustainable Homes Report
  - Phase 1 Desk Study (land quality)
  - Highway Statement and additional highway information.
  - Landscape Visual Impact Assessment and further response from the Applicant's Landscape Consultant
  - Light Impact Assessment
  - Preliminary Ecological Appraisal and Phase II Survey (Bats and Reptiles)
  - Drainage Strategy and Flood Risk Assessment
  - Sustainability and Renewable Energy Statement

### DESCRIPTION OF THE SITE

- 1.7 The part of the site proposed for residential development lies outside of the built-up area boundary. The part of the site proposed for a car park lies within the built-up area boundary. The land in the vicinity of the site slopes down towards the river Arun to the south, on the opposite side of Stopham Road. The South Downs National Park boundary is the opposite side of the river, about 62m south of the site. To the west, the SDNP boundary is about 138m from the site boundary. The signal box to the north of the proposed car park site is a listed building. There is a row of 11 dwellings on the opposite side of Stopham Road, but these only extend for less than half the width of the application site. North of the site lies a field, which slopes up to a group of farm buildings and an area of woodland towards the crest of the hill.
- 1.8 The proposed residential site is set at a higher level than Stopham Road, with the difference in levels most pronounced towards the eastern end of the site. Nos. 1 and 2 Railway Cottages have a high retaining wall to their front boundary, and this difference in levels continues west, with a steep bank rising from Stopham Road up to the application site, which is currently covered by a mix of trees and shrubs. The existing access is gated

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and surfaced. The rear and western boundaries of the site are demarked by hedging and a few larger trees. The boundary with No. 2 Railway Cottages is demarked by close boarded fencing.

- 1.9 There is an existing access immediately to the west of the railway bridge which serves Railway Cottages and also provides maintenance access to the western side of the railway line. There is a layby off the access track which is used for parking by occupiers of Nos. 1 and 2 Railway Cottages, but which is within the Applicant's ownership. The existing access road to the north of Railway Cottages would be widened to allow public access to the proposed car park. The land proposed for car park use includes an area of roughly surfaced land immediately adjacent to the western platform, and encroaches into a wooded area, which appears to have been self-seeded over time, as former railway structures including what appears to be part of a former platform are just visible amongst the vegetation. The wooded area is not entirely flat and there are banks of land visible amongst the vegetation.
- 1.10 At the time of the Officer's site visits, there were a number of cars parked on the un-made verge along Stopham Road, and it is understood that this is a regular occurrence. There is pavement in front of Nos. 1-11 Stopham Road, but none beyond this. The narrow width of the railway bridge means that there is insufficient space for pavement and there is no demarked pedestrian area under it.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 The National Planning Policy Framework (March 2012), sections 1, 4, 6, 7, 8, 10, 11 and 12.

### RELEVANT COUNCIL POLICY

- 2.3 The development plan consists of the Core Strategy (CS) (2007), the General Development Control Policies (2007) DPD, the Site Specific Allocations of Land (2007) DPD and the Proposals Map (2007). Other relevant local development documents are the Facilitating Appropriate Development (FAD) SPD (May 2009) and the Planning Obligations SPD.
- 2.4 Policies CP1, CP2, CP3, CP4, CP8, CP12, CP13 and CP19 of the Core Strategy and Policies DC1, DC2, DC5, DC6, DC7, DC8, DC9, DC13, DC18 and DC40 of the General Development Control Policies are relevant to the determination of this application.
- 2.5 The Proposed Submission version of the Horsham District Planning Framework (HDPF) was approved by Council in April 2014 as the Council's policy for planning the future of the District for the period 2011-2031, and was submitted to the Planning Inspectorate in August 2014. The Examination of the HDPF has been undertaken by an independent Planning Inspector who has found the HDPF sound in his report published on 8th October. The HDPF is expected to be formally adopted by Council in November. Given the Inspector's conclusions the emerging plan is therefore considered to be a material consideration of significant weight in terms of the overall strategy.
- 2.6 It should be noted that the whilst the required number of dwellings in the HDPF has been increased from 750pa to 800pa, the most recent trajectory for the plan period (2011-2031)

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clearly demonstrates that the HDPF will provide a sufficient housing land supply from existing allocations and commitments to meet this requirement until at least 2021. The early review mechanism will enable the Council to ensure sufficient land supply is secured to meet the needs after this period.

- 2.7 Therefore, upon adoption in November, the HDPF will be able to formally demonstrate a full 5-year housing land supply, including flexibility, as acknowledged by the Inspector in paragraph 49 of his Final Report: *'the projected supply represents about 116% of the requirement (including the 5% buffer), ensuring the Council has a 5 years supply with a considerable degree of flexibility to take account of any slippage on major sites. Even without the NP sites, the five year supply requirement is just met.'*
- 2.8 The relevant Policies of the HDPF are 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 4 (Settlement Expansion), 15 (Housing Provision), 16 (Meeting Local Housing Needs), 24 (Environmental Protection), 25 (The Natural Environment and Landscape Character), 26 (Countryside Protection), 31 (Green Infrastructure), 32 (The Quality of New Development), 33 (Development Principles), 34 (Cultural and Heritage Assets), 35 (Climate Change), 36 (Appropriate Energy Use), 37 (Sustainable Construction), 38 (Flooding), 39 (Infrastructure Provision), 40 (Sustainable Transport) and 41 (Parking).

### NEIGHBOURHOOD PLAN

- 2.9 The pre-submission version of the Pulborough Parish Neighbourhood Plan (dated June 2015) was out to public consultation between 19<sup>th</sup> June and 3<sup>rd</sup> August 2015.

### PLANNING HISTORY

- 2.8 None relevant

## **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 HDC Technical (Drainage): No objection subject to conditions
- 3.3 HDC Environmental Health: No objection subject to conditions
- 3.4 HDC Collections Supervisor (Refuse and Recycling): Require any adopted road to have parking restrictions to ensure collections vehicles can access the site.
- 3.5 HDC Strategic Planning Officer raises the following points:
- Parking element is acceptable in principal, provided a need is established and justified.
  - Better station parking facilities is noted in the pre-submission Neighbourhood Plan as being desired.
  - The Neighbourhood Plan is at an early stage and has limited weight in decision-making.
  - Landscaping of the car park should be considered carefully, in order to provide transition to the open countryside to the west.
  - The development proposes a good mix of unit sizes, but no affordable housing. [Officer Note: Affordable housing provision has since been agreed by the Applicant].

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- Advice should be sought from Network Rail, WSCC and the Council's Infrastructure Delivery Plan (IDP) in respect of the need for the proposed car park. If it is deemed not to be necessary, this should not compromise affordable housing.
  - The pre-submission Neighbourhood Plan includes the residential site within the built-up area boundary.
  - Development not in accordance with the emerging HDPF should be recommended for refusal.
  - The site is not allocated in the HDPF, and is not allocated in the Neighbourhood Plan. It is therefore not currently in accordance with the emerging HDPF.
- 3.6 HDC Housing Manager objected to the scheme as originally submitted due to non-provision of affordable housing. However, negotiations with the Applicant have now led to the Applicant proposing 35% affordable housing provision, in accordance with the HDPF requirements.
- 3.7 Design and Conservation Consultant: No written response has been provided, but this application has been discussed with the Consultant. They did not raise concern regarding the proximity of the proposed car park to the listed signal box within the railway station site, given that this is the type of infrastructure expected to be seen at a station and therefore forming part of the setting of a listed signal box.
- 3.8 Landscape Consultant: Objects to the proposal. The consultation response includes the following points:
- The site falls within the Greensand National Character Area as defined by Natural England.
  - The site lies at the southern edge of the WSCC WG8 Storrington Woods and Heaths Character Area, with WG6 Arun Widbooks Character Area to the south.
  - The South Downs escarpment is approximately 3.5km south [*Officer Note: the SDNP boundary is closer to the site than the escarpment, at a minimum of about 61 metres, following the line of the southern bank of the river*]
  - The site lies within Character Area 40 of the Horsham District Landscape Capacity Study which is considered to have no/low capacity for medium scale housing development.
  - There is a further character area identified in the Study to the northern edge of Pulborough, where limited development closely related to the existing settlement might be more appropriate in landscape and visual terms.
  - The extensive loss of vegetation, tree groups, individual trees and hedgerows to facilitate development is considered excessive.
  - Most of the trees and hedgerows are classified as grade C, collectively in groups and clusters around the site they make a valuable contribution to landscape character of the site and surroundings.
  - Some vegetation loss might be anticipated associated with vehicular access, but it is not considered that the overall extent of vegetation loss can be justified.
  - Proposed new planting to northern and western boundaries are within very narrow buffer strips, insufficient to provide appropriate screening/softening.
  - Concern regarding maintenance of buffer strips, as they are confined between rear gardens for a substantial length.
  - Removal of existing informal parking on the A283 is a landscape benefit, but is undermined by formalising with hardsurfacing of existing residents parking.
  - It is not clear why housing, with adverse landscape and visual impacts, is necessary to achieve the proposed parking development.
  - Adverse impacts of the housing development outweigh any landscape benefit along the A283.
  - The Applicant's Landscape and Visual Impact Assessment underestimates the significance of impacts.
  - Development of an essential urban character is likely to be of a moderate-substantial adverse impact, even taking account of proposed mitigation planting.

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- Proposal relates poorly to the existing settlement boundary, extending westwards into open countryside on a visually prominent site.
- The layout will be perceived as 'ribbon' type development.
- There is no meaningful transition in the height and scale of development extending westwards.
- Dwellings of approximately 10m in height are more equivalent to 2.5 storeys.
- The proposal would erode/intrude on the quality of characteristic views of the site and its surrounds to Pulborough Parish Church tower to the east.
- Views of the station and new car park will be opened up from loss of vegetation.
- Proposal would erode the immediate setting of the SDNP and intrude on characteristic views of the Arun/Rother floodplain landscape and the dramatic backdrop of the downland escarpment.
- The principal concerns are in respect of the visual impact of the development from near distance viewpoints to the north and south west of the site, including the Wey-South long distance route.
- Although the development may only be perceived to occupy a relatively small proportion of these views, it is considered that the adverse impact is likely to be significant, bearing in mind the high sensitivity of public footpath users.
- The visual impact of the 10m high dwellings on the elevated site will be harmful on this key approach into/leaving Pulborough.

The applicant has submitted a response to the Council's Landscape Consultant's advice. This has been reviewed by the Council's Landscape Consultant who advises that this does not address his concerns and that his original advice remains relevant

- 3.9 Ecology Consultant initially raised objection to the proposal due to a lack of suitable survey information to inform mitigation measures. However, the Applicant responded to these concerns and carried out the necessary surveys. The Council's Ecology Consultant now raises no objection, subject to conditions.
- 3.10 Financial Consultant (development viability): The Council's Financial Consultant has appraised the proposal, including existing land values, development costs and resulting value of development (i.e. sale of private market housing and affordable housing, along with revenue from the proposed car park) and advises that it is viable for the development to provide 35% affordable housing in compliance with the HDPF, with a 50/50 tenure split between affordable rented and shared ownership.

### OUTSIDE AGENCIES

- 3.11 WSCC Lead Local Flood Authority: No objection. Advise that there should be long-term maintenance provision in place for any Sustainable Drainage Systems.
- 3.12 WSCC Highways have issued a series of consultation responses raising concerns and seeking additional information/further detail, particularly in respect the pedestrian controls for lights under the railway bridge. The Highway Authority's latest consultation advice of 3<sup>rd</sup> November includes the following points:
- There is insufficient time to resolve the outstanding issues regarding the pedestrian and traffic control proposal prior to the application being considered by Committee.
  - The Highway Authority maintain an objection to ensure that development is not implemented before these issues are resolved.
  - The issues are likely to be capable of being resolved.
  - In the event that the application is approved, it would be possible to include a clause in a Legal Agreement requiring the feasibility and design of the proposed highway scheme to be finalised to the satisfaction of the highway authority prior to commencement of development.
  - Necessary heads of terms for a Legal Agreement include:

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- Full details of the improvements to footway and pedestrian controls under the railway bridge to be approved prior to commencement
  - Deliver the improvements to footway and pedestrian operated controls under the railway bridge prior to initial occupation of dwellings and prior to commencement of use of the station car park.
  - Provide the resident's parking bays on Stopham Road, bollards to stop parking on Stopham Road (extent to be agreed), and new signage/speed limit change prior to initial occupation of the development
  - Provide the station car park prior to occupation of any of the dwellings.
- Any permission should also be subject to conditions.
- 3.13 WSCC Strategic Planning: Request financial contribution for education, libraries, fire and rescue and transport, to be secured by Legal Agreement.
- 3.14 Southern Water: Inadequate capacity in the local network to provide foul sewage disposal. Additional off-site sewers, or improvement to existing, will be required to provide sufficient capacity to service the development. The Applicant should provide means of disposal of surface water drainage.
- 3.15 Sussex Police Crime Prevention Design Adviser: No objection, but considers the rear parking courts adjacent to Plots 12 and 20 to be vulnerable due to limited observation and highlights the importance of clear demarcation of public and private spaces. Traffic calming measures should be included on the access road to deter excessive speed from through traffic using the car park. The car park should be lit to conform with BS5489:2013.
- 3.16 Environment Agency: No objection.
- 3.17 The South Downs National Park Authority object to the proposal, raising the following points in their consultation response:
- The site can be seen from elevated viewpoints in the National Park, looking east from the Wey-South Path National Trail, approximately 400-500 metres west of the site.
  - The expansion of Pulborough west of the main built up area through the proposed linear housing along the A283 would significantly erode the important open countryside transition from urban to rural and in particular upon the setting and special qualities of the SDNP.
  - Reduction of green and open space closer to the SDNP boundary would erode the natural green space protection currently afforded by the countryside that the site would occupy.
  - The proposed development would introduce build form and associated urban infrastructure that would impact on the special qualities of the SDNP.
  - In addition to expansion of urban form close to the SDNP, the development would result in noise and disturbance and external lighting, harming tranquillity.
  - In the event that permission is granted, street lighting should be designed to minimise impact on wildlife and the dark night skies objectives of the SDNP, as well as ensuring external materials fit with the vernacular of the locality.

## PUBLIC CONSULTATIONS

- 3.18 Pulborough Parish Council: State that no objection is raised, but a number of concerns are highlighted in the Parish Council response, including the following:
- Loss of trees due to creation of parking bays on Stopham Road
  - Concern regarding flooding and drainage. The area around the site is known to suffer from flooding and it is not clear whether existing drainage systems have been maintained,
  - Concern that proposed traffic signals at the railway bridge will be confusing.
  - Air pollution and light pollution will arise
  - Access rights for Railway Cottages is not clear.
  - Overlooking to Railway Cottages
  - Reduction in parking and turning space for Railway Cottages

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- Commuters may park in the new development
- Road safety must be scrutinized, given history of accidents here
- New 30mph signs must be positioned west of the Park Farm driveway
- Proposed access road is likely to be congested at peak times due to width and number of parking spaces served. This is inconsistent with domestic housing.
- The proposed access is closer to the blind bend than existing.
- No plans submitted for services provision
- The drawings do not show solar photovoltaic panels or grey water capture. Query whether the proposal is sustainable

### 3.19 Eight letters of objection have been received, which include the following points:

- Development adjacent to the National Park will be an eyesore and detract from natural beauty.
- Artificial lighting of the development and car park will cause light pollution.
- On-street/verge parking will be pushed elsewhere. People park on Stopham Road because it is free, not because there is a lack of parking at the station.
- Railway car park remains almost empty every day until after the commuters have travelled.
- Bollards should be provided all the way to the garden centre, not just to the Park Farm entrance.
- Development is bland, unimaginative and sterile.
- Development should be to the north, away from the National Park
- Existing road safety, weight of traffic and parking problems would be exacerbated.
- Concern regarding pedestrian access under the railway bridge.
- Concern regarding proximity of new lights under the railway bridge to existing pedestrian crossing lights.
- Proposal for traffic lights under the railway bridge lacks detail and it is not clear how this will work.
- The traffic lights should be trialled for effectiveness prior to determination of this application.
- Proposed residents parking on Stopham Road is insufficient and unlikely to be enforced as 'residents only' as it is on highway land.
- Railway line and station form a defined boundary to the built-up area.
- Loss of habitat due to hedgerow loss.
- Density of development relates unsympathetically to the open countryside
- Concern in respect of precedent for further development
- Site was not included as an allocated site in the 2007 Core Strategy.
- Village has been overdeveloped.
- Traffic lights will result in queues and air pollution.
- New car park is not conveniently located for the ticket office.
- The development would relinquish affordable housing and the principle of not encroaching into the countryside.
- Drainage of this road is inadequate, with frequent flooding under the railway bridge.
- Development will compromise the setting of Park Mount and destroy the view over the landscape from the footpath leading to Park Mount.
- Development will add to pressure on local services such as schools and doctors surgeries.
- Disabled parking bays are provided, enabling disabled customers to travel north, but the return journey will disembark on the east platform, requiring them to return to their car via Stopham Road and through the proposed development as there is no ramped access across the tracks.
- Gates should be fitted to the north and south of Railway Cottages to prevent this access being used as a rat run to the proposed station car park.
- Access to Railway Cottages has not been maintained by the landowner, Network Rail, and needs to be addressed.
- Water runoff from the field to the north of Railway Cottages has flooded outbuildings at Railway Cottages and washed away surfacing.

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- The developer had advised occupiers of Railway Cottages that the plans would be amended to reduce overlooking and increasing spacing to existing properties, but the submitted drawings does not reflect these discussions.
- Parking space for Railway Cottages will be reduced.
- No play area is provided within the development.

3.20 Eleven letters of support have been received, which include the following points:

- The area to the west of the railway tunnel is cut off from the rest of the village as it is not safe to walk through the tunnel.
- The proposal will revitalise this part of the village and allow residents to walk to Stopham Bridge/White Hart pub, The Brooks and the garden centre.
- Removal of parking on Stopham Road will improve highway safety.
- Car park will get rid of parking on Stopham Road.
- Can rarely park in the station car park and therefore have to park on Stopham Road.
- Residents often have to park some way down Stopham Road due to commuter parking. It is not safe to walk on Stopham Road, especially with children.
- Proposal provides disabled access to the northbound platform.
- Proposed car park could also provide access to the proposed Dementia Unit (DC/15/1547).
- Proposal brings more than just houses.
- Development will harmonise the existing houses west of the railway.
- Access improvements will be an asset to the National Park.
- Development looks well-designed.
- Development will bring some life to this part of the village and improve the look of the approach to Pulborough.
- Mature boundaries mean the development does not adversely impact on the location.

3.21 One letter of comment has been received, which includes the following points:

- It is not realistic for those travellers who cannot use the subway to use the new car park if they have to walk back along Stopham Road.
- Concern that the traffic lights under the railway bridge are too close to existing pedestrian crossing.
- Concern about the implications of displaced parking on Stopham Road- vehicle owners may look for other free parking.

## **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**

5.2 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 issue in the consideration of this application is whether the proposal is acceptable in principle having regard to both central government and local Development Plan policies, and to any other material considerations.



Principle of Development

- 6.2 Although the site of the proposed car park lies within the built-up area boundary, the residential element of the proposal does not. The Core Strategy seeks to direct development to locations within built-up area boundaries. Members will be aware that under the current adopted Development Plan, the District cannot demonstrate the required 5-year housing land supply, which is a material consideration carrying weight in decision making. However, the emerging HDPF does meet this requirement. As set out above, the Council gives significant weight to the HDPF in decision making, given that it has now been found sound by the examining Inspector. Notwithstanding this, the starting point for assessment of planning applications remains the adopted Development Plan and therefore, consideration must first be given to whether the proposal complies with current adopted Policies, before moving on to consideration of other material considerations, such as the significant weight afforded to the HDPF.
- 6.3 Considering first whether the proposal complies with the Core Strategy, in light of the identified shortfall of housing supply under the adopted Core Strategy, the Council adopted the Facilitating Appropriate Development (FAD) SPD which allows for flexibility in the location of development, in order to facilitate provision of housing and expansion of settlements in a sustainable way during the life of the Core Strategy. The FAD SPD sets out the requirements against which those planning applications for development on both greenfield and brownfield sites which are outside of, but adjoining, defined settlement boundaries in the District will be considered, and contains a number of criteria which must be complied with in order for a proposal to be considered 'appropriate'. The criteria include where the developments are related to an identified local need, protect landscape and townscape character, complement the character of the settlement, protect biodiversity and existing natural features, the development is sustainable, the development is deliverable and does not result in coalescence of settlements.

Location of the Site

- 6.4 The FAD requires development sites to be sustainable and in walking distance to local facilities. Although the site is not far distance-wise from services and facilities within the built-up area, it is not well-connected to the village by reason of the narrow railway bridge which does not have a designated pedestrian route under it. As such, there is likely to be greater reliance on private cars by residents at this site than others in similar proximity to the village centre, particularly where the journey is being undertaken by vulnerable pedestrians such as the elderly, infirm and those with children. However, the Applicant proposes a number of highway works, including designated pedestrian access under the railway bridge, through the reduction in speed limit and erection of pedestrian operated traffic control lights at the bridge. The site therefore adjoins a built-up area boundary and would be within a reasonable walking distance of local services, subject to implementation of the proposed highway works. As set out in the consultations section above, the Highway Authority are not currently satisfied with the feasibility and design of the pedestrian controlled traffic lights under the railway bridge, but they do consider that a satisfactory scheme can be agreed. They therefore request that a Legal Agreement is entered into to require delivery of pedestrian improvements prior to commencement of development.

Townscape Character

- 6.5 The FAD requires landscape and townscape character to be protected and conserved and/or enhanced by the proposed development, and for development to complement the character of the settlement. In terms of the integration of the development with the existing townscape, Stopham Road currently has a distinctly rural, edge-of-settlement character, which is derived in part by development confined mainly to one side of the road. The rural character of this part of the settlement is highlighted in the responses from the SDNP and the Landscape Consultant as being an important feature of the area, contributing to the setting of the settlement. The proposed development would serve to urbanise that rural character, by developing to the northern side of the road, and beyond the current limit of the row of dwellings on the southern side of Stopham Road. In addition, the proposal does

not follow the existing pattern of development on the opposite side of Stopham Road, which comprises relatively closely spaced dwellings facing the highway. However, it is acknowledged that the approach comprising an inward-facing cul-de-sac type development has been taken by the Applicant to allow a landscaped buffer to be retained around the site. It must however be noted that the existing vegetation will be weakened as a result of the levelling of part of an existing vegetated bank to create residents parking bays with a retaining wall behind on Stopham Road, as well as the creation of a new vehicle access to the site. Therefore, the proposed development will still be visible from Stopham Road, and the landscaped buffer will serve to soften the appearance of the development, but will not fully screen it from the surrounding countryside.

- 6.6 The Pulborough Design Statement (May 2013) seeks to ensure that planted frontages and their boundaries are integral to the design of the streetscape. Most of the buildings within the development would be sited fairly close to the edge of the footway, with only narrow landscaped strips for front gardens. Those dwellings set further back from the highway would have frontages dominated by hardsurfacing for parking. However, while planted frontages are identified as a design principle for Pulborough as a whole, it must be noted that the dwellings on Stopham Road in the vicinity of the application site are generally directly fronting the road, or with only a small strip of front garden. As such, the set-back of the dwellings from the proposed access road is acceptable. The Pulborough Design Statement encourages new dwellings to be of a simple design, avoiding pastiche, and incorporating contemporary design which blends with the old. The Design and Access Statement sets out that the main external material proposed is brick, with areas of hanging tile and plain clay roof tiles, and the drawings show some buildings rendered, including most of the building comprising units 13-20. The design of the buildings incorporates a mix of traditional pitched roofs and flat crown roofs. The crown roofs however are surrounded on all sides by pitched roofs, to prevent them appearing overly dominant and bulky.
- 6.7 Overall, no objection is raised to the internal design and layout of the development, but there are concerns in respect of the impact on townscape character arising from the creation of a ribbon development along the A283 and the urbanisation of the settlement edge, which currently offers a semi-rural appearance, providing a transition from the main settlement to the countryside beyond.

#### Landscape Character

- 6.8 The Landscape Consultant and the South Downs National Park Authority both raise objection to the proposal as a result of landscape harm and visual intrusion. The Landscape Consultant refers a number of character studies which include the application site and surrounding area, and have assessed the contribution of this area to the wider landscape character and the setting of the settlement of Pulborough. The Landscape Consultant advises that the development would conflict with a number of the positive characteristics of the landscape which have been identified in previous Studies. The area has been previously identified being very open and elevated, which results in a high degree of visual sensitivity (HDC 2014 Landscape Capacity Study), as well as being sensitive to visual intrusion from increased suburban development at the edge of settlements (WSCC Storrington Woods and Heaths Character Area assessment), and contributing to the visual setting of the historic core of Pulborough (HDC Landscape Capacity Study 2014). Recommended guidelines for the area include conserving and enhancing the undeveloped character and open views across the floodplain (WSCC Arun Wildbrooks Character Area document) and ensuring any small scale development on valley sides is sited and designed to respond to the historic settlement pattern of small isolated farmsteads and small linear villages (HDC Landscape Assessment 2003). The 2014 HDC Landscape Capacity Study concluded that this area had no/low landscape capacity for medium scale housing capacity.
- 6.9 As set out above in the discussion of townscape impact, the proposal would result in the urbanising of this rural edge of Pulborough, which in itself results in a degree of landscape harm. The proposal site is set at a higher level than Stopham Road, and projects over 100

metres beyond the current western limit of buildings on the opposite side of Stopham Road. As a result the development would appear fairly prominent in near views creating a ribbon development along the A283, as well as in wider views, such as from the long distance Wey-South public footpath. The loss of vegetation to create access to the site and the resident's parking bays on Stopham Road is a concern, opening up views of the site and the new development. In addition to the prominence of the residential development, the proposed car park and its associated loss of vegetation on the western side of the railway line would open up views of the station and built-up area, and this element of the proposal is likely to require all-night illumination for safety and security purposes (albeit the Applicant proposes motion activated lighting). While it is noted that the car park element is within the built-up area, the location of the car park adjacent to the open countryside does not allow for a substantial transition from the built-up area, with only a very narrow landscaped strip provided to the western boundary. The proposed creation of resident's parking bays on Stopham Road is raised as a concern by the Landscape Consultant. These would also extend beyond the western limit of the built-up area. Those on the northern side of Stopham Road would result in a loss of vegetation on a steep bank and necessitates the construction of a retaining wall, resulting in a more urban appearance than the existing landscaped slope, while on the southern side of the road the parking bays would formalise verge parking with a hardsurfaced area on an area which is currently mainly vegetation. The proposal therefore does not protect landscape character and would result in harm to the character of the area and visual intrusion in the landscape.

Biodiversity

- 6.10 The FAD also requires biodiversity to be conserved and enhanced. The Council's Ecology Consultant initially raised concerns with this proposal, given a lack of suitable survey information and mitigation proposals. However, sufficient information has since been submitted which has removed this objection and the Ecology Consultant now recommends conditions to address biodiversity mitigation and enhancements.

The HDPF as a Material Consideration Relevant to the Principle of Development

- 6.11 As set out above, the adopted Development Plan is not the sole consideration in assessing the principle of development, given the significant weight now afforded to the HDPF. The HDPF makes no allocations for housing adjacent to settlements of this size, as suitable sites for residential development should be identified through allocations in Neighbourhood Plans which, in accordance with Policy 4 of the HDPF, will be supported. A Neighbourhood Plan holds little weight in decision making until it has been through referendum and has been adopted, which the Pulborough draft plan has not. However, the draft June 2015 Neighbourhood Plan which was subject to public consultation does provide a good indication of local aspirations and which sites may be acceptable for development locally.
- 6.12 The June 2015 pre-submission version of the Pulborough Parish Neighbourhood Plan does not identify this site as a specific residential allocation, but Policy 1 of the Neighbourhood Plan defines built-up area boundaries wherein development proposals will be supported subject to it being in accordance with the Development Plan. This site is located within the Neighbourhood Plan built-up area boundary, indicating that local opinion is not opposed to some form of development on this site. However, it is not specifically allocated for development and therefore no guidance is provided as to what amount of development, and for what use, might be appropriate on the site. In addition, the site falls outside of the built-up area boundary as defined on the HDPF Proposals Maps, an area where development should only be permitted in accordance with an allocation in a Neighbourhood Plan. As this site is not specifically allocated and therefore its development is not in accordance with the HDPF, it is in conflict with Policy 1 of the Neighbourhood Plan, which seeks to support only those developments which are in accordance with the Development Plan.
- 6.13 Policy 11 of the June 2015 draft Neighbourhood Plan seeks to support tourism development, particularly to encourage visits to the SDNP from the railway station. The

explanatory text of that Policy advises that proposals for tourism development “*may utilise the new access road to serve additional car parking on the west of the station that is expected to be granted planning consent shortly*”. This indicates that the Neighbourhood Plan may anticipate a tourism-based development at the site rather than residential development as currently proposed. Therefore, although the Neighbourhood Plan includes this land within its proposed ‘built-up area boundary’, without clarity from a specific allocation for development setting out the use and amount of development expected on the site, development of the site is not supported by the Development Plan. In any event, given the stage of the Neighbourhood Plan it can currently only be given limited weight in decision making.

#### Conclusion on Principle of Residential Development

- 6.14 In conclusion on the matter of the principle of the proposed residential development, given the landscape harm arising and the location of the site outside of the built-up area boundary, the proposal is contrary to the adopted Development Plan Policies CP1, CP3, DC1, DC2 and DC9. When considering the proposal against the emerging HDPF, which is now afforded significant weight in decision making, the proposal is also contrary to emerging Policies HDPF 2, 4, 15, 25, 27 and 30 which set out the overall strategy for growth within the District and the relevant countryside and important landscape protection principles.

#### Principle of the Proposed Car Park

- 6.15 The proposed car park element falls within the built-up area boundary and also lies on operational land owned and controlled by the rail statutory undertaker. This element alone could potentially fall under Class A, Part 8 of the General Permitted Development Order (2015), and could be constructed without planning permission. However, the access to the proposed car park is not located within the rail undertaker’s operational land. The existing Network Rail vehicular access on the western side of the railway has poor visibility and is fairly narrow, being sited between the railway track and Railway Cottages. It is therefore not suitable for regular public use and an alternative access would be necessary in order to create safe public vehicular access to any car park constructed on the western side of the line. As part of this application, it is proposed to continue the road through the residential element north, to provide public vehicular access to the land on the western side of the railway line to serve a new car park. As set out above, although the proposed car park lies within the built-up area, it abuts open countryside and results in a harmful landscape impact due to the more exposed views of the station and built-up area, as well as additional illumination spilling into the open countryside. Although a buffer strip is proposed to the western side, this is only about 1.8 metres wide, not allowing for substantial planting.

#### Need for a New Car Park

- 6.16 The residential development is being put forward by the Developer as a means of facilitating the construction of the proposed car park. As such, Members must balance the harm arising from both the residential development and the car park against any benefit arising from the proposed car park. To do this, the weight to be afforded to the delivery of a car park must be considered. The first consideration is whether there is any planning Policy requirement for additional parking at the station. Although parking at the station and on Stopham Road is an issue of local concern, as identified in the Neighbourhood Plan, it is difficult to definitively conclude that a car park of the scale proposed is necessary to address parking on Stopham Road and that the proposed highway works to erect bollards on the verges and create dedicated resident’s parking bays for the dwellings on Stopham Road would not improve the situation if carried out in isolation from the large station car park. The improvement of parking on Stopham Road and the creation of additional parking spaces at the Station are not listed as Policy objectives in the HDPF or the May 2014 HDC Infrastructure Delivery Plan (which was informed by forward-planning documents prepared by both Network Rail and West Sussex County Council in respect of travel), and neither document identifies car park capacity at Pulborough station as an issue to be addressed. Although the Applicant’s Agent advises that the use of the railways is forecast to grow

extensively over the next 10 years, no detail is provided in respect of plans for additional or faster services stopping at Pulborough which could result in increased demand for parking here. Network Rail's 2010 Route Utilisation Strategy does identify Pulborough for parking improvements comprising an additional 300 parking spaces, but this was at the option selection stage of the Governance for Railway Investments Projects (GRIP) process in 2010, and does not appear to have moved on in the Network Rail planning stages, given that Network Rail's later document, the Sussex Route Plan (2014-2019), does not identify Pulborough for station improvements and the Network Rail Strategic Business Plan for England and Wales (2014-2019) does not refer to increasing parking provision, other than through general reference to investing in increased capacity to increase revenue across Network Rail properties. In addition, the residential developer has advised that Network Rail is not contributing to the cost of construction of the car park, and therefore it is not clear that this is a priority for the rail operator.

- 6.17 The 2010 Pulborough Village Transport Plan refers to the 2010 Route Utilisation Strategy's proposals for an addition 300 parking spaces at the station, but notes that a number of local residents have expressed concerns about the scale of the extra parking provision and do not feel that it is justified as many rail passengers park on local roads to avoid paying car parking charges and this will not necessarily change if a large new car park is provided (paragraph 4.4). The Village Transport Plan concludes by listing the short and long term transport improvement projects to influence the way people travel within the village. Additional parking at the station does not feature in either the short or long term improvements lists. The improvement of access to the northbound station platform is cited as a long-term improvement, which is also cited in the 2012 Pulborough Community Action Plan as an issue, and this proposal would allow for access to this platform. However, even if the proposed car park is implemented, disabled travellers who have parked on the western (northbound) side would still have to take a convoluted route on their return journey from the southbound platform, out onto the A283 and through the proposed development back up to the new car park, as the proposal does not deliver disabled access within the station itself, where the platforms would still be linked by a subway served by stairs.
- 6.18 The Neighbourhood Plan cites 62% of respondents to their survey agreeing or strongly agreeing that there is a parking problem in Pulborough, with Stopham Road, Station Road and the Railway Station being amongst the most commonly cited areas where parking is deemed a problem. Officers' various visits to the site indicate that the amount of available space at the station car park varies throughout the day, with a significant surplus in the mornings (just under half full prior to 0900), rising to only a small surplus of a couple of spaces from later in the morning. Letters of representation received in connection with this application have provided mixed advice from local residents in respect of parking demand at the station- some consider a new car park necessary to address a shortfall and parking on Stopham Road, but others consider that there is still adequate capacity at the station, and that the car park only fills up after the main commuter trains have departed. The Applicant's Agent has advised that Network Rail experience between 85% to 90% occupancy of the existing 151 space car park. This equates to between 23 and 15 spaces available at any one time.
- 6.19 The car park is also put forward by the developer as a means by which to remove ad-hoc parking from the un-made verges on Stopham Road. As stated above, Network Rail have advised that the existing station car park has between 15 and 23 spaces available at any one time. Although this is less than the number of vehicles parked on Stopham Road at the time of Officer's visits (between 32-46), it is not clear how many of the parked cars are associated with journeys from the railway station and how many are associated with the dwellings on Stopham Road, many of which do not have off-street parking. As such, it is not clear that the creation of dedicated parking bays for residents of existing dwellings on Stopham Road, combined with the erection of bollards on the Stopham Road verges, would reduce on-street parking here without the need for the construction of a 106 space

car park. While the parking on verges of Stopham Road results in a more urban appearance than might be considered appropriate to this rural location, the highway safety implications of the existing parking is not as clear. While vehicles slowing to pull in and out of spaces and pedestrians walking on the road, particularly after dark, would result in some increased risk to those who chose to park here, it is not clear that this parking has caused demonstrable increased risk to all road users. Parking on Stopham Road is also referred to in the Village Transport Plan (paragraph 10.1), stating that this parking "*is not especially hazardous in itself*", although it is referred to as being "*rather unsightly*". Therefore, while the proposed car park is put forward as a benefit of the development, it is not clear that it is entirely necessary to address the issue of parking on Stopham Road and that these issues could not be addressed through highway works alone.

- 6.20 In conclusion therefore on the matter of the need for a new station car park, although there may be some local support for improved parking, the car park is not a Policy objective set out in any adopted or emerging development plan document or other forward-planning document published by the rail operator or HDC, there are mixed responses from local residents in respect of the level of parking provision at the station and on Stopham Road, and it is not clear whether highway improvements alone would not address the existing parking on Stopham Road. As such, the proposed car park cannot be afforded significant weight as a benefit of the proposed development.
- 6.21 Had it been concluded that the delivery of the proposed car park is a benefit of sufficient weight to warrant development of the application site, consideration must be given to the amount, extent and use of development that could be necessary to facilitate vehicular access to the car park land, when weighing the harm and benefit of the development. The Neighbourhood Plan survey cites 93% of respondents being in favour of development at the railway station as long as it brings improvement to parking and better access to the railway and related services. It is unclear where it was envisaged development would take place, and how respondents would have interpreted the location being referred to. In this question, reference is specifically made to development at the railway station being acceptable as long as it brings improvements to parking, this could reasonably be interpreted as development within the curtilage of the station. It does not give a clear indication that residents would be in favour of residential development of the extent proposed on a greenfield site in order to allow access through to the Network Rail land on the western side of the railway line. Furthermore, as set out above, Policy 11 of the draft Neighbourhood Plan is not clear on whether residential use is anticipated for the site, as there is mention of a tourism use. Without the clarity of a specific site allocation, this will remain ambiguous.
- 6.22 As previously stated, the proposed residential development is put forward as enabling the car park construction and off-site highway works. Although the developer is funding the construction of the car park, they have advised that Network Rail will be benefiting from the revenue generated by parking charges, hence their case that the housing is necessary to fund the car park construction. However, the Council must consider the development as a whole, with limited regard to the private agreements between different landowners, as planning permissions run with the land, and are not limited to specific owners. The Council's financial consultant has advised that when the development is assessed as a whole, the scheme is viable. Therefore, as the car park development would generate an on-going income through parking charges, the cost of construction would be covered in the long term. Therefore, it is not clear that residential development, particularly of the extent proposed (i.e. projecting westwards beyond the current limit of the built-up area on the southern side of Stopham Road) is necessary to facilitate the construction of the car park.

Affordable Housing and Infrastructure

- 6.23 When this application was originally submitted, the Applicant did not propose to provide any affordable housing and prepared a financial viability appraisal in support of their case. The Applicant's Agent has advised that Network Rail is not contributing to the cost of

construction of the car park, and that this cost will be entirely funded by the developer of the residential scheme. It has also been confirmed that Network Rail will collect and retain the income from parking charges for use of the proposed car park. As the expense of the car park construction was being borne by the development, the developer proposed not to provide any on-site affordable housing, nor any financial contribution to off-site provision of affordable housing, for reasons of viability. The Council's Financial Consultant considered that it was not appropriate for the cost of constructing a car park to be included in the appraisal, but the revenue from the car park to be excluded from the appraisal, as this would effectively result in the Council being asked to forego affordable housing in order to pay for a car park, the revenue from which would benefit a private business. Planning permission runs with the land and therefore it is possible that, should planning permission be granted, the site could be sold to a single developer who would carry out the residential and car park elements as a single development, benefitting from the revenue from the car park. Considering this, and the advice of the Financial Consultants, Officers concluded that it is not reasonable to exclude the car park revenue from the resulting development value, and negotiations have been taking place with the Applicant in respect of on-site affordable housing provision. The Applicant has now agreed to provide 35% of the units as affordable (equating to 10 units in this scheme of 28). This is endorsed by the Council's financial viability consultant, who advises that a tenure split of 50% affordable rented and 50% shared ownership would be viable. The Applicant has agreed to provide this.

- 6.24 In terms of infrastructure contributions, the Applicant's viability appraisal includes allowance for S106 contributions. The HDC Contributions Calculator indicates that up to £42088 would be available for open space, sport and recreation contributions and £6,339 for community halls and centres, subject to identification of suitable projects to allocate the funds to prior to finalisation of a Legal Agreement. WSCC have requested a total of £217,658 for infrastructure improvements connected with the proposal.
- 6.25 The provision of on-site affordable housing and financial contributions to infrastructure need to be secured by way of a Legal Agreement. As no Legal Agreement is in place at this time, there is no means by which to secure these Policy requirements and therefore, the proposal is contrary to Policies CP12 and CP13 of the Core Strategy and Policies 16 and 39 of the HDPF.

#### Highway Matters

- 6.26 Given that the highway works are not within the red edge of the application site and it is understood that these all lie on highway land. These works therefore require the consent of the Highway Authority, not the Local Planning Authority, they do not form part of the description of development. However, they are proposed in connection with the proposed development. The highway works comprise means to deter parking on Stopham Road, construction of residents' bays for existing properties on Stopham Road and works to improve pedestrian safety, in particular access under the railway bridge, through the erection of pedestrian operated traffic control lights at the bridge. The works under the railway bridge will improve the accessibility of this site, which although located fairly close distance-wise to village services and facilities, is disconnected from the main built-up area as a result of the absence of a dedicated pedestrian route under the bridge and therefore are necessary to make the development acceptable. In addition, the works to improve existing parking provision for residents and deter on-street parking should serve to reduce pedestrians walking in the road to and from parked vehicles, as well as improving the appearance of Stopham Road.

#### Heritage

- 6.27 There is a listed signal box at the station. Written advice has not been received from the Council's Heritage Consultant, but Officers have discussed the case with the Heritage Consultant. The residential element is a sufficient distance from the listed signal box not to affect its setting. The car park is in fairly close proximity to the listed signal box. Although there would be a material change in the setting of the signal box, with a large amount of

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vegetation removed and hardsurfacing laid, the car park would be station infrastructure, which would be expected to form part of a working rail station. As such, the car park development would not be out of keeping with the setting of a signal box.

### Parking Provision for the Residential Element

- 6.28 Within the residential part of the development, each of the dwellinghouses is provided with two off-street parking spaces, through a combination of integral garages, detached garages/car ports and driveways. A 10-space parking court, including undercroft parking, is proposed to serve the six units at Plots 13-18 (note that two of these are 1-bedroom flats). There are no on-street visitor spaces proposed. Given the proximity to the train station, and the proximity to the village centre (subject to improvements to pedestrian access under the railway bridge), it is considered that the proposal provides sufficient car parking for the proposed dwellings. Given the proximity of the proposal to the proposed station car park, and the problems experienced with on-street parking on Stopham Road, it is considered necessary to require the developer to ensure that on-street parking is suitably managed within the site to prevent vehicles parking inconsiderately or in a manner which restricts access on the proposed access road. This could be achieved by either legal agreement or condition, depending on whether the Applicant intends to offer the road for adoption. The comments from occupiers of Railway Cottages are noted in respect of the impact of development on an area currently used for parking ancillary to these two dwellings. The land in question appears to form part of Network Rail's land, and therefore any agreement in respect of the continued use of this land for car parking associated with Railway Cottages would be a private matter between the two parties. In terms of the proposed parking bays for residents of Stopham Road, it is understood that this land is currently Highway Land and the intention is for this to be transferred into private ownership for use as private residents parking.

### Amenity of Future Occupiers

- 6.29 In terms of the amenity of future occupiers of the development, each dwelling is provided with a rear garden and a communal garden is provided for the flats. The Council's Environmental Health Officer recommends conditions in respect of investigating land quality as well as a condition to ensure that future residents are not affected by undue noise disturbance, including alternative ventilation where necessary. No objections are therefore raised in respect of the amenity of future occupiers.

### Amenity of Neighbouring Residents

- 6.30 The nearest existing dwellings to the site are Nos. 1 and 2 Railway Cottages. No. 2 Railway Cottages has a number of windows in the side elevation overlooking the application site. These windows are sited about 5 metres from the boundary with proposed communal garden serving the flats and the rear garden of Plot 17. While the boundary between these sites is currently fairly open, the indicative landscaping scheme shows tree planting on the boundary, which would serve to provide some screening of views from the side windows of No. 2 Railway Cottages into the proposed gardens. The proposed building comprising plots 13-20 would significantly alter the outlook from No. 2 Railway Cottages and its garden. However, the proposed buildings are sited over 10 metres from the boundary with the neighbouring property and over 15 metres from the neighbouring dwelling itself. Given the distance of separation therefore, no objections are raised in respect of the impact of the proposal on the privacy or amenity of neighbouring residents.

### Drainage and Flood Risk

- 6.31 Third party representations regarding flooding from runoff from fields to the north are noted. However, a planning application cannot be required to solve an existing flooding or drainage problem, only demonstrate that it would not make any existing issue worse. In this case, the site is in flood zone 1, where there is the lowest risk of flooding. The WSCC Flood Risk Management Team and HDC Drainage Officer raise no objection to the proposal, subject to conditions requiring approval of a detailed drainage strategy to deal with foul and surface water.



Renewable Energy

- 6.32 Policy DC8 requires new development of over 10 dwellings to incorporate sufficient on-site renewable energy equipment or other design measures to achieve at least a 10% reduction in the schemes predicted carbon dioxide emissions. The Sustainability and Renewable Energy Statement accompanying the application sets out that Air Source Heat Pumps incorporated into 22 of the proposed dwellings will result in a reduction in carbon dioxide emissions of 13.21%. A condition requiring full details of the means by which the 10% reduction would be appropriate if permission is forthcoming.

Conclusion

- 6.33 In conclusion therefore, the principle of the residential development of this site outside of the built-up area boundary is contrary to both the adopted Development Plan and the emerging HDPF. In particular, the proposal results in landscape harm to the SDNP and wider area. As such, Officers recommend refusal of the application.

## **7. RECOMMENDATIONS**

- 7.1 Officers recommend refusal of this application for the following reasons:

1. The application site is located outside of the built-up area boundary and is not allocated for residential development in a Made Neighbourhood Plan. The development of the site is therefore contrary to the emerging spatial strategy for growth in Horsham District and is contrary to Policies 2, 3, 4 and 15 of the emerging Horsham District Planning Framework.
2. The proposed development is located outside of the existing settlement and in close proximity to the South Downs National Park and in a prominent and elevated position above the open countryside to the south. The proposed development, by reason of its extent beyond the existing development on Stopham Road, would result in the inappropriate urbanisation of this part of Stopham Road, which currently has a distinctly rural character due to the open and rural nature of the site. In addition, the proposal would result in harm to the setting of the South Downs National Park, by reason of the urbanisation of the site and associated external lighting. The proposal is therefore contrary to Policies CP1 and CP3 of the Horsham District LDF Core Strategy and Policies DC1, DC2 and DC9 of the Horsham District LDF: General Horsham District Local Development Framework General Development Control Policies (2007), to the Facilitating Appropriate Development SPD and to Policies 4, 25, 27 and 30 of the emerging Horsham District Planning Framework.
3. Policy CP12 requires provision of 40% affordable units on developments involving 15 units or more, while the emerging HDPF Policy 16 requires 35% affordable housing provision on developments of this size. Policy CP13 and Policy HDPF 39 require new development to meet additional infrastructure requirements arising from the new development. Both the provision of affordable housing and contributions to infrastructure improvements/provision must be secured by way of a Legal Agreement. No completed Agreement is in place and therefore there is no means by which to secure these Policy requirements. As such, the proposal is contrary to Policy CP12 and CP13 of the Horsham District Local Development Framework Core Strategy (2007), to the Horsham District Local Development Framework Planning Obligations Supplementary Planning Document, the emerging HDPF Policies 16 and 39 and to the NPPF, in particular paragraph 50.

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Note to Applicant:

1. The reason for refusal (above) in respect of affordable housing provision and infrastructure contributions could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, you are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable Agreement.